

# V O S H A R E V I E W B O A R D

Leigh Keyser Phillips, Executive Director

Fiscal Year 2015 Budget Request



# **VOSHA Review Board**

*Fiscal Year 2015 Budget Request*

*Leigh Keyser Phillips, Executive Director*

Budget Development

**Paul Rousseau CPA**

AoA Chief Financial Officer

**Jason Pinard**

Financial Director II

**Joe Harris**

Financial Director II

*VOSHA Review Board*

*FY 2015 Budget Request*

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## **VOSHA REVIEW BOARD**

### *Executive Summary*

#### **Philosophy:**

The VOSHA Review Board carries out its statutory mandate to provide reviews of and hearings on Vermont Occupational Safety and Health Administration (VOSHA) citations for violations of safety and health standards in the workplace contested by Vermont employers.

#### **Key Initiatives:**

##### ***Hearings for VOSHA contested citations***

The Review Board's part-time clerk manages all filings, correspondence, and other administrative matters, including scheduling hearings. The Review Board appoints hearing officers to hear each case, which is not resolved through settlement, and also reviews any hearing officer's decision on a discretionary basis.

##### ***Review Board Rules***

The Review Board is responsible for establishing and updating the rules governing any case brought before it.

#### **Funding Levels:**

For the past few years, the Review Board has taken steps to reduce its budget by sharing the benefit expenses of its clerk with another state agency. In FY 15, the Review Board anticipates a personnel change which will result in having to pay the full amount of its Clerk's benefits. Because of a significant increase in the number of cases on the Review Board's docket in the FY 2014, we anticipate having to use a significant portion, possibly all, of the remaining carry forward in FY 2014. As a result of the increases personnel expenses and reduction of carry forward funds, the Review Board's FY 215 budget includes increases which represent our best estimate at a current service level budget.

#### **Summary**

The VOSHA Review Board provides Vermont employers with a forum for reviews of and hearings on any contested VOSHA citation for violations of workplace safety standards.



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# FY 2014 Budget to FY 2015 Request

 VOSHA Review Board



**Section I**

**FY 2015 Budget  
Submission**

### Fiscal Year 2015 Budget Development Form - VOSHA Review Board

	General \$\$	Transp \$\$	Special \$\$	Interdept'l Transfer \$\$	All other \$\$	Total \$\$
<b>VOSHA Review Board: FY 2014 (As Passed)</b>	<b>22,657</b>	<b>0</b>	<b>0</b>	<b>22,657</b>	<b>0</b>	<b>45,314</b>
FY14 budget reductions - vacancy savings	(115)					(115)
FY14 budget reductions - travel	(50)					(50)
Change in salaries and benefits	6,632			6,517		13,149
Elimination of admin fee - to the VLRB	(4,767)			(4,767)		(9,534)
Change in other personal and operating expenses	(656)			(706)		(1,362)
Change in AoA Agency Fee	49			49		98
Change in internal service fund fees	855			855		1,710
<b>Subtotal of increases/decreases</b>	<b>1,948</b>	<b>0</b>	<b>0</b>	<b>1,948</b>	<b>0</b>	<b>3,896</b>
<b>FY 2015 Governor Recommend</b>	<b>24,605</b>	<b>0</b>	<b>0</b>	<b>24,605</b>	<b>0</b>	<b>49,210</b>

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# Program Budget Profiles

 VOSHA Review Board



**Section 2**

**FY 2015 Budget  
Submission**

## FY15 Appropriations Committee Questionnaire

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### VOSHA REVIEW BOARD

1.

**a. What are your programs?**

Under 21 V.S.A. Section 226(c), (d) and 230, the VOSHA Review Board has a statutory mandate to hear and decide any case involving an employer's contesting of any Vermont Occupational Safety and Health Administration (VOSHA) citation for alleged violations of safety and health standards in the workplace. The Review Board is also responsible for establishing and updating the rules governing any case brought before it.

