



State of New Hampshire
PUBLIC EMPLOYEE LABOR RELATIONS BOARD
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Executive Director:

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Glenn Brackett (Alt.)

August 14, 2019

The Honorable Mary Jane Wallner, Chairman
Fiscal Committee of the General Court
State House
Concord, NH 03301

His Excellency, Governor Christopher T. Sununu
and the Executive Council
State House
Concord, NH 03301

REQUESTED ACTION

Pursuant to the provisions of Chapter 145, subparagraph I, (a), Laws of 2019, the Public Employee Labor Relations Board requests Fiscal Committee and Governor and Council approval and authorization to exceed the 3/12 limitation of said resolution for the accounts listed below, in the total amount of **\$5,916**, which is the projected deficit for the period through September 30, 2019. **100 % General funds.**

PERSONAL SERVICES PERMANENT - 100% General Fund

Account	Bureau/Division	Class	Cont. Res. Budget	Estimated Expenditures	Projected Deficit
02-73-73-730010-20660000	PUBLIC EMPLOYEE LABOR REL BRD	010	66,556	71,866	(5,310)
General Funding Source			66,556	71,866	(5,310)

BENEFITS - 100% General Fund

Account	Bureau/Division	Class	Cont. Res. Budget	Estimated Expenditures	Projected Deficit
02-73-73-730010-20660000	PUBLIC EMPLOYEE LABOR REL BRD	060	36,002	36,608	(606)
General Funding Source			36,002	36,608	(606)

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EXPLANATION

The Public Employee Labor Relations Board (PELRB) respectfully requests that above expenditure classes in specific accounting units be increased for the amounts noted, in excess of the 3/12 limitation established pursuant to Chapter 145, subparagraph I, (a), Laws of 2019.

The deficits projected through the end of the continuing resolution, September 30, 2019, are the result of anticipated payroll and benefit obligations, which will exceed the 25% level of funding for FY 2019, as reflected in the PELRB agency budget request for the FY 2020-2021 biennium.

The primary driver for the shortfalls expected in the payroll and benefit line is the timing of the State's bi-weekly payroll processing schedule that places 7 pay periods in the 3 month span of the Continuing Resolution. (This seventh payroll is one of two extra monthly pay periods of our annual 26 pay period cycle, which places three FY 2020 payrolls in the months of August and January 2020.) An additional contributor to the shortfalls are salary increments due PELRB employees beginning in the beginning of FY2020. It should be noted that this shortfall contributor would normally be mitigated in part by the agency's ability to seek relief from the Salary Adjustment Fund (RSA 99:4) and or the Benefit Adjustment Fund (RSA 9:17,c). These two funds are usually populated by DAS through a general sweep request and action to collect salary and benefit excess appropriations from each department, normally done on a quarterly basis. Given the short term of the Continuing Resolution, and the seventh pay period due to be paid September 27, 2019, excess funds are not expected to be available to be brought into the adjustment funds.

Listed below are answers to standard questions required of all Fiscal Committee item requests, related to RSA 9:16-a, "Transfers authorized", RSA 14:30-a, VI "Expenditure of funds over \$100,000 from any Non State Source", or RSA 124:15, "Positions Authorized", or both, and all emergency requests pursuant to " Chapter 145, subparagraph I, (a), Laws of 2019, making temporary appropriations for the expenses and encumbrances of the State of New Hampshire":

- 1. Is the action required of this request a result of the Continuing Resolution for FY 2020?** Yes, this request is a result of the Continuing Resolution. This action would not have been requested if the FY 2020-2021 Operating Budget proposal had been approved.
- 2. If this request is retroactive what is the significance and importance of the action being effective from an earlier date?** This request is not retroactive.
- 3. Is this a previously funded and ongoing program established through Fiscal Committee and Governor and Executive Council action? (If so, include as an attachment the original documents as approved and cite the specific dates of authorization and end dates for each action as part of your answer to this question.)** This request is not related to prior Fiscal Committee and/or Governor and Council action.
- 4. Was funding for this program included in the FY 2018-2019 enacted Budget or requested and denied?** Appropriate funding for salaries and benefits was requested and authorized in the FY 2018-2019 enacted budget.
- 5. Is this program in total or in part, included in the vetoed FY 2020-2021 Operating Budget proposal currently pending for your department, or was it requested and denied?** The total

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funding needs to support the salaries and benefits for PELRB were requested and included in the FY 2020-2021 Operating Budget proposal currently pending.

6. Does this program include, either positions or consultants, and if so are the positions filled, vacant, or have offers pending? (Please provide details for each position and note whether consultant contracts have been awarded.) This request is for funding necessary to meet payroll and benefit obligations for the existing PELRB full time employees.

7. What would be the effect should this program be discontinued or not initiated as a result of this request being denied? This request is not made to request funding for a new program, but to maintain existing operations. If denied the PELRB will submit a transfer request to the Fiscal Committee compiled from any allowable expenditure class line with identical funding to mitigate the anticipated shortfalls in these salary and benefit lines. If the transfer request fails, or is insufficient, then it appears employee furloughs/layoffs may be required.

Respectfully submitted,



Douglas L. Ingersoll, Esq.
Executive Director