



# **MERIT PROTECTION COMMISSION**

Preserving the integrity of the Oklahoma Merit System



# Merit Protection Commission

**FY 2023 Budget Hearing Presentation**

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# Carol Shelley

## Executive Director



The **Merit Protection Commission** is a quasi-judicial agency that serves as the employment dispute resolution system within state government and Oklahoma.

Founded in 1982, this agency now encompasses the following divisions:

- Hearings – Administrative Law Judge
- Alternative Dispute Resolution:
  - Mediations
  - Negotiations
- Investigations
- Grievance Management
- Training

# Agency Vision, Mission and Core Values

**Vision:** To continue to be a state agency that evolves with the inevitable generational changes in the workforce and be a relevant service provider for agency officials, employees, and citizens of Oklahoma.

**Mission:** To achieve the statutory mandates prescribed by law and to continuously improve the design, implementation and enforcement of our state-wide Employment Dispute Resolution System.

**Core Values:** To Support the state's efforts to build and maintain a well-qualified workforce which is the state's most valuable resource.



# Accomplishments & Challenges

## Top accomplishments for FY 2021

- 1) Able to continue the agency mission during the COVID pandemic with minimum disruption.
- 2) Able to provide Alternative Dispute Resolution, Mediations and Negotiations virtually
- 3) Able to provide Hearings with an Administrative Law Judge virtually
- 4) Consultation with key agency administrators and employees in efforts to eliminate potential filings of appeals in connection with measures taken by agencies in response to the Covid-19 Pandemic

## Challenges (current & upcoming years)

- 1) Limited funding for professional development and continued education for staff and Administrative Law Judges
- 2) On-going challenge to educate certain categories of stakeholders
- 3) Anticipation of unknown necessary actions for agency closure due to HB1146



# Goals & Projects for FY 2023

## Goals

- 1) Half-Day In-Person Professional Continued Education for Commissioners on the Merit Protection Commission
- 2) Half-Day In-Person Professional Continued Education for Administrative Law Judges
- 3) Half-Day In-Person Training for state agency officials, employees, and employee representatives that use our services

## Projects

- 1) 100% Affirmative and Completions of Programs - Alternative Dispute Resolution - Hearings - Investigations - Trainings
- 2) Records Retention
- 3) Inventory and Surplus

