

ALASKA LABOR RELATIONS AGENCY
Minutes of Business Meeting
Thursday, September 29, 2011

1. **Call to Order:** Chair Gary Bader called the meeting to order at 9:05 a.m. Chair Bader, Board Members Tyler Andrews, Matthew McSorley, Will Askren, and Vice Chair Aaron Isaacs, Jr. all attended in person. Member Daniel Repasky attended by telephone.

Staff members Margie Yadlosky, Jean Ward, and Mark Torgerson attended in person. Nobody from the public attended.

2. **Approval of Minutes from May 19, 2011 Business Meeting:** Vice Chair Isaacs moved to approve the minutes, and Member Andrews seconded the motion. By unanimous vote, the motion carried.

3. **Introductions:** Chair Gary Bader requested introductions be conducted by Mark Torgerson. Mark introduced Tom Nelson, Deputy Commissioner for the Department of Labor and Workforce Development. Nelson informed the board members of the Department's recent achievements and priorities. Board members addressed their concerns to Mr. Nelson about the Agency, including budget concerns, affect on the Agency of personnel changes due to retirement, caseload, and regulations that they felt were needed. Chair Bader proposed that a meeting be scheduled in the future with Deputy Commissioner Nelson to discuss the annual budget process, and training for both the ALRA board and staff.

Mark introduced Aesha Paulson, Assistant Attorney General to the agency Board and staff. Aesha explained her role for the Agency, stating her focus would be on assisting with regulation projects, representation of ALRA in Superior Court actions, and any ad hoc legal advice.

4. **Old Business:**

A. **Status of Pending Cases -**

1. Case Update - Jean Ward discussed the agency case load and explained the increase of cases and the fact that each case raised unique issues. Jean explained the history of unit clarification petitions and the steps now being taken before they are forwarded to Mark and the board for the hearing process. Jean reported on the priority cases currently being investigated, the 19 open cases, and the 5 cases currently in abeyance. Mark added that there was one case set for a December hearing at this time. Board members agreed the panel assignments have been assigned equally and have no problems to date.
2. Summary of recent Board decisions - Chair Bader opened up for discussion by board. Hearing no comments, Chair Bader expressed gratitude for having the summaries as they help keep him up to date on cases on which he is not a panel member.

B. Budget-

1. Budget Overview – Mark explained the budget process and the upcoming budget concerns. Mark explained that any budget requests must be prepared and submitted in August to the Department. Board Member McSorley expressed concerns about the lack of travel and training funds for board members and the need for a training plan. Board members expressed their concerns about segments of the budget including lack of travel funds, training funds, the need for additional staff, and how that affects the budget process and the caseload. A proposal by Chair Bader is to have a Sub-committee of Members, each taking a category, and work towards a submission for FY14 budget. Board members agreed any budget requests must be justifiable. Board Chair Bader suggested that since he makes the panel assignments he would parcel out the budget to two member teams and they could come in better prepared than the rest of the board members to educate the other board members and vice versa. Question by member Repasky – What function does the board play with its staff – does the staff serve the board or does the board serve staff? Repasky believes it would be more appropriate if board members were in on the ground floor of the budgeting process. Where Mark and his staff are communicating with us (Board members) that this is what we intend to submit for a budget and give the board members an opportunity to say well we need to do this that or the other thing as well. Member Repasky believes it's a question of how you read the law on whether does Mark work for us or do we work for Mark? The way Member Repasky read it, we (ALRA Bd members) are actually the people that are responsible for that budget and then Mark submits it on our behalf. And for us to do that intelligently we need to tell staff what we want from them. To make that decision we need to do it in a timely fashion so when the budget comes in it's an intelligent budget submitted by the board through its staff. Instead staff submitting a budget for the board. Will suggested that it would very helpful to have a workshop first with the folks that deal with the budget so they can educate us at the same time. Then from there develop the committees so that we have a pretty good understanding as a group of what we are going for and then the committees could be more focused .. He believes we may have to have two or even three meetings before the budget is submitted hopefully in August and not July this year. Mark agreed that he would be in contact with our department budget person, and set up training for the board members. Board members went into executive session at 10:15. a.m.

Executive Session: Board Member Matt McSorley made a motion to go into Executive session at 10:15 a.m., and Board Member Aaron Isaacs seconded. Purpose of executive session was to discuss matters the need of which would clearly have an adverse effect upon the operation of the agency. The motion carried by unanimous vote. Executive session ended at 10:52 a.m. and the Board reconvened the public business meeting.

