

Employee Relations, Office of

Mission

The Office of Employee Relations' (OER) mission is to advance the performance of State government through collaborative labor relations, workforce training, education, and benefits. Operating under the Public Employees' Fair Employment Act (the Taylor Law), OER assists in relations between the State and its employees, including representing the Executive Branch in collective bargaining negotiations with 10 public employee unions.

Organization and Staffing

OER is headed by a Director who is appointed by the Governor. The agency is organized into five areas: (1) contract negotiations and administration; (2) legal; (3) administration of the Labor-Management Committees; (4) Statewide employee training and organizational development; and (5) the Anti-Discrimination Investigations Division. They are under the direction of the Executive Office; Contract Negotiation and Administration Division; and the Division for Administration.

Budget Highlights

The FY 2023 Executive Budget recommends \$11.7 million (\$9.7 million General Fund; \$2.0 million Other Funds), an increase of \$3.0 million from FY 2022. This increase is primarily for costs associated with additional staff in OER's Anti-Discrimination Investigations Division (ADID), as well as funding to assist OER in creating a new Model Employer training program. The FY 2023 Executive Budget recommends a workforce of 93 FTEs, an increase of 30 FTEs for the additional ADID staff.

Program Highlights

Executive Office

Composed of the Director, who determines the goals and strategies for collective negotiations with the employee unions. The Director also provides overall policy direction for the agency comprised of the head of each division.

Contract Negotiations & Administration

The principal responsibilities of the Contract Negotiations and Administration Division include:

- Serving as key liaisons between the Governor and agency management on labor relations issues;
- Negotiating and administering Collective Bargaining Agreements and providing advocacy and administration of management/confidential issues and programs;
- Acting as liaisons to the Joint Labor-Management Committees (LMCs);
- Providing grievance resolution;
- Collecting, maintaining, and analyzing data on New York State's workforce, compensation and benefit programs, and programs and policies of other employers, including both public and private employers; and
- Developing strategies for health benefit negotiations.

Counsel's Office

Provides legal counsel to the Director of OER in support of the Director's responsibilities under Article 24 of the Executive Law and related statutes. Additional responsibilities include:

- Representing State agencies in contract arbitrations arising from collectively negotiated agreements;
- Representing the State in proceedings before the Public Employment Relations Board (PERB);
- Representing OER in "triage" settlement discussions concerning grievances filed by certain unions;
- Developing OER's legislative proposals and pay bills, reviewing and commenting on other State agency proposals, and reviewing and commenting on bills the Governor submits to the Legislature;
- Participating in collective bargaining by advising negotiating teams, negotiating discipline and contract grievance provisions, and developing contract language;
- Presenting the State's case in interest arbitration for certain bargaining units;

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- Providing assistance to, and liaison with, the Attorney General concerning civil litigation involving labor and employment issues; and
- Updating State agencies on recent labor developments, new laws and mandates, court and arbitration decisions, and PERB determinations.

Division for Administration

Responsible for providing personnel, administrative, and fiscal support services, which serve OER, the LMCs, and the New York State Deferred Compensation Plan (DCP). More specifically, the Division has responsibility for the following:

- Establishing and managing OER, DCP, and LMC financial accounts;
- Human Resources Management which covers a wide range of areas such as payroll preparation, position classification, reclassification and reallocation, new employee orientation, affirmative action, and recruitment;
- Preparing all OER/LMC contracts; and
- Managing the Internal Controls Program; supporting daily operations including purchasing, space planning, mail and supply, document preparation, records management, inventory and equipment maintenance.

Training and Organizational Development

Conducts and administers educational efforts to improve the skills and level of knowledge of the State's workforce for improved productivity and services. This unit offers training services to State agencies interested in areas such as strategic planning, performance measurement, work process redesign, and adapting to change. This unit also oversees the development and implementation of all statewide mandatory training.

Anti-Discrimination Investigations Division (ADID)

Investigates complaints of protected class employment discrimination pursuant to Executive Order No. 187. Once investigations are complete, agencies are informed of the result, and if a complaint is substantiated as a violation of State policy, the agency is directed to take administrative action as determined by ADID.

ALL FUNDS APPROPRIATIONS (dollars)

Category	Available FY 2022	Appropriations Recommended FY 2023	Change From FY 2022	Reappropriations Recommended FY 2023
State Operations	8,683,000	11,755,000	3,072,000	0
Total	8,683,000	11,755,000	3,072,000	0

ALL FUND TYPES PROJECTED LEVELS OF EMPLOYMENT BY PROGRAM FILLED ANNUAL SALARIED POSITIONS

Program	FY 2022 Estimated FTEs 03/31/22	FY 2023 Estimated FTEs 03/31/23	FTE Change
Contract Negotiation and Administration			
General Fund	57	87	30
Internal Service Funds	6	6	0
Total	63	93	30

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STATE OPERATIONS
ALL FUNDS FINANCIAL REQUIREMENTS BY FUND TYPE
APPROPRIATIONS
(dollars)

Fund Type	Available FY 2022	Recommended FY 2023	Change
General Fund	6,736,000	9,743,000	3,007,000
Internal Service Funds	1,947,000	2,012,000	65,000
Total	8,683,000	11,755,000	3,072,000

STATE OPERATIONS
ALL FUNDS FINANCIAL REQUIREMENTS BY PROGRAM
APPROPRIATIONS
(dollars)

Program	Available FY 2022	Recommended FY 2023	Change
Contract Negotiation and Administration			
General Fund	6,736,000	9,743,000	3,007,000
Internal Service Funds	1,947,000	2,012,000	65,000
Total	8,683,000	11,755,000	3,072,000

STATE OPERATIONS - GENERAL FUND
SUMMARY OF PERSONAL SERVICE APPROPRIATIONS AND CHANGES
FY 2023 RECOMMENDED
(dollars)

Program	Total		Personal Service Regular (Annual Salaried)	
	Amount	Change	Amount	Change
Contract Negotiation and Administration	9,341,000	2,907,000	9,330,000	2,907,000
Total	9,341,000	2,907,000	9,330,000	2,907,000

Program	Temporary Service (Nonannual Salaried)		Holiday/Overtime Pay	
	Amount	Change	Amount	Change
Contract Negotiation and Administration	10,000	0	1,000	0
Total	10,000	0	1,000	0

STATE OPERATIONS - GENERAL FUND
SUMMARY OF NONPERSONAL SERVICE AND MAINTENANCE UNDISTRIBUTED
APPROPRIATIONS AND CHANGES
FY 2023 RECOMMENDED
(dollars)

Program	Total		Supplies and Materials	
	Amount	Change	Amount	Change
Contract Negotiation and Administration	402,000	100,000	171,000	100,000
Total	402,000	100,000	171,000	100,000

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Program	Travel		Contractual Services	
	Amount	Change	Amount	Change
Contract Negotiation and Administration	134,000	0	97,000	0
Total	134,000	0	97,000	0

**STATE OPERATIONS - OTHER THAN GENERAL FUND
SUMMARY OF APPROPRIATIONS AND CHANGES
FY 2023 RECOMMENDED
(dollars)**

Program	Total		Personal Service	
	Amount	Change	Amount	Change
Contract Negotiation and Administration	2,012,000	65,000	1,040,000	40,000
Total	2,012,000	65,000	1,040,000	40,000

Program	Nonpersonal Service	
	Amount	Change
Contract Negotiation and Administration	972,000	25,000
Total	972,000	25,000

Note: Most recent estimates as of 05/11/2020