

1 H.421

2 Introduced by Representatives Devereux of Mount Holly, Christie of Hartford,
3 Manwaring of Wilmington, Branagan of Georgia, Browning of
4 Arlington, LaClair of Barre Town, Lewis of Berlin, and Savage
5 of Swanton

6 Referred to Committee on

7 Date:

8 Subject: Education; State employees; Judiciary employees; municipal
9 employees; labor relations; health insurance; Vermont Health Benefit
10 Exchange

11 Statement of purpose of bill as introduced: This bill proposes to remove health
12 insurance benefits from the bargainable subjects for public employees that are
13 subject to a collective bargaining agreement. It would instead specify that
14 employees who wish to have health insurance coverage may purchase plans
15 through the Vermont Health Benefit Exchange.

16 An act relating to collective bargaining and health insurance for public
17 employees

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

1 Sec. 1. 3 V.S.A. § 904 is amended to read:

2 § 904. SUBJECTS FOR BARGAINING

3 (a) All matters relating to the relationship between the employer and
4 employees shall be the subject of collective bargaining except those matters
5 which are prescribed or controlled by statute. Such matters appropriate for
6 collective bargaining to the extent they are not prescribed or controlled by
7 statute include:

8 (1) ~~Wages~~ wages, salaries, benefits, and reimbursement practices
9 relating to necessary expenses and the limits of reimbursable expenses, except
10 as provided in subsection (c) of this section;

11 (2) minimum hours per week;

12 (3) working conditions;

13 (4) overtime compensation and related matters;

14 (5) leave compensation and related matters;

15 (6) reduction-in-force procedures;

16 (7) grievance procedures;

17 (8) terms of coverage and amount of employee financial participation in
18 insurance programs, except as provided in subsection (c) of this section;

19 (9) rules and regulations for personnel administration, except the
20 following: rules and regulations relating to persons exempt from the classified
21 service under section 311 of this title and rules and regulations relating to

1 applicants for employment in State service and employees in an initial
2 probationary status, including any extension or extensions thereof provided
3 such rules and regulations are not discriminatory by reason of an applicant's
4 race, color, creed, sex, or national origin; and

5 (10) the manner in which to enforce an employee's obligation to pay the
6 collective bargaining service fee.

7 * * *

8 (c) Medical benefits and health insurance shall not be a subject of
9 collective bargaining under this chapter. Employees who wish to have health
10 insurance coverage may purchase plans through the Vermont Health Benefit
11 Exchange established pursuant to 33 V.S.A. chapter 18, subchapter 1.

12 Sec. 2. 3 V.S.A. § 1013 is amended to read:

13 § 1013. SUBJECTS FOR BARGAINING

14 (a) All matters relating to the relationship between the employer and
15 employees are subject to collective bargaining, to the extent those matters are
16 not prescribed or controlled by law, including:

17 (1) ~~Wages~~ wages, salaries, benefits, and reimbursement practices
18 relating to necessary expenses and the limits of reimbursable expenses-, except
19 as provided in subsection (b) of this section;

20 (2) ~~Minimum~~ minimum hours per week-;

21 (3) ~~Working~~ working conditions-;

1 (4) ~~Overtime~~ overtime compensation and related matters;

2 (5) ~~Leave~~ leave compensation and related matters;

3 (6) ~~Reduction in force~~ reduction-in-force procedures;

4 (7) ~~Grievance~~ grievance procedures;

5 (8) ~~Terms~~ terms of coverage and amount of employee financial

6 participation in insurance programs, except as provided in subsection (b) of

7 this section;

8 (9) ~~Rules~~ rules for personnel administration of employees provided the

9 rules are not discriminatory in regard to an applicant's race, color, creed, sex,

10 sexual orientation, gender identity, age, national origin, religion,

11 or disability; and

12 (10) ~~The~~ the manner in which to enforce an employee's obligation to

13 pay the collective bargaining service fee.

14 **(b) Medical benefits and health insurance shall not be a subject of**

15 **collective bargaining under this chapter. Employees who wish to have health**

16 **insurance coverage may purchase plans through the Vermont Health Benefit**

17 **Exchange established pursuant to 33 V.S.A. chapter 18, subchapter 1.**

18 Sec. 3. 16 V.S.A. § 2004 is amended to read:

19 § 2004. AGENDA

20 **(a)** The school board, through its negotiations council, shall, upon request,

21 negotiate with representatives of the teachers' or administrators' organization

1 negotiations council on matters of salary, related economic conditions of
2 employment, the manner in which it will enforce an employee's obligation to
3 pay the agency service fee, procedures for processing complaints and
4 grievances relating to employment, and any mutually agreed upon matters not
5 in conflict with the statutes and laws of the State of Vermont.

6 (b) As used in this section, the terms "salary" and "related economic
7 conditions of employment" shall not include medical benefits or health
8 insurance. Medical benefits and health insurance shall not be a subject of
9 collective bargaining under this chapter. Employees who wish to have health
10 insurance coverage may purchase plans through the Vermont Health Benefit
11 Exchange established pursuant to 33 V.S.A. chapter 18, subchapter 1.

12 Sec. 4. 21 V.S.A. § 1725 is amended to read:

13 § 1725. COLLECTIVE BARGAINING PROCEDURE

14 (a)(1) For the purpose of collective bargaining, the representatives of the
15 municipal employer and the bargaining unit shall meet at any reasonable time
16 and shall bargain in good faith with respect to wages, hours, and conditions of
17 employment, and shall execute a written contract incorporating any agreement
18 reached; provided, however, neither party shall be compelled to agree to a
19 proposal nor to make a concession, nor to bargain over any issue of managerial
20 prerogative.