**b. How do these programs meet your core mission?**

By providing timely and fair hearings to all parties and assistance to employers, who appear before the Review Board in understanding the Review Board process, the VOSHA Review Board is meeting its core mission of providing all employers in Vermont with a forum in which to contest any VOSHA citation.

2.

**a. What does success in each program look like to Vermonters both those served by the program and the general population?**

Vermont employers are provided with assistance to enable them to understand the hearing and review process for any contesting a VOSHA citation for alleged safety and health standards in the workplace, and hearings and reviews are held in a fair and timely manner.

**b. What performance measures are used to determine progress and what baseline data is available (current and proposed budget, # served, etc)?**

The number of cases on the VOSHA Review Board's docket is used to determine its efficiency.

As of January 2, 2013, the Review Board has nineteen (19) cases pending. The dates on which these cases were filed with the Review Board ranged from September 2011 to October 2012.

As of November 25, 2013, the Review Board has thirty-four (33) cases pending. The dates on which these cases were filed with the Review Board range from March 2012 to May 2013. Two (2) of these cases are currently scheduled for hearings; one (1) is waiting to see if either party requests

## FY15 Appropriations Committee Questionnaire

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a review of the Hearing Officer Decision; four (4) are waiting for paperwork from the Department of Labor to issue a dismissal order; twenty-three (23) are waiting for information from the Department of Labor so that the Board can schedule a hearing; and three (3) had their hearings postponed to a later date. (NOTE: Generally, only 2-3 hearings are scheduled a month and hearings are only scheduled out 3-4 months.)

### **3. Is there a better way?**

The current structure and operation of the VOSHA Review Board allows it to carry out its responsibilities in an efficient and cost-effective way. The Review Board's only employee is a part-time clerk, who also works on a part-time basis for another state agency. By sharing an employee through a state approved dual employment arrangement, the Review Board has been able to save on employee benefits costs, such as health insurance, but will no longer be able to do so after a planned personnel change in FY 2015.

To continue to insure that it is carrying out its mission and responsibilities as efficiently and cost effectively as possible, the Review Board is in the process of (1) establishing a web page to provide online information and resources, relating to the VOSHA Review Board hearing and review process, to Vermont employers, as well as the general public and (2) revising and updating its rules and forms.

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# Program Performance\*

\*per 32 VSA §307(c)



VOSHA Review Board



**Section 3**

**FY 2015 Budget  
Submission**

# Vermont Occupational Safety and Health Review Board

## **Mission Statement:**

The VOSHA Review Board was created under 11 VSA 230 for the purpose of providing reviews of and hearings on any Vermont Occupational Safety and Health Administration (VOSHA) citation for a violation of workplace safety and health standards contested by an employer.

## ***Programmatic Mission Statement:***

Provide all employers in Vermont with a forum in which to contest any VOSHA citation.

## ***Goals:***

Provide timely and fair hearings to all parties and assistance to employers, who appear before the Review Board, in understanding the Review Board process.

## ***Indicators:***

Length of case docket is used to determine efficiency of Review Board.

## ***Market:***

The Review Board is available to all Vermont employers, who have contested a citation from VOSHA.

## ***Resources:***

Through FY 2014, the program has operated with one part-time clerk, sharing expenses for any benefits with another state agency in an effort to keep the Review Board's budget down. Available carry forward funds should cover any increases in hearing costs not covered by the budget, due to a significant increase in cases on the Review Board docket in the FY 2014. As a result, it is anticipated that a significant portion, if not all, of the carry forward funds will be used in FY2014. With The planned change in personnel in FY 2015 will result in the Review Board paying for all of its clerk's benefits and the possibility of a limited amount of carry forward funds. The current Review Board's programmatic resources are not expected to meet the future needs of the Review Board beyond FY15.

***Programmatic Changes:***

There are no significant programmatic changes anticipated for FY 2015.

