

SUMMARY OF H.102:
AN ACT RELATING TO LABOR RELATIONS FOR TEACHERS AND ADMINISTRATORS

Section 1: Amends 16 V.S.A. § 2007–Fact Finding Committee

Subsection (b):

- Clarifies that the chair of fact-finding committee will also serve as the neutral fact-finder in relation to the dispute.

Subsection (c):

- Clarifies that the chair of fact-finding committee will make prepare a written report n behalf of the committee within 30 days to recommend a basis for settling the dispute.
- Adds more specific requirements regarding the fact-finding committee report:
 - The report must make findings of fact based on new factors in subsection (d).
 - The report must recommend a basis for settlement on each issue in dispute.
 - In preparing the report, the chair may not discount a party’s position on an issue based solely on its novelty or on the other party’s opposition.

Subsection (d):

- Specifies factors that the chair of the fact-finding committee must consider in rendering his or her report. The factors include:
 - The lawful authority of school board
 - Any stipulations of the parties;
 - The public interest and welfare;
 - The financial ability of the school district to pay for increased costs;
 - The cost of living based on New England Economic Project Cumulative Price Index, and the Consumer Price Index;
 - The overall compensation of the employees in the dispute (wages and benefits); and
 - The willingness of the school district to provide increased compensation as shown by votes on the school district budget during the previous 2 fiscal years.

Subsection (e):

- The chair of the fact finding committee may supplement the primary factors in subsection (d) by comparing the employees' wages, hours, and conditions of employment with the wages, hours, and conditions of employment of school or private employees in a comparable community.
 - The chair’s consideration of the comparable community is made secondary to the chair’s consideration of the factors in subsection (d).
- Before conducting a comparison, the chair must first determine whether the other community is comparable by examining relative tax burdens, cost per pupil, and student outcomes.

- If the community is comparable, the chair of the fact-finding committee may consider:
 - (1) the actual monetary value of the overall compensation of employees in the comparable community; and
 - (2) the actual monetary value of any increase in compensation in the comparable community during the past year.

Sec. 2. Amends 16 V.S.A. Sec. 2025–Factors to be Considered by Arbitrator

Subsection (b):

- Removes the comparison of the wages, hours, and conditions of employment of the employees in the dispute with employees in a comparable community from the factors under subsection (b) that the arbitrator is directed to weigh in making his or her decision.
- Clarifies that the cost of living determination is based on New England Economic Project Cumulative Price Index, and the Consumer Price Index.
- Adds a new subdivision (8) directing the arbitrator to consider the willingness of the school district to provide increased compensation to its employees based on the community's votes on the school district's budget during the previous 2 fiscal years.

Subsection (c):

- New subsection.
- Permits the arbitrator to supplement the factors in subsection (b) by considering wages, hours, and conditions of employment of employees in the dispute with employees in a comparable community.
 - However, the comparison is made secondary to the arbitrators consideration of the factors in subsection (b).
- Before doing the comparison, the arbitrator must determine whether the other community is comparable by examining relative tax burdens, cost per pupil, and student outcomes.
- If a community is comparable, the arbitrator may consider
 - (1) the actual monetary value of the overall compensation of employees in the comparable community; and
 - (2) the actual monetary value of any increase in compensation in the comparable community during the past year.

Section 3: Effective Date

- July 1, 2015.
- Applies to negotiations beginning after the effective date.