

**No. 22. An act relating to contributions to the state and municipal employees' retirement systems.**

(H.448)

It is hereby enacted by the General Assembly of the State of Vermont:

Sec. 1. 3 V.S.A. § 925 is amended to read:

§ 925. MEDIATION; FACT FINDING

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(k) In the case of the state of Vermont, the decision of the board shall recommend its choice to the general assembly as the bargaining agreement which shall become effective subject to appropriations by the general assembly. The board shall determine the cost of the package selected and request the appropriation necessary to fund the recommendation be final, and the terms of the chosen agreement shall be binding on each party, subject to appropriations in accordance with subsection 982(d) of this title. In the case of the University of Vermont or the Vermont state colleges, the decision of the board shall be final and binding on each party. ~~Nothing herein precludes the general assembly from enacting laws amending provisions of any collective bargaining agreement involving the state of Vermont arrived at under this section.~~

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Sec. 2. 3 V.S.A. § 982 is amended to read:

§ 982. AGREEMENTS; LIMITATIONS, RENEGOTIATION, AND  
RENEWAL

\* \* \*

(d) When the parties are unable to reach agreement on a collective bargaining agreement, and the Vermont labor relations board recommends an agreement in accordance with subsection 925(k) of this title, the board shall determine the cost of the agreement selected and request the general assembly to appropriate the amount determined to be necessary to implement the selected agreement. If the general assembly chooses to appropriate sufficient funds, the agreement shall become effective at the beginning of the next fiscal year. If the general assembly appropriates less than the amount requested, the terms of the agreement effected by the lesser appropriation shall be renegotiated based on the amount of the funds actually appropriated, and the agreement with the negotiated changes shall become effective at the beginning of the next fiscal year.

(e) No portions of any agreement shall become effective separately except with mutual consent of both parties.

~~(e)~~(f) Such an agreement shall terminate at the expiration of its specified term. Negotiations for a new agreement to take effect upon the expiration of the preceding agreement shall be commenced at any time within one year next

preceding the expiration date upon the request of either party and may be commenced at any time previous thereto with the consent of both parties.

~~(f)~~(g) In the event the state of Vermont, the University of Vermont, and the Vermont state colleges as employer and the collective bargaining unit are unable to arrive at an agreement and there is not an existing agreement in effect, the existing contract shall remain in force until a new contract is ratified by the parties. However, nothing in this subsection shall prohibit the parties from agreeing to a modification of certain provisions of the existing contract which, as amended, shall remain in effect until a new contract is ratified by the parties.

~~(g)~~(h) The board is authorized to enforce compliance with all provisions of a collective bargaining agreement upon complaint of either party. In the event a complaint is made by either party to an agreement the board shall proceed in the manner prescribed in section 965 of this title relating to the prevention of unfair labor practices.

### Sec. 3. EFFECTIVE DATE

This act shall take effect on July 1, 2011.

Approved: May 11, 2011