***Measuring Productivity and Efficiency:***

Continue to schedule cases for hearings to reduce the number of open cases on the Review Board docket.

***Capital Needs for the Program:***

In FY 2015, there are currently no anticipated capital needs for the Review Board.

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# Budget Rollup Report

 VOSHA Review Board



**Section 4**

**FY 2015 Budget  
Submission**

## State of Vermont

Organization: 1280000000 - VOSHA review board

Budget Object Group: 1. PERSONAL SERVICES

Budget Object Rollup Name	FY2013 Actuals	FY2014 Original As Passed Budget	FY2014 Governor's BAA Recommended Budget	FY2015 Governor's Recommended Budget	Difference Between FY2015 Governor's Recommend and FY2014 As Passed	Percent Change FY2015 Governor's Recommend and FY2014 As Passed
Salaries and Wages	16,356	16,204	16,204	15,808	(396)	-2.4%
Fringe Benefits	4,726	4,116	4,116	17,554	13,438	326.5%
Contracted and 3rd Party Service	0	0	0	0	0	0.0%
PerDiem and Other Personal Services	9,831	4,968	4,968	3,838	(1,130)	-22.7%
<b>Budget Object Group Total: 1. PERSONAL SERVICES</b>	<b>30,912</b>	<b>25,288</b>	<b>25,288</b>	<b>37,200</b>	<b>11,912</b>	<b>47.1%</b>

Budget Object Group: 2. OPERATING

Budget Object Rollup Name	FY2013 Actuals	FY2014 Original As Passed Budget	FY2014 Governor's BAA Recommended Budget	FY2015 Governor's Recommended Budget	Difference Between FY2015 Governor's Recommend and FY2014 As Passed	Percent Change FY2015 Governor's Recommend and FY2014 As Passed
IT/Telecom Services and Equipment	3,887	2,376	2,376	3,202	826	34.8%
Travel	1,035	1,000	1,000	1,000	0	0.0%
Supplies	271	324	324	300	(24)	-7.4%
Other Purchased Services	9,475	10,372	10,372	1,336	(9,036)	-87.1%
Other Operating Expenses	12	4	4	12	8	200.0%
Rental Property	5,348	5,950	5,950	6,160	210	3.5%
<b>Budget Object Group Total: 2. OPERATING</b>	<b>20,028</b>	<b>20,026</b>	<b>20,026</b>	<b>12,010</b>	<b>(8,016)</b>	<b>-40.0%</b>
<b>Total Expenses</b>	<b>50,940</b>	<b>45,314</b>	<b>45,314</b>	<b>49,210</b>	<b>3,896</b>	<b>8.6%</b>

**State of Vermont**

**Organization: 1280000000 - VOSHA review board**

<b>Fund Name</b>	<b>FY2013 Actuals</b>	<b>FY2014 Original As Passed Budget</b>	<b>FY2014 Governor's BAA Recommended Budget</b>	<b>FY2015 Governor's Recommended Budget</b>	<b>Difference Between FY2015 Governor's Recommend and FY2014 As Passed</b>	<b>Percent Change FY2015 Governor's Recommend and FY2014 As Passed</b>
General Funds	25,675	22,657	22,657	24,605	1,948	8.6%
IDT Funds	25,265	22,657	22,657	24,605	1,948	8.6%
<b>Funds Total</b>	<b>50,940</b>	<b>45,314</b>	<b>45,314</b>	<b>49,210</b>	<b>3,896</b>	<b>8.6%</b>
Position Count				1		
FTE Total				0.50		

