

Joe Manchin III
Governor

Robert W. Ferguson, Jr.,
Cabinet Secretary
Department of Administration

Robin B. Perdue
Director



Public Employees Grievance Board

Grievance Board
Bob Brown
Chairman
Melissa Lampinen
Secretary-Treasurer
Marc L. Harman
David W. Roberts

PUBLIC EMPLOYEES GRIEVANCE BOARD

ANNUAL REPORT

2008 - 2009

NUMBER OF GRIEVANCES AGAINST EACH EMPLOYER

COUNTY BOARDS OF EDUCATION						
2008	2009			2008	2009	
20	10	BARBOUR		2	2	MINERAL
21	6	BERKELEY		18	3	MINGO
8	4	BOONE		79	25	MONONGALIA
4		BRAXTON		6	3	MONROE
9	4	BROOKE		2	1	MORGAN
7	15	CABELL		7	2	NICHOLAS
6	1	CALHOUN		2	15	OHIO
1	4	CLAY		0	1	PENDLETON
1	3	DODDRIDGE		4	4	PLEASANTS
31	28	FAYETTE		3	2	POCAHONTAS
1	1	GILMER		4	31	PRESTON
10	5	GRANT		81	3	PUTNAM
9		GREENBRIER		26	12	RALEIGH
2	12	HAMPSHIRE		3	20	RANDOLPH
21	20	HANCOCK		1		RITCHIE
1	7	HARDY		16	1	ROANE
7	17	HARRISON		1	4	SUMMERS
7	2	JACKSON		2	3	TAYLOR
6	14	JEFFERSON		0		TUCKER
143	42	KANAWHA		0		TYLER
3	11	LEWIS		8	57	UPSHUR
12	24	LINCOLN		15	17	WAYNE
10	25	LOGAN		1	2	WEBSTER
23	14	MARION		7	6	WETZEL
44	13	MARSHALL		1		WIRT
20	42	MASON		38	17	WOOD
20	33	McDowell		1		WYOMING
9	4	MERCER				
				784	592	TOTAL

NUMBER OF GRIEVANCES AGAINST EACH EMPLOYER

COUNTY HEALTH DEPARTMENTS						
2008	2009			2008	2009	
		BARBOUR				MINERAL
		BERKELEY			1	MINGO
		BOONE		1	2	MONONGALIA
		BRAXTON				MONROE
		BROOKE			1	MORGAN
	1	CABELL				NICHOLAS
		CALHOUN				OHIO
		CLAY				PENDLETON
		DODDRIDGE				PLEASANTS
		FAYETTE				POCAHONTAS
		GILMER				PRESTON
		GRANT			1	PUTNAM
		GREENBRIER				RALEIGH
	1	HAMPSHIRE				RANDOLPH
		HANCOCK				RITCHIE
		HARDY				ROANE
		HARRISON				SUMMERS
		JACKSON				TAYLOR
1	1	JEFFERSON				TUCKER
		KANAWHA				TYLER
		LEWIS				UPSHUR
		LINCOLN				WAYNE
1		LOGAN				WEBSTER
2	1	MARION				WETZEL
2		MARSHALL				WIRT
		MASON				WOOD
1		McDowell				WYOMING
		MERCER				
				8	9	TOTAL

NUMBER OF GRIEVANCES AGAINST EACH EMPLOYER

HIGHER EDUCATION POLICY COMMISSION		
2008	2009	
1		BLUE RIDGE COMMUNITY & TECHNICAL COLLEGE
15	10	BLUEFIELD STATE COLLEGE
5	3	CONCORD UNIVERSITY
10	3	FAIRMONT STATE UNIVERSITY
1		GLENNVILLE STATE COLLEGE
	1	HIGHER EDUCATION POLICY COMMISSION
45	175	MARSHALL UNIVERSITY
1	2	MARSHALL COMMUNITY & TECHNICAL COLLEGE
1	2	NEW RIVER COMMUNITY & TECHNICAL COLLEGE
1	1	PIERPONT COMMUNITY AND TECHNICAL COLLEGE
3	3	SHEPHERD UNIVERSITY
	1	SOUTHERN COMMUNITY & TECHNICAL COLLEGE
	2	WEST LIBERTY STATE COLLEGE
3	3	WEST VIRGINIA NORTHERN COMMUNITY COLLEGE
1		WEST VIRGINIA SCHOOL OF OSTEOPATHIC MEDICINE
19	2	WEST VIRGINIA STATE UNIVERSITY
	3	WEST VIRGINIA STATE COMMUNITY & TECHNICAL COLLEGE
119	52	WEST VIRGINIA UNIVERSITY
4		WEST VIRGINIA UNIVERSITY AT PARKERSBURG
233	277	TOTAL

