

**WEST VIRGINIA  
PUBLIC EMPLOYEES GRIEVANCE BOARD**

**ANNUAL REPORT  
FISCAL YEAR 2011**



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DIRECTOR**

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The report provides the following data:

- The number of grievances against each employer;
- The types of grievances, level of resolution and costs;
- The number of grievances granted, denied or resolved by other means; and
- The caseload of each administrative law judge, the type of grievance, the number of grievances resolved and the number of decisions issued.

During Fiscal Year 2011, 2,297 grievances were filed: 1,588 at Level 1; 11 Level 1 Defaults; 377 at Level 2; and 321 at Level 3. Please note that post-filing consolidation results in fewer proceedings than the number of original grievances.

For Fiscal Year 2011, there were 263 mediations conducted; 66 were successful. With the average cost of a Level 3 hearing of \$2,534.59, the successful mediations represent a potential cost avoidance (of a Level 3 hearing) of more than \$167,282.94.

The Board is pleased to report that since the §§ 6C-3 et seq. became effective on July 1, 2007, 287 mediations have been successful, thus representing a total potential cost avoidance to date of more than \$727,427.33.

During Fiscal Year 2011, 218 Level 3 evidentiary hearings were conducted, seven were submitted for review based on the Level 1 hearing record; and 171 decisions were issued.

The Board strives to resolve grievances fairly, consistently and as expeditiously as possible. Continuances at the rates of 31% for mediations and 56% for hearings impede that goal and increase the workload for support staff.

Where support staff formerly only processed and maintained records on grievances before the Board for a hearing, they now perform the same functions for grievances filed at Levels 1 and 2. During Fiscal Year 2011, that amounted to 1,976 filings more than what would have been a workload of 321 under the old grievance procedure.

Grievance-related communications are scanned and stored electronically. During Fiscal Year 2011, over 16,000 documents were processed and scanned. Support staff mailed an average of almost 1,350 pieces of mail per month during that period.

I hope you find this report informative and welcome your inquiries regarding any of the data it contains.

# NUMBER OF GRIEVANCES AGAINST EACH EMPLOYER

| COUNTY BOARDS OF EDUCATION |      |      |            |  |            |            |            |              |
|----------------------------|------|------|------------|--|------------|------------|------------|--------------|
| 2009                       | 2010 | 2011 |            |  | 2009       | 2010       | 2011       |              |
| 10                         | 0    | 2    | BARBOUR    |  | 2          | 1          | 2          | MINERAL      |
| 6                          | 19   | 20   | BERKELEY   |  | 3          | 14         | 12         | MINGO        |
| 4                          | 15   | 15   | BOONE      |  | 25         | 62         | 37         | MONONGALIA   |
| 0                          | 4    | 6    | BRAXTON    |  | 3          | 38         | 9          | MONROE       |
| 4                          | 12   | 33   | BROOKE     |  | 1          | 1          | 0          | MORGAN       |
| 15                         | 37   | 8    | CABELL     |  | 2          | 3          | 22         | NICHOLAS     |
| 1                          | 2    | 2    | CALHOUN    |  | 15         | 21         | 3          | OHIO         |
| 4                          | 0    | 0    | CLAY       |  | 1          | 0          | 0          | PENDLETON    |
| 3                          | 0    | 2    | DODDRIDGE  |  | 4          | 0          | 1          | PLEASANTS    |
| 28                         | 13   | 1    | FAYETTE    |  | 2          | 15         | 0          | POCAHONTAS   |
| 1                          | 4    | 3    | GILMER     |  | 31         | 5          | 5          | PRESTON      |
| 5                          | 6    | 4    | GRANT      |  | 3          | 17         | 4          | PUTNAM       |
| 0                          | 5    | 1    | GREENBRIER |  | 12         | 9          | 11         | RALEIGH      |
| 12                         | 6    | 20   | HAMPSHIRE  |  | 20         | 12         | 2          | RANDOLPH     |
| 20                         | 4    | 12   | HANCOCK    |  | 0          | 5          | 2          | RITCHIE      |
| 7                          | 5    | 2    | HARDY      |  | 1          | 3          | 0          | ROANE        |
| 17                         | 17   | 17   | HARRISON   |  | 4          | 1          | 0          | SUMMERS      |
| 2                          | 15   | 3    | JACKSON    |  | 3          | 1          | 2          | TAYLOR       |
| 14                         | 8    | 15   | JEFFERSON  |  | 0          | 0          | 0          | TUCKER       |
| 42                         | 38   | 44   | KANAWHA    |  | 0          | 0          | 0          | TYLER        |
| 11                         | 4    | 3    | LEWIS      |  | 57         | 54         | 6          | UPSHUR       |
| 24                         | 6    | 7    | LINCOLN    |  | 17         | 28         | 12         | WAYNE        |
| 25                         | 10   | 8    | LOGAN      |  | 2          | 2          | 3          | WEBSTER      |
| 14                         | 9    | 14   | MARION     |  | 6          | 6          | 14         | WETZEL       |
| 13                         | 16   | 28   | MARSHALL   |  | 0          | 0          | 0          | WIRT         |
| 42                         | 30   | 36   | MASON      |  | 17         | 12         | 6          | WOOD         |
| 33                         | 27   | 7    | McDowell   |  | 0          | 3          | 2          | WYOMING      |
| 4                          | 9    | 15   | MERCER     |  | <b>592</b> | <b>634</b> | <b>483</b> | <b>TOTAL</b> |