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# Budget Detail Reports

 VOSHA Review Board



**Section 5**

**FY 2015 Budget  
Submission**

# Budget Detail Reports

Organization: 1280000000 - VOSHA review board

## Budget Object Group: 1. PERSONAL SERVICES

		FY2013 Actuals	FY2014 Original As Passed Budget	FY2014 Governor's BAA Recommended Budget	FY2015 Governor's Recommended Budget	Difference Between FY2015 Governor's Recommend and FY2014 As Passed	Percent Change FY2015 Governor's Recommend and FY2014 As Passed
<b>Salaries and Wages</b>							
Description	Code						
Classified Employees	500000	2,337	0	0	0	0	0.0%
Exempt	500010	14,018	16,204	16,204	15,808	(396)	-2.4%
<b>Total: Salaries and Wages</b>		<b>16,356</b>	<b>16,204</b>	<b>16,204</b>	<b>15,808</b>	<b>(396)</b>	<b>-2.4%</b>

		FY2013 Actuals	FY2014 Original As Passed Budget	FY2014 Governor's BAA Recommended Budget	FY2015 Governor's Recommended Budget	Difference Between FY2015 Governor's Recommend and FY2014 As Passed	Percent Change FY2015 Governor's Recommend and FY2014 As Passed
<b>Fringe Benefits</b>							
Description	Code						
FICA - Classified Employees	501000	178	0	0	0	0	0.0%
FICA - Exempt	501010	1,043	1,238	1,238	1,210	(28)	-2.3%
Health Ins - Classified Empl	501500	1,352	0	0	0	0	0.0%
Health Ins - Exempt	501510	(676)	0	0	12,782	12,782	0.0%
Retirement - Classified Empl	502000	455	2,772	2,772	0	(2,772)	-100.0%
Retirement - Exempt	502010	2,299	0	0	2,704	2,704	0.0%
Dental - Classified Employees	502500	76	0	0	0	0	0.0%
Dental - Exempt	502510	(43)	0	0	676	676	0.0%
Life Ins - Classified Empl	503000	13	0	0	0	0	0.0%
Life Ins - Exempt	503010	(6)	0	0	66	66	0.0%
LTD - Classified Employees	503500	2	38	38	0	(38)	-100.0%
LTD - Exempt	503510	25	0	0	38	38	0.0%
EAP - Classified Empl	504000	2	0	0	0	0	0.0%

## Budget Detail Reports

Organization: 1280000000 - VOSHA review board

EAP - Exempt	504010	0	32	32	34	2	6.3%
Workers Comp - Ins Premium	505200	7	36	36	44	8	22.2%
<b>Total: Fringe Benefits</b>		<b>4,726</b>	<b>4,116</b>	<b>4,116</b>	<b>17,554</b>	<b>13,438</b>	<b>326.5%</b>

			FY2014 Original As Passed Budget	FY2014 Governor's BAA Recommended Budget	FY2015 Governor's Recommended Budget	Difference Between FY2015 Governor's Recommend and FY2014 As Passed	Percent Change FY2015 Governor's Recommend and FY2014 As Passed
<b>Contracted and 3rd Party Service</b>							
Description	Code						
Other Contr and 3Rd Pty Serv	507600	0	0	0	0	0	0.0%
<b>Total: Contracted and 3rd Party Service</b>		<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0.0%</b>

			FY2014 Original As Passed Budget	FY2014 Governor's BAA Recommended Budget	FY2015 Governor's Recommended Budget	Difference Between FY2015 Governor's Recommend and FY2014 As Passed	Percent Change FY2015 Governor's Recommend and FY2014 As Passed
<b>PerDiem and Other Personal Services</b>							
Description	Code	FY2013 Actuals					
Per Diem	506000	3,500	3,600	3,600	3,600	0	0.0%
Other Pers Serv	506200	6,331	1,368	1,368	238	(1,130)	-82.6%
<b>Total: PerDiem and Other Personal Services</b>		<b>9,831</b>	<b>4,968</b>	<b>4,968</b>	<b>3,838</b>	<b>(1,130)</b>	<b>-22.7%</b>
<b>Total: 1. PERSONAL SERVICES</b>		<b>30,912</b>	<b>25,288</b>	<b>25,288</b>	<b>37,200</b>	<b>11,912</b>	<b>47.1%</b>

