

Side-by-Side Comparison of Collective Bargaining Process for Teachers and Administrators in Existing Law and Draft 1.1 of Proposed Amendment to H.76

Collective Bargaining Provisions	Existing Law	Draft 1.1. of Amendment to H.76
Time to Begin Negotiations § 2003	120 days before the earliest school district annual meeting within the supervisory union.	180 days before the earliest school district annual meeting within the supervisory union.
Mediation § 2006	Yes, by mutual agreement. If parties cannot agree on a mediator, either party may request mediation will be conducted by the American Arbitration Association	Yes, mandatory after 90 days of negotiations. If parties do not agree on a mediator in 5 days, mediation will be conducted by the American Arbitration Association.
Fact-Finding § 2007	<p>Yes, upon the request of either party after negotiation on all matters and either:</p> <ol style="list-style-type: none"> 1. mediation fails to resolve the dispute; or 2. the parties do not go to mediation. <p>If the parties cannot agree on the third member of the fact-finding committee, the parties shall ask the American Arbitration Association to appoint the third member</p>	Yes, mandatory 45 days after mediation begins. If the parties cannot agree on the third member of the fact finding committee within 5 days, the parties shall ask the American Arbitration Association to appoint the third member.
Binding Arbitration § 2021	Yes, by mutual agreement. Arbitration may be held on one or more issues remaining in dispute after the parties reach impasse.	Yes, by mutual agreement. Arbitration may be held on one or more issues remaining in dispute after the parties reach impasse.
Strikes Permitted? § 2021(c)/§ 2011	Yes, except if the parties have already submitted the dispute to arbitration or an arbitration award has been issued.	No.
Contract Imposition Permitted?	Yes, the school board may impose a contract after full compliance with the statutory collective	No.

Side-by-Side Comparison of Collective Bargaining Process for Teachers and Administrators in Existing Law and Draft 1.1 of Proposed Amendment to H.76

Collective Bargaining Provisions	Existing Law	Draft 1.1. of Amendment to H.76
§ 2008/§ 2011	bargaining requirements.	
Injunctions § 2010	Yes, if the Superior Court finds that an action poses “a clear and present danger to a sound program of education that . . . it is in the best public interest to prevent.”	Yes, the Superior Court may enjoin any action taken in violation of the chapter, and may award costs and attorney’s fees.
Continuation of Existing Collective Bargaining Agreement? § 2005	No.	<p>Yes, if the parties are unable to reach an agreement before the existing contract ends and do not have an agreement to the contrary, the existing contract will remain in force at same wage and benefit levels as existed on its expiration date without step increases. In addition,</p> <ul style="list-style-type: none"> • If the parties do not reach an agreement within 6 months after expiration, the Vermont Labor Relations Board will propose a basis for settlement. • If the parties do not reach an agreement within 1 year after expiration, the new contract cannot include retroactive wage increases, and a 1 cent penalty will be applied to the school district’s statewide education tax rate for homesteads.