# NUMBER OF GRIEVANCES AGAINST EACH EMPLOYER

| COUNTY HEALTH DEPARTMENTS |      |      |            |          |           |           |                 |
|---------------------------|------|------|------------|----------|-----------|-----------|-----------------|
| 2009                      | 2010 | 2011 |            | 2009     | 2010      | 2011      |                 |
|                           |      |      | BARBOUR    |          |           |           | McDowell        |
|                           |      |      | BERKELEY   |          |           |           | MERCER          |
|                           |      |      | BOONE      |          | 5         |           | MID-OHIO VALLEY |
|                           |      |      | BRAXTON    |          |           |           | MINERAL         |
|                           |      |      | BROOKE     | 1        |           |           | MINGO           |
| 1                         |      |      | CABELL     | 2        |           |           | MONONGALIA      |
|                           | 1    | 4    | CLAY       |          |           |           | MONROE          |
|                           |      |      | DODDRIDGE  | 1        |           |           | MORGAN          |
|                           |      |      | FAYETTE    |          |           |           | NICHOLAS        |
|                           |      |      | GILMER     |          |           |           | OHIO            |
|                           |      |      | GRANT      |          |           |           | PENDLETON       |
|                           |      |      | GREENBRIER |          |           |           | POCAHONTAS      |
| 1                         | 1    |      | HAMPSHIRE  |          |           |           | PRESTON         |
|                           |      |      | HANCOCK    | 1        | 4         | 9         | PUTNAM          |
|                           |      |      | HARDY      |          |           |           | RALEIGH         |
|                           |      |      | HARRISON   |          |           |           | RANDOLPH        |
|                           |      |      | JACKSON    |          |           |           | SUMMERS         |
| 1                         |      | 1    | JEFFERSON  |          |           |           | TAYLOR          |
|                           |      |      | KANAWHA    |          |           |           | TUCKER          |
|                           |      |      | LEWIS      |          |           | 1         | UPSHUR          |
|                           |      |      | LINCOLN    |          |           |           | WAYNE           |
|                           |      |      | LOGAN      |          |           |           | WEBSTER         |
| 1                         |      |      | MARION     |          |           |           | WETZEL-TYLER    |
|                           |      |      | MARSHALL   |          |           |           | WYOMING         |
|                           |      |      | MASON      |          |           |           |                 |
|                           |      |      |            | <b>9</b> | <b>11</b> | <b>15</b> | <b>TOTAL</b>    |