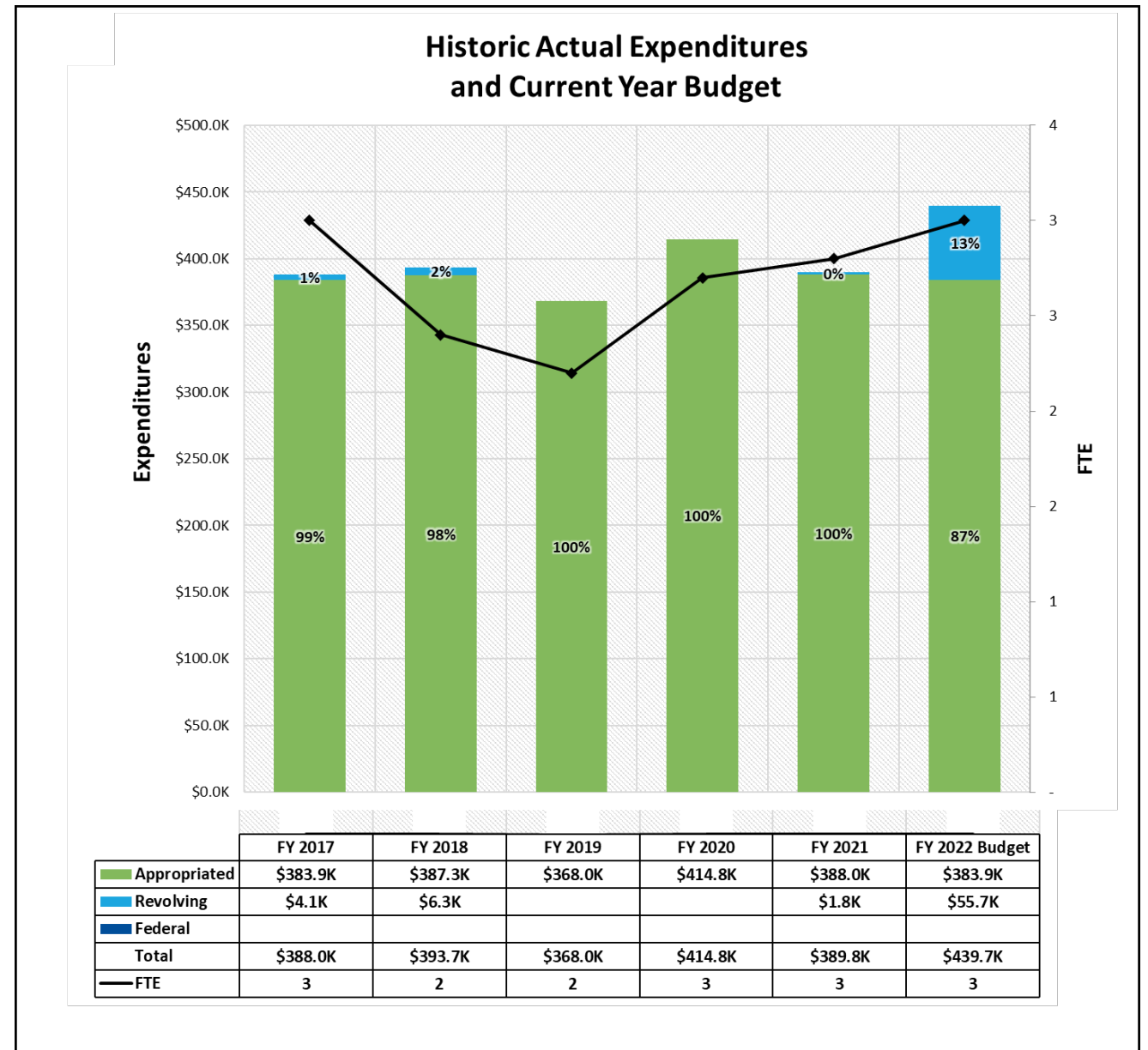


# Savings & Efficiencies

- Timely process Appeals Filed with Merit Protection Commission eliminating the need for those who use our services to file in District Court
- Track Number of Agency Grievances and Resolution Decisions (effectiveness measurement)
- Track of Alternative Dispute Resolution Sessions held, i.e. mediations and negotiations (effectiveness measurement)
- Maintaining the eligibility of Oklahoma to receive federal grants in core functions of state government
- The benefits of the agency outweigh the cost of its funding



# Historic Actual Expenditures (FY 17-21) and Current Year Budget (FY 22)





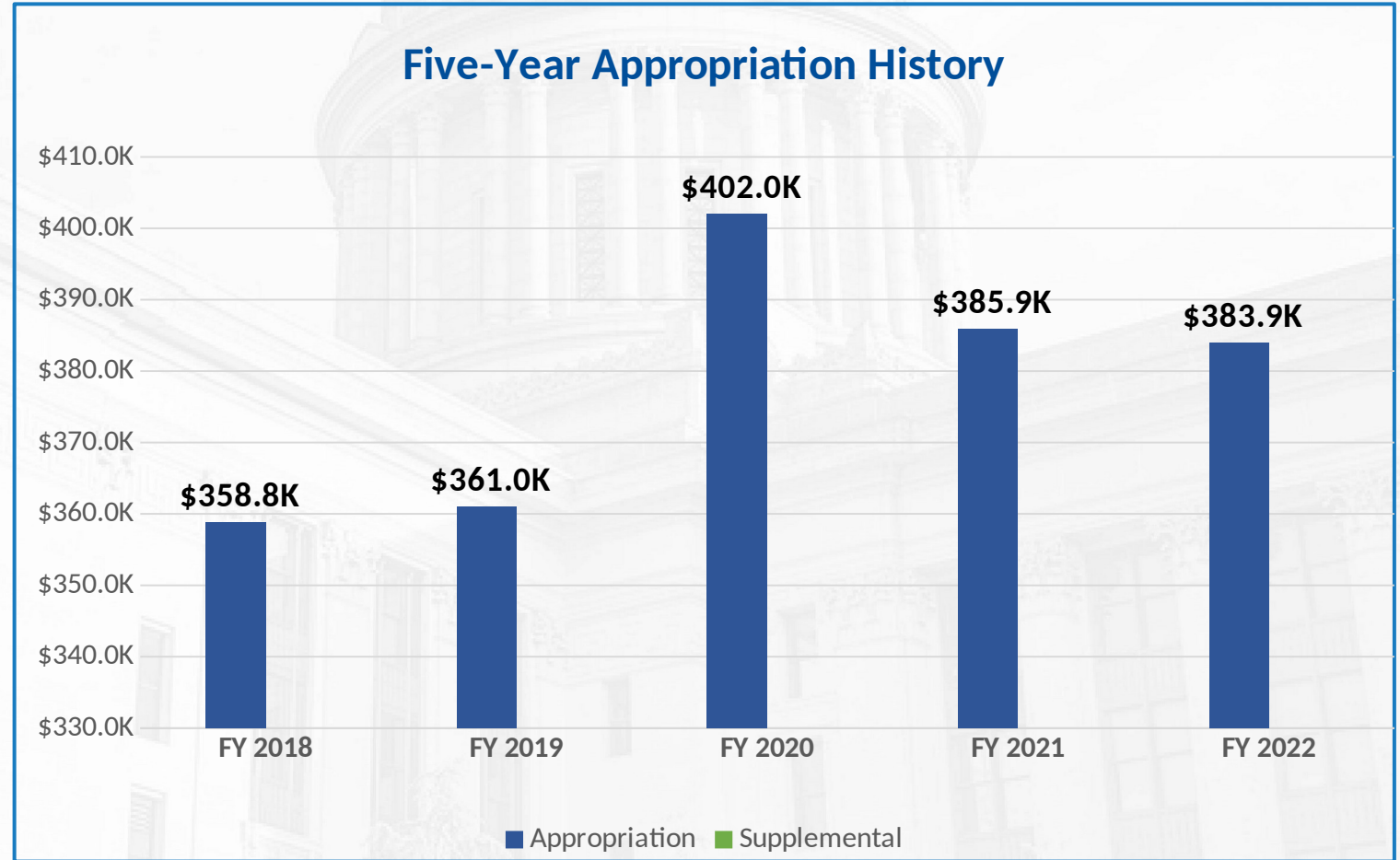
# FY 2022 Budgeted Full Time Equivalents (FTE)