NUMBER OF GRIEVANCES AGAINST EACH EMPLOYER

STATE EMPLOYERS		
2008	2009	
	1	AGRICULTURE, DEPARTMENT OF
20	11	ADMINISTRATION, DEPARTMENT OF
1	1	CHILDREN'S HEALTH INSURANCE PROGRAM
1		CONSOLIDATED PUBLIC RETIREMENT BOARD
3	6	GENERAL SERVICES DIVISION
1	3	PERSONNEL DIVISION
1	1	PUBLIC EMPLOYEES GRIEVANCE BOARD
4		PUBLIC EMPLOYEES INSURANCE AGENCY
1		REAL ESTATE DIVISION
8		TECHNOLOGY, OFFICE OF
45	84	COMMERCE, DEPARTMENT OF
	2	DEVELOPMENT OFFICE
2	6	FORESTRY, DIVISION OF
		GEOLOGICAL AND ECONOMIC SURVEY
4	3	LABOR, DIVISION OF
4	2	MINERS' HEALTH, SAFETY AND TRAINING, OFFICE OF
26	61	NATURAL RESOURCES, DIVISION OF
1		TOURISM, DIVISION OF
8	10	WORKFORCE WV
26	22	EDUCATION, DEPARTMENT OF
	1	OFFICE OF INSTITUTIONAL EDUCATION PROGRAMS
		REGIONAL EDUCATION SERVICE AGENCIES
	1	RESA I
1	4	SCHOOLS FOR THE DEAF AND BLIND
		SPECIAL PROJECTS, DIVISION OF
1	2	STUDENT SUPPORT SERVICES, DIVISION OF
1		TECHNICAL AND ADULT EDUCATION SERVICES, DIVISION OF
23	14	SOUTH BRANCH CAREER AND TECHNICAL CENTER
23	12	EDUCATION AND THE ARTS, DEPARTMENT OF
4	7	CULTURE AND HISTORY, DIVISION OF
19	5	REHABILITATION SERVICES, DIVISION OF

15	7	ENVIRONMENTAL PROTECTION, DEPARTMENT OF
2		AIR QUALITY, DIVISION OF
	4	EXPLOSIVES AND BLASTING, OFFICE OF
1		LAND RESTORATION, DIVISION OF
10	2	MINING AND RECLAMATION, DIVISION OF
2	1	UNSPECIFIED
		WATER AND WASTE MANAGEMENT, DIVISION OF
279	262	HEALTH AND HUMAN RESOURCES, DEPARTMENT OF
89	123	BEHAVIORAL HEALTH & HEALTH FACILITIES
6	9	HOPEMONT HOSPITAL
25	12	LAKIN HOSPITAL
24	31	MILDRED MITCHELL-BATEMAN HOSPITAL
6	14	PINECREST HOSPITAL
16	47	WELCH COMMUNITY HOSPITAL
12	8	WILLIAM R. SHARPE, JR. HOSPITAL
	2	UNSPECIFIED
55	26	CHILD SUPPORT ENFORCEMENT, BUREAU FOR
59	81	CHILDREN AND FAMILIES, BUREAU FOR
	4	HUMAN RIGHTS COMMISSION
	4	MEDICAL SERVICES, BUREAU FOR
13	1	OFFICE OF INSPECTOR GENERAL
1		OFFICE OF PERSONNEL SERVICES
10	15	PUBLIC HEALTH, BUREAU FOR
52	8	UNSPECIFIED
2		HOUSING DEVELOPMENT FUND
179	167	MILITARY AFFAIRS AND PUBLIC SAFETY, DEPARTMENT OF
8	2	ADJUTANT GENERAL
91	56	CORRECTIONS, DIVISION OF
9	7	ANTHONY CORRECTIONAL CENTER
1	2	BECKLEY CORRECTIONAL CENTER
1	1	CENTRAL OFFICE
1	1	DENMAR CORRECTIONAL CENTER
27	9	HUTTONSVILLE CORRECTIONAL CENTER
2		LAKIN CORRECTIONAL CENTER
1		LAKIN CORRECTIONAL FACILITY FOR WOMEN
1	5	MARTINSBURG CORRECTIONAL CENTER
23	18	MOUNT OLIVE CORRECTIONAL COMPLEX
10	2	NORTHERN CORRECTIONAL CENTER
	1	OHIO COUNTY CORRECTIONAL CENTER
1	5	PRUNTYTOWN CORRECTIONAL CENTER
14	4	ST. MARY'S CORRECTIONAL CENTER
	1	CORRECTIONAL INDUSTRIES