# NUMBER OF GRIEVANCES AGAINST EACH EMPLOYER

| <b>HIGHER EDUCATION POLICY COMMISSION</b> |             |             |  |
|---|-------------|-------------|--|
| <b>2009</b>                               | <b>2010</b> | <b>2011</b> |  |
| 1   | 1           |             | <b>HIGHER EDUCATION POLICY COMMISSION</b>                                    |
|   |             |             | <b>BACCALAUREATE AND GRADUATE INSTITUTIONS</b>                               |
| 10  | 9           | 7           | BLUEFIELD STATE COLLEGE  |
| 3   | 1           | 1           | CONCORD UNIVERSITY   |
| 3   | 23          | 1           | FAIRMONT STATE UNIVERSITY  |
|   |             |             | GLENVILLE STATE COLLEGE  |
| 175                                       | 63          | 31          | MARSHALL UNIVERSITY  |
| 3   | 3           | 5           | SHEPHERD UNIVERSITY  |
| 2   | 1           | 5           | WEST LIBERTY UNIVERSITY  |
|   | 3           |             | WEST VIRGINIA SCHOOL OF OSTEOPATHIC MEDICINE                                 |
| 2   | 1           | 4           | WEST VIRGINIA STATE UNIVERSITY   |
| 52  | 59          | 77          | WEST VIRGINIA UNIVERSITY   |
|   | 2           | 7           | WEST VIRGINIA UNIVERSITY INSTITUTE OF TECHNOLOGY                             |
|   |             |             | <b>COMMUNITY AND TECHNICAL COLLEGES</b>                                      |
|   |             | 2           | BLUE RIDGE COMMUNITY & TECHNICAL COLLEGE<br>(C&TC OF SHEPHERD)               |
|   |             |             | BRIDGEMONT COMMUNITY AND TECHNICAL COLLEGE<br>(C&TC AT WVU TECH)             |
|   |             |             | EASTERN WEST VIRGINIA COMMUNITY AND TECHNICAL COLLEGE                        |
| 3   | 4           |             | KANAWHA VALLEY COMMUNITY AND TECHNICAL COLLEGE<br>(WEST VIRGINIA STATE C&TC) |
| 2   |             |             | MARSHALL COMMUNITY & TECHNICAL COLLEGE                                       |
| 2   | 1           |             | NEW RIVER COMMUNITY & TECHNICAL COLLEGE                                      |
| 1   |             | 2           | PIERPONT COMMUNITY AND TECHNICAL COLLEGE<br>(FAIRMONT STATE C&TC)            |
| 1   | 1           | 1           | SOUTHERN WEST VIRGINIA COMMUNITY AND TECHNICAL COLLEGE                       |
| 3   | 1           | 1           | WEST VIRGINIA NORTHERN COMMUNITY COLLEGE                                     |
|   | 2           | 6           | WEST VIRGINIA UNIVERSITY AT PARKERSBURG                                      |
| <b>277</b>                                | <b>173</b>  | <b>150</b>  | <b>TOTAL</b>   |

## NUMBER OF GRIEVANCES AGAINST EACH EMPLOYER

| STATE EMPLOYERS |      |      |  |
|-----------------|------|------|--|
| 2009            | 2010 | 2011 |  |
| 1               |      |      | <b>Agriculture, Department of</b>                          |
| 11              | 37   | 21   | <b>Administration, Department of</b>                       |
| 1               |      | 3    | Children's Health Insurance Program                        |
|                 | 4    |      | Consolidated Public Retirement Board                       |
| 6               | 29   | 12   | General Services Division                                  |
| 3               | 2    |      | Personnel Division   |
| 1               |      |      | Public Employees Grievance Board                           |
|                 | 1    |      | Purchasing Division  |
|                 | 1    | 6    | Technology, Office of                                      |
|                 | 3    |      | <b>Bureau of Senior Services</b>                           |
| 84              | 20   | 18   | <b>Commerce, Department of</b>                             |
| 2               |      |      | Development Office   |
| 6               |      | 2    | Forestry, Division of                                      |
| 3               |      |      | Labor, Division of   |
| 2               | 2    | 2    | Miners' Health, Safety and Training, Office of             |
| 61              | 10   | 7    | Natural Resources, Division of                             |
| 10              | 8    | 7    | WorkForce West Virginia                                    |
| 22              | 5    | 49   | <b>Education, Department of</b>                            |
|                 | 2    |      | <b>Regional Education Service Agencies</b>                 |
| 1               |      |      | RESA 1   |
|                 | 1    |      | RESA 5   |
|                 | 1    |      | RESA 8   |
| 2               | 1    | 1    | <b>Student Support Services, Division of</b>               |
|                 |      |      | <b>Technical and Adult Education Services, Division of</b> |
| 1               | 1    | 1    | Institutional Education Programs, Office of                |
| 14              |      |      | South Branch Career and Technical Center                   |
|                 | 1    | 3    | <b>Unspecified</b>   |
| 4               | 1    | 44   | <b>West Virginia Schools for the Deaf and the Blind</b>    |