	FY 2022 Budgeted FTE
<b>Total FTE</b>	3
<b>Supervisor FTE</b>	1
<b>Supervisors to Total FTE Ratio (%)</b>	33%



# Appropriation History

Fiscal Year	Appropriation (\$) (include supplemental if applicable)
FY 2018	\$358,839
FY 2019	\$361,044
FY 2020	\$402,009
FY 2021	\$385,929
FY 2022	\$383,934



# Appropriated Carryover History and Justification

	FY 2017 (Actuals)	FY 2018 (Actuals)	FY 2019 (Actuals)	FY 2020 (Actuals)	FY 2021 (Actuals)	FY 2022 (Planned)
Total appropriated carryover amount expended (\$)	\$146,987	\$142,802	\$114,293	\$107,317	\$94,535	\$92,475

Fiscal Year of the original appropriation	Projected amount carried over to FY 2023 (\$)	Describe how projected carryover will be used in FY 2023
FY 2022		Budgeted carryover funding will be used for continued education and professional development of staff. Continued education is a requirement to maintain certain program specific professional certifications. To assure all unexpected and necessary aspects can be complete for MPC December 2022 closure.
FY 2021		Stabilization of staff (temporary staffing) to insure consistent delivery of mission and services
Total projected FY 23 Carryover (\$)		



# Available Cash Description and Justification

Class Fund #	Available Cash amount (\$)
19111	\$92,475
20000	\$0
<b>Total Available Cash:</b>	

*Available cash is unbudgeted cash that is not restricted by federal partners, statute, or contractual obligations.*

Fiscal Year	Agency's plan to deploy available cash (include amounts):
<b>FY 2023</b>	Trainings and Continued Education Training, Job Placement Services Support and possible Compensation for MPC staff, Records Retention, and Inventory Surplus. ( Pending HB1146 and MPC closure expectation) (reference Goals and Projects FY2023 Projects)
<b>FY 2024</b>	No current plans pending HB1146 and MPC closure expectation
<b>FY 2025</b>	



# Agency Key Performance Metrics

Metric		Goal	FY 20 Actuals	FY 21 Actuals	FY 22 Target	FY 23 Target
1	Alleged Violations & Appeals	Total Number of Appeals Received	182	101	75	0
2	Prehearings & Hearings	Hearings Administrative Law Judge	31	43	25	10
3	Alleged Violations	Investigations	110	52	50	20
4	Mediations & Negotiations	Alternative Dispute Resolution	71	61	59	20
5	Grievance Management/Progressive Discipline	Training	11	7	8	10



# Budget & Supplemental Request Summary

Request Name		FY 23 Appropriated Request Amount (\$)	Type of Request: Operating, One-time, or Supplemental
1	Incidentals for continued training objectives and/or preserving record storage in anticipation of agency closure.	\$30,857	Operating
2			
3			
4			
5			





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# Appendix

# Executive Summary

- *The principal duties of the Oklahoma Merit Protection Commission is to implement a fair, effective, employee dispute resolution system for the State of Oklahoma. “Assuring that employee fundamental rights to due process is secure and maintained, which is mandated and necessary for an equal employment opportunity workforce.”*
- *The United States Supreme Court, Cleveland Board of Education v. James Loudermill, 470 U.S. 532, held that public employers must provide employees some kind of hearing before they can be terminated. The employer must afford the employee due process.*