6		CRIMINAL JUSTICE
		FIRE COMMISSION, STATE
	2	HOMELAND SECURITY AND EMERGENCY MANAGEMENT, DIVISION OF
41	32	JUVENILE SERVICES, DIVISION OF
3	1	DAVIS CENTER
3	6	DONALD R. KUHN JUVENILE DIAGNOSTIC AND DETENTION CENTER
5	3	GENE SPADARO JUVENILE CENTER
9	7	INDUSTRIAL HOME FOR YOUTH
5	6	J. M. "CHICK" BUCKBEE JUVENILE CENTER
2	1	JAMES H. "TIGER" MORTON JUVENILE CENTER
1	2	LORRIE YEAGER, JR. JUVENILE CENTER
2	3	ROBERT L. SHELL JUVENILE CENTER
6	1	SAM PERDUE JUVENILE CENTER
5	1	VICKI V. DOUGLAS JUVENILE CENTER
	1	UNSPECIFIED
1		PAROLE BOARD
14	37	REGIONAL JAIL AND CORRECTIONAL FACILITY AUTHORITY
	2	EASTERN REGIONAL JAIL
3	4	NORTH CENTRAL REGIONAL JAIL
	1	NORTHERN REGIONAL JAIL
	2	POTOMAC HIGHLAND REGIONAL JAIL
1	7	SOUTH CENTRAL REGIONAL JAIL
1	7	SOUTHERN REGIONAL JAIL
1	4	SOUTHWESTERN REGIONAL JAIL
3	9	TYGART VALLEY REGIONAL JAIL
5	1	WESTERN REGIONAL JAIL
3	6	STATE POLICE
15	32	VETERAN'S AFFAIRS, DIVISION OF
10	16	PUBLIC SERVICE COMMISSION
18	15	REVENUE, DEPARTMENT OF
3	5	ALCOHOL BEVERAGE CONTROL COMMISSION
8	4	INSURANCE COMMISSION
1	1	LOTTERY COMMISSION
6	5	TAX DEPARTMENT
237	237	TRANSPORTATION, DEPARTMENT OF
202	216	HIGHWAYS DIVISION
19	14	MOTOR VEHICLES, DIVISION OF
16	7	PARKWAYS, ECONOMIC DEVELOPMENT, AND TOURISM AUTHORITY
854	819	TOTAL

TYPE OF GRIEVANCE FILED*		
2008	2009	
544	567	CLASSIFICATION AND COMPENSATION
18	9	DEFAULT
300	276	DISCIPLINARY
166	104	DISCRIMINATION
88	68	HARASSMENT
264	237	NON-DISCIPLINARY EMPLOYMENT ACTIONS**
27	16	REPRISAL
316	196	SELECTION
346	294	VIOLATIONS OF FEDERAL, STATE OR AGENCY STATUTES, RULES OR POLICIES
92	76	OTHER

LEVEL OF RESOLUTION		
2008	2009	
472	440	LEVEL ONE – CHIEF ADMINISTRATOR
4	4	DEFAULT
97	192	LEVEL TWO – ALTERNATIVE DISPUTE RESOLUTION
51	246	LEVEL THREE – HEARING (NEW PROCEDURE)
246	69	LEVEL FOUR – HEARING (OLD PROCEDURE)

COST OF GRIEVANCE		
2008	2009	
\$2.66	\$18.37	AVERAGE ESTIMATED COST OF EMPLOYEE TIME TO HANDLE THE GRIEVANCE
\$3,223.72	\$3,384.63	ACTUAL COST OF LEGAL TIME OR DAMAGES PAID IN RESOLUTION OF GRIEVANCE