|            |            |            |  |
|------------|------------|------------|--|
| <b>12</b>  | <b>26</b>  | <b>33</b>  | <b>Education and the Arts, Department of</b>                 |
| 7          | 1          | 3          | Culture and History, Division of                             |
| 5          | 23         | 29         | Rehabilitation Services, Division of                         |
|            |            | 1          | Unspecified  |
|            | 2          |            | West Virginia Public Broadcasting                            |
|            |            |            |  |
| <b>7</b>   | <b>10</b>  | <b>12</b>  | <b>Environmental Protection, Department of</b>               |
|            | 1          |            | Air Quality, Division of                                     |
| 4          |            |            | Explosives and Blasting, Office of                           |
| 2          | 4          | 1          | Mining and Reclamation, Division of                          |
| 1          | 3          | 6          | Unspecified  |
|            | 2          | 5          | Water and Waste Management, Division of                      |
|            |            |            |  |
| <b>262</b> | <b>322</b> | <b>598</b> | <b>Health and Human Resources, Department of</b>             |
| 123        | 150        | 425        | <b>Behavioral Health &amp; Health Facilities, Bureau for</b> |
| 9          | 15         | 19         | Hopemont Hospital  |
| 14         | 6          | 15         | Jackie Withrow Hospital (Pinecrest Hospital)                 |
|            |            | 1          | John Manchin Sr Health Care Center                           |
| 12         | 51         | 49         | Lakin Hospital   |
| 31         | 17         | 33         | Mildred Mitchell-Bateman Hospital                            |
|            |            | 1          | Pinecrest Hospital   |
| 47         | 28         | 14         | Welch Community Hospital                                     |
| 8          | 31         | 293        | William R. Sharpe, Jr. Hospital                              |
| 2          | 2          |            | Unspecified  |
|            | 9          | 8          | <b>Boards, Commissions &amp; Authorities</b>                 |
|            | 3          |            | Barbers and Cosmetologists, Board of                         |
|            | 2          |            | Deaf and Hard-of-Hearing, Commission for the                 |
|            | 1          |            | Health Care Authority  |
| 4          | 1          | 7          | Human Rights Commission                                      |
|            | 1          |            | Medicine, Board of   |
|            | 1          | 1          | Women's Commission   |
| 26         | 33         | 31         | <b>Child Support Enforcement, Bureau for</b>                 |
| 81         | 96         | 106        | <b>Children and Families, Bureau for</b>                     |
| 1          | 2          | 4          | <b>Inspector General, Office of</b>                          |
|            | 1          |            | <b>Human Resource Management, Office of</b>                  |
| 4          | 1          | 1          | <b>Medical Services, Bureau for</b>                          |
| 15         | 26         | 23         | <b>Public Health, Bureau for</b>                             |
| 8          | 4          |            | <b>Unspecified</b>   |
|            |            |            |  |
| <b>167</b> | <b>156</b> | <b>139</b> | <b>Military Affairs and Public Safety, Department of</b>     |
| 56         | 53         | 70         | <b>Corrections, Division of</b>                              |
| 7          | 4          | 9          | Anthony Correctional Center                                  |

