

1 H.428

2 Introduced by Committee on Education

3 Date:

4 Subject: Education; supervisory unions; school districts

5 Statement of purpose: This bill proposes to extend from July 1, 2012 to July 1,  
6 2013 the date by which supervisory unions must perform certain duties on  
7 behalf of member districts. It also corrects a technical error in Sec. 18 of  
8 No. 153 of the Acts of the 2009 Adj. Sess. (2010) by including transportation  
9 employees within transitional language regarding those supervisory union  
10 duties.

11 An act relating to requiring supervisory unions to perform common duties

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

13 Sec. 1. Sec. 23(b) of No. 153 of the Acts of the 2009 Adj. Sess. (2010) is  
14 amended to read:

15 (b) Secs. 9 through 12 of this act shall take effect on passage and shall be  
16 fully implemented on July 1, ~~2012~~ 2013, subject to the provisions of existing  
17 contracts.

1       Sec. 2. Sec. 18 of No. 153 of the Acts of the 2009 Adj. Sess. (2010) is  
2       amended to read:

3           Sec. 18. TRANSITION

4           Each supervisory union shall provide for any transition of employment of  
5       special education and transportation staff by member districts to employment  
6       by the supervisory union, pursuant to Sec. 9 of this act, 16 V.S.A. § 261a(6)  
7       and (8)(E), by:

8           (1) providing that the supervisory union assumes all obligations of each  
9       existing collective bargaining agreement in effect between the member districts  
10       and their special education employees and their transportation employees until  
11       the agreement's expiration, subject to employee compliance with performance  
12       standards and any lawful reduction in force, layoff, nonrenewal, or dismissal;

13          (2) providing, in the absence of an existing recognized representative of  
14       its employees, for the immediate and voluntary recognition by the supervisory  
15       union of the recognized representatives of the employees of the member  
16       districts as the recognized representatives of the employees of the supervisory  
17       union;

18          (3) ensuring that an employee of a member district who is not a  
19       probationary employee shall not be considered a probationary employee upon  
20       transition to the supervisory union; and

1           (4) containing an agreement with the recognized representatives of the  
2 employees of the member districts that is effective on the day the supervisory  
3 union assumes obligations of existing agreements regarding how the  
4 supervisory union, prior to reaching its first collective bargaining agreement  
5 with its special education employees and with its transportation employees,  
6 will address issues of seniority, reduction in force, layoff, and recall.

7       Sec. 3. EFFECTIVE DATE

8       This act shall take effect on passage.