* 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	
2008	2009	2008	2009	2008	2009	2008	2009		
56	42	109	87	5	10	99	107	CLASSIFICATION AND COMPENSATION	
--	--	2	1	--	--	2	2	DEFAULT	
16	20	64	75	5	7	120	109	DISCIPLINARY	
3	3	35	26	1	1	12	28	DISCRIMINATION	
--	2	16	12	2	1	20	33	HARASSMENT	
7	18	40	44	--	2	60	56	NON-DISCIPLINARY EMPLOYMENT ACTIONS	
1	--	5	4	--	--	9	12	REPRISAL	
7	6	55	61	6	3	61	91	SELECTION	
9	--	33	48	5	6	72	92	VIOLATIONS OF FEDERAL, STATE OR AGENCY STATUTES, RULES OR POLICIES	
2	4	5	4	--	--	9	15	OTHER	
101		364		24		464		953	2008 TOTAL
	95		362		30		545	1032	2009 TOTAL
								1985	TOTAL

* THIS INCLUDES GRIEVANCES THAT ARE SETTLED, WITHDRAWN, REMANDED, AND DISMISSED.

ADMINISTRATIVE LAW JUDGES

	LRB		MAB		WCE		BLG		TJG		SK		WBM		JIR		RLR		DMS	
	08	09	08	09	08	09	08	09	08	09	08	09	08	09	08	09	08	09	08	09
ASSIGNED (AS OF 6-30-2009)	51	28	NA	49	NA	40	45	28	73	0	0	NA	NA	41	0	NA	74	30	37	0
NUMBER RESOLVED	69	59	NA	57	NA	28	61	64	56	15	27	NA	NA	58	81	NA	79	80	99	58
DECISIONS ISSUED	13	22	NA	31	NA	7	22	29	14	1	19	NA	NA	29	23	NA	29	51	51	33
CLASSIFICATION/ COMPENSATION	2	5	NA	9	NA	2	8	7	3	--	5	NA	NA	8	7	NA	12	10	20	11
DEFAULT	--	2	NA	2	NA	--	2	1	1	--	--	NA	NA	1	3	NA	--	3	3	--
DISCIPLINARY	6	5	NA	6	NA	3	6	10	2	--	9	NA	NA	10	6	NA	6	17	12	8
DISCRIMINATION	1	--	NA	2	NA	--	--	4	4	--	1	NA	NA	2	1	NA	2	2	18	3
HARASSMENT	--	--	NA	2	NA	--	--	--	--	--	--	NA	NA	--	1	NA	--	--	1	--
NON-DISCIPLINARY EMPLOYMENT ACTIONS	3	2	NA	3	NA	--	4	2	2	1	--	NA	NA	2	2	NA	7	6	2	3
REPRISAL	--	--	NA	1	NA	--	--	1	1	--	3	NA	NA	--	1	NA	--	1	--	--
SELECTION	2	4	NA	9	NA	1	4	5	3	1	4	NA	NA	4	2	NA	6	12	11	10
VIOLATIONS OF FEDERAL, STATE OR AGENCY STATUTES, RULES OR POLICIES	1	2	NA	3	NA	1	--	2	3	--	--	NA	NA	3	2	NA	4	5	10	2
OTHER	--	2	NA	--	NA	--	--	--	--	--	--	NA	NA	--	1	NA	1	--	1	--

CONTRACT ADMINISTRATIVE LAW JUDGE CASELOAD**FY2009**

	LGB	WCE	JOH	MLJ	MPM	JIR	PWR	HDS	TRT
ASSIGNED (AS OF 6-30-2009)	1	0	1	0	2	5	15	11	1
NUMBER RESOLVED	1	49	30	18	58	43	53	16	15
DECISIONS ISSUED	--	9	--	--	13	8	--	--	--
CLASSIFICATION/ COMPENSATION	--	1	--	--	3	4	--	--	--
DEFAULT	--	--	--	--	--	--	--	--	--
DISCIPLINARY	--	5	--	--	4	3	--	--	--
DISCRIMINATION	--	1	--	--	2	--	--	--	--
HARASSMENT	--	--	--	--	--	--	--	--	--
NON-DISCIPLINARY EMPLOYMENT ACTIONS	--	--	--	--	2	--	--	--	--
REPRISAL	--	--	--	--	1	--	--	--	--
SELECTION	--	2	--	--	4	--	--	--	--
VIOLATIONS OF FEDERAL, STATE OR AGENCY STATUTES, RULES OR POLICIES	--	1	--	--	--	1	--	--	--
OTHER	--	1	--	--	6	--	--	--	--