## Budget Detail Reports

Organization: 1280000000 - VOSHA review board

### Budget Object Group: 2. OPERATING

IT/Telecom Services and Equipment		FY2013 Actuals	FY2014 Original As Passed Budget	FY2014 Governor's BAA Recommended Budget	FY2015 Governor's Recommended Budget	Difference Between FY2015 Governor's Recommend and FY2014 As Passed	Percent Change FY2015 Governor's Recommend and FY2014 As Passed
Description	Code						
Communications	516600	2	0	0	6	6	0.0%
Telecom-Conf Calling Services	516658	4	0	0	4	4	0.0%
It Intersvccost- Dii Other	516670	815	0	0	0	0	0.0%
It Intsvccost-Vision/Isdassess	516671	2,012	502	502	682	180	35.9%
It Intsvccost- Dii - Telephone	516672	1,054	1,300	1,300	1,000	(300)	-23.1%
It Inter Svc Cost User Support	516678	0	0	0	356	356	0.0%
It Int Svc Dii Allocated Fee	516685	0	574	574	1,154	580	101.0%
<b>Total: IT/Telecom Services and Equipment</b>		<b>3,887</b>	<b>2,376</b>	<b>2,376</b>	<b>3,202</b>	<b>826</b>	<b>34.8%</b>

Other Operating Expenses		FY2013 Actuals	FY2014 Original As Passed Budget	FY2014 Governor's BAA Recommended Budget	FY2015 Governor's Recommended Budget	Difference Between FY2015 Governor's Recommend and FY2014 As Passed	Percent Change FY2015 Governor's Recommend and FY2014 As Passed
Description	Code						
Single Audit Allocation	523620	12	4	4	12	8	200.0%
<b>Total: Other Operating Expenses</b>		<b>12</b>	<b>4</b>	<b>4</b>	<b>12</b>	<b>8</b>	<b>200.0%</b>

# Budget Detail Reports

Organization: 1280000000 - VOSHA review board

		FY2013 Actuals	FY2014 Original As Passed Budget	FY2014 Governor's BAA Recommended Budget	FY2015 Governor's Recommended Budget	Difference Between FY2015 Governor's Recommend and FY2014 As Passed	Percent Change FY2015 Governor's Recommend and FY2014 As Passed
<b>Other Purchased Services</b>							
Description	Code						
Insurance Other Than Empl Bene	516000	20	24	24	22	(2)	-8.3%
Insurance - General Liability	516010	5	30	30	34	4	13.3%
Photocopying	517020	8	50	50	26	(24)	-48.0%
Postage	517200	13	50	50	26	(24)	-48.0%
Postage - Bgs Postal Svcs Only	517205	475	420	420	500	80	19.0%
Agency Fee	519005	164	170	170	268	98	57.6%
Human Resources Services	519006	132	94	94	460	366	389.4%
Administrative Service Charge	519010	8,658	9,534	9,534	0	(9,534)	-100.0%
<b>Total: Other Purchased Services</b>		<b>9,475</b>	<b>10,372</b>	<b>10,372</b>	<b>1,336</b>	<b>(9,036)</b>	<b>-87.1%</b>

		FY2013 Actuals	FY2014 Original As Passed Budget	FY2014 Governor's BAA Recommended Budget	FY2015 Governor's Recommended Budget	Difference Between FY2015 Governor's Recommend and FY2014 As Passed	Percent Change FY2015 Governor's Recommend and FY2014 As Passed
<b>Rental Property</b>							
Description	Code						
Fee-For-Space Charge	515010	5,348	5,950	5,950	6,160	210	3.5%
<b>Total: Rental Property</b>		<b>5,348</b>	<b>5,950</b>	<b>5,950</b>	<b>6,160</b>	<b>210</b>	<b>3.5%</b>