|    |    |    |  |
|----|----|----|--|
| 2  |    | 4  | Beckley Correctional Center                                    |
| 1  | 2  | 5  | Central Office   |
| 1  | 3  | 1  | Denmar Correctional Center                                     |
| 9  | 10 | 2  | Huttonsville Correctional Center                               |
|    | 6  | 11 | Lakin Correctional Center                                      |
| 5  | 6  | 6  | Martinsburg Correctional Center                                |
| 18 | 14 | 20 | Mount Olive Correctional Complex                               |
| 2  | 7  | 6  | Northern Correctional Facility                                 |
| 1  | 1  | 3  | Ohio County Correctional Complex                               |
| 5  |    | 1  | Pruntytown Correctional Center                                 |
| 4  |    | 2  | St. Marys Correctional Center                                  |
| 1  |    |    | West Virginia Correctional Industries                          |
|    | 1  |    | <b>Fire Marshal, Office of the</b>                             |
| 2  |    |    | <b>Homeland Security and Emergency Management, Division of</b> |
| 32 | 43 | 33 | <b>Juvenile Services, Division of</b>                          |
|    | 2  |    | Central Office   |
| 1  |    |    | Davis Center   |
| 6  | 2  | 5  | Donald R. Kuhn Juvenile Diagnostic and Detention Center        |
| 3  | 5  | 7  | Gene Spadaro Juvenile Center                                   |
| 1  | 6  | 1  | James H. "Tiger" Morton Juvenile Center                        |
| 6  | 3  | 4  | J. M. "Chick" Buckbee Juvenile Center                          |
| 2  | 3  | 2  | Lorrie Yeager, Jr. Juvenile Center                             |
| 3  | 3  | 7  | Robert L. Shell Juvenile Center                                |
| 1  | 2  |    | Sam Perdue Juvenile Center                                     |
| 1  | 2  | 1  | Vicki V. Douglas Juvenile Center                               |
| 1  |    |    | Unspecified  |
| 7  | 14 | 6  | WV Industrial Home for Youth                                   |
| 2  |    |    | <b>National Guard</b>  |
|    | 1  | 1  | <b>Parole Board</b>  |
|    | 1  |    | <b>Protective Services, Division of</b>                        |
| 37 | 39 | 35 | <b>Regional Jail and Correctional Facility Authority</b>       |
|    | 1  | 1  | Central Office   |
|    | 1  |    | Central Regional Jail  |
| 2  | 5  | 3  | Eastern Regional Jail  |
| 4  | 2  | 2  | North Central Regional Jail                                    |
| 1  | 2  | 2  | Northern Regional Jail   |
| 2  | 5  |    | Potomac Highlands Regional Jail                                |
| 7  | 7  | 8  | South Central Regional Jail                                    |
| 7  | 4  | 2  | Southern Regional Jail   |
| 4  | 4  | 12 | Southwestern Regional Jail                                     |
| 9  | 4  | 2  | Tygart Valley Regional Jail                                    |
| 1  | 4  | 3  | Western Regional Jail  |



|            |            |              |   |
|------------|------------|--------------|---|
| 6          | 2          |              | <b>State Police</b>                                   |
| 32         | 16         |              | <b>Veterans Affairs, Division of</b>                  |
|            |            |              |   |
| <b>16</b>  | <b>2</b>   | <b>2</b>     | <b>Public Service Commission</b>                      |
|            |            |              |   |
| <b>15</b>  | <b>20</b>  | <b>43</b>    | <b>Revenue, Department of</b>                         |
| 5          | 1          | 1            | Alcohol Beverage Control Administration               |
| 4          | 6          | 7            | Insurance Commission                                  |
| 1          | 5          | 26           | Lottery Commission                                    |
|            |            | 1            | Tax Appeals, Office of                                |
| 5          | 8          | 8            | Tax Department  |
|            |            |              |   |
| <b>237</b> | <b>254</b> | <b>166</b>   | <b>Transportation, Department of</b>                  |
|            |            | 1            | Administrative Hearings, Office of                    |
| 216        | 186        | 131          | Highways, Division of                                 |
| 14         | 65         | 24           | Motor Vehicles, Division of                           |
| 7          | 1          | 9            | Parkways, Economic Development, and Tourism Authority |
|            |            | 1            | Public Transit, Division of                           |
|            | 1          |              | State Rail Authority                                  |
|            | 1          |              | Unspecified   |
|            |            |              |   |
| <b>32</b>  | <b>16</b>  | <b>41</b>    | <b>Veterans Assistance, Department of</b>             |
|            |            |              |   |
| <b>819</b> | <b>855</b> | <b>1,122</b> | <b>TOTAL</b>  |