Board Chair made comment on agenda item –budget, on behalf of the board. First of all to staff that the board does not feel it has taken appropriate level of responsibility for the budget, not to imply that you either individually or as a group have not done a good job in developing the

budget, we believe that you have. But we'd like to become more involved. And in part I think we have left you out to hang on terms on taking the flack, taking the fire, getting out in front so that us as non-employees. We feel that us as non-employees, as board members can absorb pressure put on you for budgets. In a nutshell, we don't believe that we have done our job. There are two things to consider: first, the potential for a supplemental budget. Chair Bader said he was not suggesting we do one, just saying we should look at that possibility. But more importantly consider getting the Board more involved in the development of the 2014 budget. We're not taking responsibility for it although we believe at the end of the day that we are responsible for the budget as the board for the agency. Board Chair requested staff set up a meeting with the Department's budget analyst to educate members on the budget process. Board would like to do that as soon as possible. Board members participation would be voluntary as some believe that they are sufficiently educated in the State budget process. Mark commented that supplemental budgets are usually made for emergencies like fires and unforeseen events. Mark will contact Paloma Harbour to set up the budget training. Will asked that after budget training, he wants to meet with full board to go over budget with staff to find out what the full needs of the Agency are before splitting up into subcommittees on budget for 2014.

5. New Business:

A. Training - and **B. ALRA Conference 2011 & 2012 - Combined.**

The Board discussed training available for board members. Chair Bader requested possible training options available for board members. Mark said training options include the National Judicial College courses. Board member Andrews explained that the NJC was good and that the ALRA Academy and Conference was one of the best geared to board members. He would like to see one member and one staff attend yearly. He believes that is where current NLRB and States discuss current trends in Labor Relations, which would be appropriate. Board Member McSorley motioned to request sending the entire Board and ALRA Staff to Labor Relations Training to be determined at a later date. Motioned seconded and all voted in favor.

B. Regulation Project Proposal - Mark addressed the board noting that a regulation project for next summer would be beneficial. He would first like to try to get some of the cases caught up, and hopefully that's going to be done by the end of the year. Then we could talk to Aesha about a regulation project. During the legislative session it always more of a challenge for the Assistant Attorney Generals because they get a lot of legislative related projects. Chair Bader asked that Mark provide information to the board members, keep the board members informed of when Mark is going to start regulation project, perhaps any one or more board member could participate in suggesting language.

C. Board Member Update -

1. Mark explained that each year in March board members' terms expire. Matt & Tyler's terms expire in March 2012. Mark stated that if Matt and Tyler want to re-up then they should send email to Boards and Commissions. Mark will send an email request to the Deputy Commissioner for both to "re-up" terms.

2. Board members were asked to provide updates to their calendars on the days that they are available, or not, for ALRA business.

D. Scheduling of Next Board Business Meeting - Board Chair Bader made a request for the next board meeting to be held in early May. Board members were asked to check their calendars and forward information to confirm the date. Motion to direct the staff to schedule to meet with the Board in another executive meeting within 30 days, and Board Member Repasky seconded. The motion carried by unanimous vote.

Board Chair Bader requested an item be added to the agenda for the next public board meeting titled "New Business - Training". Chair Bader wants the staff to explain the process to obtain additional funds for board training. Board Member Andrews requested a draft agenda be prepared and sent to all board members one week prior to the Board Chair's approval so items could be added.

6. Executive Session: Chair Gary Bade motioned to go into executive session beginning at 11:28 a.m. So moved and seconded by Board Member Aaron Isaacs. Purpose of the Executive Session is to discuss matters the immediate knowledge of which would clearly have an adverse effect upon the finances of the Agency. Public Meeting resumed at 11:50 a.m.

7. Public Comment: There was no public comment. Board Member Will Askren commented that he thought we were all doing a very fine job, and expressed thanks on behalf of the State of Alaska.

8. Adjournment of Public Meeting. Vice Chair Isaacs moved to adjourn the meeting and Board Member McSorley seconded the motion. Hearing no objections, the meeting was adjourned at 12:38 p.m.

To Do List:

1. Agenda for Tom Nelson Meeting - Concerns from the Board
2. Budget Training
3. Budget Workshop for board members- Line Item Budget FY2014.
4. Regulations Project - provide information to the board on deadlines for legislative proposals.
5. Scheduling for next board meeting - Early May
6. Draft Agenda to be sent to board member 1 week prior to chair's approval.