## Budget Detail Reports

Organization: 1280000000 - VOSHA review board

		FY2013 Actuals	FY2014 Original As Passed Budget	FY2014 Governor's BAA Recommended Budget	FY2015 Governor's Recommended Budget	Difference Between FY2015 Governor's Recommend and FY2014 As Passed	Percent Change FY2015 Governor's Recommend and FY2014 As Passed
<b>Supplies</b>							
Description	Code						
Office Supplies	520000	271	324	324	300	(24)	-7.4%
<b>Total: Supplies</b>		<b>271</b>	<b>324</b>	<b>324</b>	<b>300</b>	<b>(24)</b>	<b>-7.4%</b>
<b>Travel</b>							
Description	Code						
Travel-Inst-Auto Mileage-Nonemp	518300	1,035	1,000	1,000	1,000	0	0.0%
<b>Total: Travel</b>		<b>1,035</b>	<b>1,000</b>	<b>1,000</b>	<b>1,000</b>	<b>0</b>	<b>0.0%</b>
<b>Total: 2. OPERATING</b>		<b>20,028</b>	<b>20,026</b>	<b>20,026</b>	<b>12,010</b>	<b>(8,016)</b>	<b>-40.0%</b>
<b>Total Expenses:</b>		<b>50,940</b>	<b>45,314</b>	<b>45,314</b>	<b>49,210</b>	<b>3,896</b>	<b>8.6%</b>

## Budget Detail Reports

Organization: 1280000000 - VOSHA review board

Fund Name	Fund Code	FY2013 Actuals	FY2014 Original As Passed Budget	FY2014 Governor's BAA Recommended Budget	FY2015 Governor's Recommended Budget	Difference Between FY2015 Governor's Recommend and FY2014 As Passed	Percent Change FY2015 Governor's Recommend and FY2014 As Passed
General Fund	10000	25,675	22,657	22,657	24,605	1,948	8.6%
Inter-Unit Transfers Fund	21500	25,265	22,657	22,657	24,605	1,948	8.6%
<b>Funds Total:</b>		<b>50,940</b>	<b>45,314</b>	<b>45,314</b>	<b>49,210</b>	<b>3,896</b>	<b>8.6%</b>
Position Count					1		
FTE Total					0.50		

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# Personnel Summary Reports

 VOSHA Review Board



**Section 6**

**FY 2015 Budget  
Submission**

**State of Vermont**

**FY2015 Governor's Recommended Budget Position  
Summary Report**

**128000000-VOSHA review board**

<b>Position Number</b>	<b>Classification</b>	<b>FTE</b>	<b>Count</b>	<b>Gross Salary</b>	<b>Benefits Total</b>	<b>Statutory Total</b>	<b>Total</b>
397001	95490E - Clerk Vt Labor Relations Bd	0.50	1.00	15,808	16,300	1,210	33,318
<b>Total</b>		<b>0.50</b>	<b>1.00</b>	<b>15,808</b>	<b>16,300</b>	<b>1,210</b>	<b>33,318</b>

<b>Fund Code</b>	<b>Fund Name</b>	<b>FTE</b>	<b>Count</b>	<b>Gross Salary</b>	<b>Benefits Total</b>	<b>Statutory Total</b>	<b>Total</b>
10000	General Fund	0.25	1.00	7,904	8,150	605	16,659
21500	Inter-Unit Transfers Fund	0.25		7,904	8,150	605	16,659
<b>Total</b>		<b>0.50</b>	<b>1.00</b>	<b>15,808</b>	<b>16,300</b>	<b>1,210</b>	<b>33,318</b>

