

Compromise Language

We suggest deleting, in its entirety, the ULP language found at 16 VSA 2106 starting on page 7 line 22, and inserting the following language to a new 16 VSA section 2105(b)(3)(C):

The arbitrator shall have the authority to address and include in the award any remedy concerning allegations of unfair bargaining practices by any party, including allegations of a party's failure to bargain in good faith, provided, however, that the remedy shall be consistent with the remedies available to the parties pursuant to 21 V.S.A. 1727(d).

Section 7. 24 VSA § 4947 (VEHI Board Composition)

d) The governing board of a health benefit association shall be composed of the following six members:

(1) three members appointed by the organization representing the majority of the school employers in this State; provided however, that **no members may be employed by the appointing organization** ~~at the discretion of the organization, one of these members may be a representative of the organization;~~ and

(2) three members appointed by the labor organization representing the greatest number of school employees in the State; **provided however, that no members may be employed by the appointing organization.**

Sec. 8. DEPARTMENT OF FINANCIAL REGULATION; RULEMAKING

The Department of Financial Regulation shall amend its rules pursuant to 3 V.S.A. chapter 25 as needed to conform to the provisions of 24 V.S.A. § 4947 as amended by this act, and the health benefit association (a/k/a VEHI) shall, as necessary, amend its governing documents to comply with this act and any regulatory changes thereafter.

Sec. 9.a.1 (2018 Timeline)

Retain draft 8.2 language at section 9(b)(1)&(2), as found starting on line 21 page 14 but amend (a)(1-6) as follows:

- 1) Negotiations shall commence on or before August 1, 2018, and at the first meeting the parties shall select and schedule factfinder and appoint the arbitration panel.
- 2) If no agreement is reached by October 1, then impasse procedures are triggered.
- 3) Mediated fact-finding shall occur no later than October 15
- 4) Mediator/Factfinders report is due on or before November 1
- 5) Parties have 15 days to come to agreement or the arbitration shall occur
- 6) Arbitration decision due on or before December 15
- 7) Parties may agree to have differing benefit levels for licensed vs. support staff for the first agreement but the arbitrator is not required to issue a decision mandating a single plan in this transition.