

The Vermont Statutes Online

[Title 3 : Executive](#)

[Chapter 027 : State Employees Labor Relations Act](#)

Subchapter 002 : Labor Relations Board

(Cite as: 3 V.S.A. § 921)

- **§ 921. Creation; membership, compensation**

(a) There is hereby created a State Labor Relations Board composed of six members. The Governor shall appoint the members with the advice and consent of the Senate for a term of six years or for the member's unexpired term from a list of nominees presented by the Labor Board Review Panel. The appointments shall be made within 60 days of an expired term or vacancy.

(1) The Labor Board Review Panel shall be composed of five members to include the executive director of the Vermont Bar Association, the Commissioner of Labor, the State Court Administrator, and a Representative of Labor and a Representative of employers, both of whom shall be appointed for two-year terms by the Commissioner of Labor from names provided by labor organizations and employers in the State. The Labor Board Review Panel shall:

(A) At least 90 days prior to the expiration of a term or as soon as a vacancy is announced or created, the Review Panel shall request from both Vermont labor organizations and Vermont employer organizations, over which the Board has jurisdiction for dispute adjudication, and from organizations that train or employ persons to serve in a neutral role in labor management relations a list of nominees for each position is to be filled. The Review Panel shall issue public notices of vacancies on the Board. An individual may apply for consideration as a nominee for a vacant board position.

(B) Consider the experience, knowledge, character, integrity, judgment, and ability to act in a fair and impartial manner of each nominee in compiling a list of nominees for board membership. The Review Panel shall consider the skills, perspectives, and experience of the nominees and ensure a continuing balance on the Board of labor, management, and neutral backgrounds in determining those nominees qualified to be forwarded to the Governor under subsection (c) of this section. "Nominees with neutral backgrounds" means individuals in high standing not connected with any labor organization or management position, and who can be reasonably considered to be able to serve as an impartial individual.

(C) Submit to the Governor a list of nominees whom the Panel has determined to be qualified for membership on the Board, from which the Governor shall appoint the members for unexpired terms or to fill vacancies. The Governor may request additional names from the Panel.

(2) To be eligible for appointment to the Board an individual shall be a citizen of the United States and resident of the State of Vermont for one year immediately preceding appointment. A member of the Board may not hold any other State office.

(3) Each case that comes before the Board for a hearing shall be heard and decided by a panel of three or five members appointed by the Board Chair. Two members of a three-member panel and three members of a five-member panel shall constitute a quorum with authority to conduct a hearing, provided that all members of the Panel shall review the record and participate in the Panel's decision. The Board may review a proposed decision by a Panel prior to its issuance for the sole purpose of insuring that questions of law are being decided in a consistent manner.

(b) The Board shall elect a Chair from its members every two years.

(c) The Board may not be attached to any State department or agency and shall operate independently.

(d) The members of the Board, except the Chair or the Chair of a board panel, shall be entitled to compensation of \$125.00 a day for time spent in the performance of their duties. The Chair or the Chair of a board panel shall be entitled to compensation in the amount of \$175.00 a day for time spent in the performance of his or her duties. The members including the Chair shall be reimbursed for their necessary expenses incurred in the performance of their duties.

(e) The Board may not issue orders for the implementation of which the Legislature has not appropriated adequate funds. (Added 1969, No. 113, § 1; amended 1971, No. 193 (Adj. Sess.), § 21, eff. April 3, 1972; 1975, No. 152 (Adj. Sess.), § 2; 1979, No. 59, § 30; 1985, No. 133 (Adj. Sess.), § 1; 1987, No. 183 (Adj. Sess.), § 18; 2005, No. 187 (Adj. Sess.), § 1, eff. May 25, 2006.)