



National Labor Relations Board Union

March 25, 2019

The Honorable Roy Blunt
Senate Committee on Appropriations, Labor-HHS-Education Subcommittee
260 Russell Senate Office Building
Washington, D.C. 20510

The Honorable Patty Murray
Senate Committee on Appropriations, Labor-HHS-Education Subcommittee
154 Russell Senate Office Building
Washington, D.C. 20510

Dear Chairman Blunt and Ranking Member Murray:

On behalf of the National Labor Relations Board Union (NLRBU), we strongly urge you to support the enactment of increased appropriations for the National Labor Relations Board (NLRB) to the FY11 inflation-adjusted level of \$323.24M, and we further urge you to support any measure that would increase staffing throughout the NLRB's under-resourced field operations.

The NLRBU represents roughly 700 attorneys, investigators, and administrative staff employed across the NLRB's thinly spread field operations, covering every square foot nationwide, including in Alaska, Hawaii, and Puerto Rico. The NLRBU also represents administrative staff at Agency headquarters.

Since its inception almost eighty years ago, the NLRB has traditionally been a decentralized and independent agency that relies heavily upon its staff to investigate and resolve disputes adversely affecting industrial peace and the Nation's workforce. For this reason, approximately 80% of the Agency's budget is usually devoted to personnel, while most of the remaining budget is devoted to fixed essential costs like rent, equipment, and the Agency's NxGen case management system.

Along with countless other federal agencies, the NLRB has suffered from increasingly insufficient appropriations since FY11, prompted by the reckless bludgeoning of sequestration, and exacerbated by continuing resolutions. As a result, the NLRB is now in its sixth consecutive year with a stagnant \$274M budget. Adjusted for inflation, Congress has effectively cut the Agency's budget by 15% since FY11 from \$323M to \$274M.

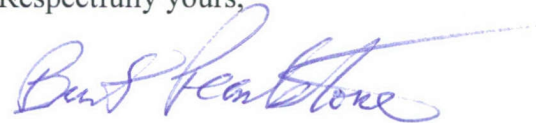


The NLRB's recent budget cuts have created an unprecedented staffing crisis in the field through attrition. Between FY11 and FY17, the Agency lost about 18% of its field staff – down from 1136 to 928 FTEs nationwide. The crisis has intensified under current Agency leadership. In just the two short years since Director Mulvaney's "right-sizing" memo was issued, the NLRB field has contracted by an additional 17%, as hiring in the field was ground to a halt by current leadership in November 2017. Unless Congress intervenes, at the current rate of attrition, the NLRB's field FTEs would plummet to 768 by the end of FY19 – an outrageous 32% freefall in only eight years.

The continued slashing of the Agency's appropriations is not supported by any evidence of a reduced need for resources to enforce federal labor laws. Even with respect to solely numeric data -- which does not accurately reflect the complexity of our work -- the overall workload of the NLRB has remained relatively steady since FY17, further highlighting the adverse effects of the 17% drop in field staff during the same period.

We request the opportunity to meet with you to further discuss these issues. We believe such a conversation would impress upon you the need to bring the Agency's budget in line with inflation, increase field staffing, and ensure that our valuable work will continue.

Respectfully yours,



The National Labor Relations Board Union
Burt Pearlstone, President
26 Federal Plz Ste 3614
New York, NY, 10278
(347) 668-7421
e-mail: president@nlrbu.net

Keith Ebenholtz
Executive Vice President
(602) 416-4764
e-mail: execvp@nlrbu.net

Michael J. Bilik
Legislative Committee Co-Chair
(202) 441-2512
e-mail: legislative2@nlrbu.net



NLRB Budget and FTE Table¹

FY (End)	Unfair Labor Practice (ULP) Cases	Total Case Intake (nearest 100)	Total FTE	Field FTE	Field FTE change from prior FY	Actual Approps. (\$M)	Approps. Adj. for Inflation in 2019² (\$M)
2019	18,900 ³ (proj.)	21,000 ⁴ (proj.)	--	768 ⁵ (proj.)	-10%	274.224	274.224
2018	18,871	21,000	1319	857 (est.)	-8%	274.224	278.47
2017	19,280	21,600	1476	928	-6%	274.224	284.24
2016	21,326	23,900	1526	989	-7%	274.224	291.35
2015	20,199	23,000	1587	1063	-1%	274.224	295.35
2014	20,415	23,100	1610	1076	1%	274.224	295.09
2013	21,394	24,000	1597	1061	-6%	263.748	288.29
2012	21,629	24,300	1640	1126	-1%	278.306	309.06
2011	22,177	25,000	1679	1136	--	282.800	323.24

¹ Prepared by the National Labor Relations Board Union (NLRBU). Data derived from NLRB Performance Budget Justifications, Annual Reports, Staffing Charts, and the NLRBU FY19 Census Project. Contact NLRBU Legislative Co-Chair Michael Bilik at legislative2@nlrbu.net with any questions.

² Adjusted for inflation to show prior NLRB appropriations in January 2019 dollars. Calculated using the Consumer Price Index (CPI), as determined by the U.S. Bureau of Labor Statistics.

³ FY19 ULP case intake projections based on FY20 NLRB Congressional Budget Justification.

⁴ FY19 total case intake projections based on FY20 NLRB Congressional Budget Justification.

⁵ Projected end of FY19 Field FTEs based on number of Field FTEs as of March 1, 2019 and the rate of hiring and attrition in the field since FY17.

Severe Staffing Cuts to Vital NLRB Field Operations

Case Intake vs Field Employees from FY11-FY19 (projected)