Note: Numb

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# Organizational Charts

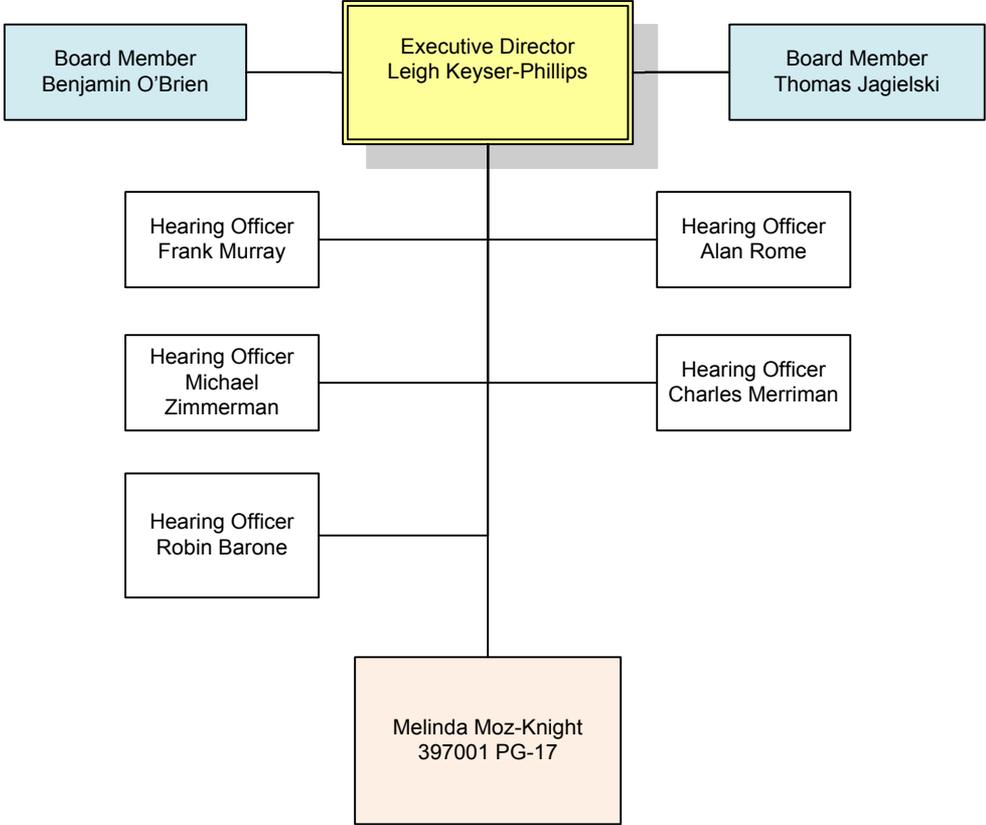
 VOSHA Review Board



**Section 7**

**FY 2015 Budget  
Submission**

VOSHA Review Board



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# Federal Receipts, Interdepartmental Receipts & Grants Out

 VOSHA Review Board



**Section 8**

**FY 2015 Budget  
Submission**

## Federal Receipts - Interdepartment Transfers - Grants

Department: 1280000000 - VOSHA review board

### Interdepartment Transfers

Budget Request Code	Fund	Justification	Est Amount
3446	21500		\$24,605
		Total	\$24,605

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# Carry Forward Report

 VOSHA Review Board



**Section 9**

**FY 2015 Budget  
Submission**

**VOSHA Review Board**  
*Carryforward Projections*

<b>Program</b>	<b>Final Carryforward 6/30/2013</b>	<b>FY 2014 Appropriated Funding</b>	<b>FY 2014 Estimated Expenditures</b>	<b>Estimated Carryforward 6/30/2014</b>
<b>General Fund:</b>				
VOSHA Review Board:	\$21,400	\$22,657	(\$44,057)	\$0
<b>Total General Fund:</b>	<b>\$21,400</b>	<b>\$22,657</b>	<b>(\$44,057)</b>	<b>\$0</b>
<b>TOTALS:</b>	<b>\$21,400</b>	<b>\$22,657</b>	<b>(\$44,057)</b>	<b>\$0</b>