| <b>TYPE OF GRIEVANCE FILED*</b> |             |             |  |
|---------------------------------|-------------|-------------|--|
| <b>2009</b>                     | <b>2010</b> | <b>2011</b> |  |
| 567                             | 402         | 519         | CLASSIFICATION AND COMPENSATION                                    |
| 9                               | 12          | 12          | DEFAULT  |
| 276                             | 288         | 392         | DISCIPLINARY   |
| 104                             | 112         | 83          | DISCRIMINATION   |
| 68                              | 91          | 60          | HARASSMENT   |
| 237                             | 124         | 378         | NON-DISCIPLINARY EMPLOYMENT ACTIONS**                              |
| 16                              | 43          | 61          | REPRISAL   |
| 196                             | 292         | 196         | SELECTION  |
| 294                             | 641         | 346         | VIOLATIONS OF FEDERAL, STATE OR AGENCY STATUTES, RULES OR POLICIES |
| 76                              | 66          | 127         | OTHER  |

| <b>LEVEL OF RESOLUTION</b> |             |             |  |
|----------------------------|-------------|-------------|--|
| <b>2009</b>                | <b>2010</b> | <b>2011</b> |  |
| 731                        | 770         | 538         | LEVEL ONE – CHIEF ADMINISTRATOR            |
| 4                          | 5           | 5           | DEFAULT                                    |
| 315                        | 304         | 182         | LEVEL TWO – ALTERNATIVE DISPUTE RESOLUTION |
| 249                        | 294         | 304         | LEVEL THREE – HEARING (NEW PROCEDURE)      |
| 69                         | 11          | 1           | LEVEL FOUR – HEARING (OLD PROCEDURE)       |

| <b>COST OF GRIEVANCE</b> |             |             |  |
|--------------------------|-------------|-------------|--|
| <b>2009</b>              | <b>2010</b> | <b>2011</b> |  |
| 18.37                    | 301.57      | 298.21      | AVERAGE ESTIMATED COST OF EMPLOYEE TIME TO HANDLE THE GRIEVANCE      |
| 3,384.63                 | 388,601.14  | 478,383.07  | ACTUAL COST OF LEGAL TIME OR DAMAGES PAID IN RESOLUTION OF GRIEVANCE |
|                          | 765.30      | 793.47      | AVERAGE ESTIMATED COST OF HANDLING THE GRIEVANCE AT:<br>LEVEL 1      |
|                          | 285.50      | 126.12      | DEFAULT  |
|                          | 1,006.06    | 840.03      | LEVEL 2  |
|                          | 2,265.77    | 2534.59     | LEVEL 3  |

\* GRIEVANCES FREQUENTLY INVOLVE MORE THAN ONE TYPE OF ISSUE.

\*\* THIS INCLUDES TRANSFERS, REDUCTIONS IN FORCE, BUMPING, NON-RENEWAL OF CONTRACTS, COUNSELING, AND PROBATIONARY DISMISSAL FOR UNSATISFACTORY PERFORMANCE.

