

# **UTAH CAREER SERVICE REVIEW OFFICE NON LAPSING APPROPRIATIONS REPORT FY23**

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## **INTRODUCTION**

Pursuant to HB 322, the Career Service Review Office (CSRO) submits this report on non lapsing appropriations. For FY23, the Legislature authorized a \$30,000 non lapsing appropriation to the CSRO. The CSRO's non lapsing appropriation is used exclusively to pay its contract hearing officers.

The CSRO conducts evidentiary hearings (which are like trials) for grievances brought by executive branch employees. These hearings are typically 2-3 days in duration and result in written legal decisions which can be appealed to the Utah Court of Appeals. A hearing officer presides over each grievance hearing. The Administrator of the CSRO is authorized to act as the hearing officer in the majority of these hearings.

In some cases when the Administrator is unable to conduct a hearing due to an actual conflict or a scheduling conflict, the CSRO assigns that hearing to one of its contract hearing officers. These contractors are selected through the Division of Purchasing's bid process and paid on an hourly basis for their time, which typically entails ruling on motions, presiding over the evidentiary hearing, and writing a tightly analyzed legal decision. Each hearing costs an average of \$5,000.

## **HB322 Subsection 4a Report**

In FY23, the CSRO assigned one (1) hearing to a contract hearing officer. This is consistent with the CSRO's planned use of these funds; the appropriation is designated for "grievance resolution" and the office only uses it to pay its contract hearing officers.

The CSRO typically does not use all of its non lapsing appropriation but keeps it in reserve each year. In the event of a conflict, the CSRO must be able to assign cases to its contract hearing officers. It is not possible for the office to know in advance how many hearings it will conduct in a year, and how many of those hearings will result in a conflict that requires a contract hearing officer to step in.

## **HB322 Subsection 4b Report**

The office does not intend to save any of its non lapsing appropriations over multiple years.