| RESOLUTION OF GRIEVANCES |      |      |        |      |      |                |      |      |                          |      |      |  |            |
|--------------------------|------|------|--------|------|------|----------------|------|------|--------------------------|------|------|--|------------|
| GRANTED                  |      |      | DENIED |      |      | GRANTED/DENIED |      |      | RESOLVED BY OTHER MEANS* |      |      | TYPE   |            |
| 2009                     | 2010 | 2011 | 2009   | 2010 | 2011 | 2009           | 2010 | 2011 | 2009                     | 2010 | 2011 |  |            |
| 42                       | 65   | 32   | 87     | 63   | 76   | 10             | 6    | 6    | 107                      | 111  | 192  | CLASSIFICATION AND COMPENSATION                                    |            |
| 0                        | 0    | 0    | 1      | 0    | 0    | 0              | 0    | 0    | 2                        | 5    | 5    | DEFAULT  |            |
| 20                       | 20   | 13   | 75     | 75   | 83   | 7              | 10   | 8    | 109                      | 101  | 161  | DISCIPLINARY   |            |
| 3                        | 2    | 1    | 26     | 20   | 17   | 1              | 0    | 0    | 28                       | 30   | 41   | DISCRIMINATION   |            |
| 2                        | 3    | 1    | 12     | 15   | 11   | 1              | 1    | 1    | 33                       | 28   | 35   | HARASSMENT   |            |
| 18                       | 8    | 4    | 44     | 31   | 37   | 2              | 4    | 2    | 56                       | 56   | 98   | NON-DISCIPLINARY EMPLOYMENT ACTIONS                                |            |
| 0                        | 0    | 0    | 4      | 6    | 6    | 0              | 1    | 1    | 12                       | 11   | 11   | REPRISAL   |            |
| 6                        | 9    | 18   | 61     | 46   | 54   | 3              | 3    | 3    | 91                       | 73   | 89   | SELECTION  |            |
| 0                        | 12   | 8    | 48     | 44   | 68   | 6              | 6    | 6    | 92                       | 115  | 106  | VIOLATIONS OF FEDERAL, STATE OR AGENCY STATUTES, RULES OR POLICIES |            |
| 4                        | 1    | 1    | 4      | 10   | 11   | 0              | 1    | 2    | 15                       | 30   | 42   | OTHER  |            |
| 95                       |      |      | 362    |      |      | 30             |      |      | 545                      |      |      | 1032   | 2009 TOTAL |
|                          | 120  |      |        | 310  |      |                | 32   |      |                          | 560  |      | 1022   | 2010 TOTAL |
|                          |      | 78   |        |      | 363  |                |      | 29   |                          |      | 780  | 1250   | 2011 TOTAL |

\* This includes grievances that are settled, withdrawn, remanded, and dismissed.

## ADMINISTRATIVE LAW JUDGES

|   | LRB |    |    | WAE<br>RESIGNED 2-28-11 |    |    | BLG |    |    | CHL<br>HIRED 4-1-11 |    |    | WBM |    |     | RLR |    |    | JLS<br>HIRED 9-16-10 |    |    |
|---|-----|----|----|-------------------------|----|----|-----|----|----|---------------------|----|----|-----|----|-----|-----|----|----|----------------------|----|----|
|   | 09  | 10 | 11 | 09                      | 10 | 11 | 09  | 10 | 11 | 09                  | 10 | 11 | 09  | 10 | 11  | 09  | 10 | 11 | 09                   | 10 | 11 |
| <b>ASSIGNED<br/>(AS OF 6-30-2011)</b>   | 28  | 60 | 51 | 40                      | 76 | 1  | 28  | 43 | 50 | NA                  | NA | 44 | 41  | 70 | 73  | 30  | 48 | 73 | NA                   | NA | 57 |
| <b>NUMBER RESOLVED</b>  | 59  | 56 | 82 | 28                      | 76 | 67 | 64  | 48 | 72 | NA                  | NA | 8  | 58  | 82 | 116 | 80  | 65 | 72 | NA                   | NA | 39 |
| <b>DECISIONS ISSUED</b>   | 22  | 21 | 20 | 7                       | 36 | 26 | 29  | 31 | 34 | NA                  | NA | 2  | 29  | 30 | 34  | 51  | 37 | 37 | NA                   | NA | 16 |
| <b>CLASSIFICATION/<br/>COMPENSATION</b>   | 5   | 8  | 7  | 2                       | 13 | 7  | 7   | 7  | 6  | NA                  | NA | 0  | 8   | 7  | 7   | 10  | 6  | 3  | NA                   | NA | 3  |
| <b>DEFAULT</b>  | 2   | 0  | 0  | 0                       | 0  | 0  | 1   | 0  | 0  | NA                  | NA | 0  | 1   | 0  | 0   | 3   | 0  | 0  | NA                   | NA | 0  |
| <b>DISCIPLINARY</b>   | 5   | 3  | 7  | 3                       | 14 | 8  | 10  | 9  | 11 | NA                  | NA | 1  | 10  | 17 | 16  | 17  | 13 | 13 | NA                   | NA | 6  |
| <b>DISCRIMINATION</b>   | 0   | 1  | 1  | 0                       | 1  | 1  | 4   | 3  | 0  | NA                  | NA | 0  | 2   | 1  | 2   | 2   | 6  | 2  | NA                   | NA | 0  |
| <b>HARASSMENT</b>   | 0   | 0  | 0  | 0                       | 0  | 0  | 0   | 3  | 0  | NA                  | NA | 0  | 0   | 0  | 1   | 0   | 2  | 0  | NA                   | NA | 0  |
| <b>NON-DISCIPLINARY<br/>EMPLOYMENT<br/>ACTIONS</b>  | 2   | 0  | 0  | 0                       | 3  | 0  | 2   | 3  | 2  | NA                  | NA | 0  | 2   | 5  | 2   | 6   | 3  | 2  | NA                   | NA | 3  |
| <b>REPRISAL</b>   | 0   | 0  | 0  | 0                       | 1  | 0  | 1   | 0  | 0  | NA                  | NA | 0  | 0   | 1  | 0   | 1   | 3  | 0  | NA                   | NA | 0  |
| <b>SELECTION</b>  | 4   | 6  | 2  | 1                       | 5  | 7  | 5   | 4  | 10 | NA                  | NA | 1  | 4   | 2  | 1   | 12  | 6  | 10 | NA                   | NA | 4  |
| <b>VIOLATIONS OF<br/>FEDERAL, STATE<br/>OR AGENCY<br/>STATUTES, RULES<br/>OR POLICIES</b> | 2   | 3  | 1  | 1                       | 0  | 0  | 2   | 7  | 2  | NA                  | NA | 0  | 3   | 2  | 4   | 5   | 3  | 1  | NA                   | NA | 0  |
| <b>OTHER</b>  | 2   | 0  | 2  | 0                       | 0  | 7  | 0   | 2  | 3  | NA                  | NA | 0  | 0   | 0  | 4   | 0   | 1  | 7  | NA                   | NA | 0  |

## CONTRACT ADMINISTRATIVE LAW JUDGE CASELOAD FY2011

|  | HEARINGS         |    |    | MEDIATIONS         |    |    |     |    |    |
|--|------------------|----|----|--------------------|----|----|-----|----|----|
|  | MPM              |    |    | MPM                |    |    | HDS |    |    |
| FISCAL YEAR  | 09               | 10 | 11 | 09                 | 10 | 11 | 09  | 10 | 11 |
| ASSIGNED (AS OF 6-30-2010)   | 9                | 7  | 8  | 5                  | 0  | 3  | 16  | 0  | 21 |
| NUMBER RESOLVED  | 17               | 21 | 13 | 17                 | 5  | 4  | 8   | 28 | 11 |
|  | DECISIONS ISSUED |    |    | MEDIATIONS SETTLED |    |    |     |    |    |
|  | 13               | 13 | 10 | 9                  | 2  | 1  | 4   | 16 | 2  |
| CLASSIFICATION/ COMPENSATION                                       | 3                | 3  | 2  | 3                  | 1  | 0  | 1   | 3  | 0  |
| DEFAULT  | 0                | 0  | 0  | 0                  | 0  | 0  | 0   | 0  | 0  |
| DISCIPLINARY   | 4                | 6  | 3  | 2                  | 0  | 1  | 0   | 2  | 0  |
| DISCRIMINATION   | 2                | 0  | 2  | 1                  | 0  | 0  | 0   | 2  | 1  |
| HARASSMENT   | 0                | 1  | 0  | 1                  | 0  | 0  | 0   | 2  | 0  |
| NON-DISCIPLINARY EMPLOYMENT ACTIONS                                | 2                | 3  | 1  | 0                  | 0  | 0  | 1   | 0  | 0  |
| REPRISAL   | 1                | 0  | 1  | 1                  | 0  | 0  | 0   | 0  | 0  |
| SELECTION  | 4                | 0  | 0  | 3                  | 0  | 0  | 0   | 2  | 1  |
| VIOLATIONS OF FEDERAL, STATE OR AGENCY STATUTES, RULES OR POLICIES | 0                | 1  | 1  | 0                  | 0  | 0  | 2   | 5  | 1  |
| OTHER  | 0                | 0  | 2  | 0                  | 1  | 0  | 0   | 1  | 0  |