

1 H.801

2 Introduced by Representatives Donovan of Burlington, Anthony of Barre City,

3 Hooper of Burlington, Howard of Rutland City, Lanpher of

4 Vergennes, Masland of Thetford, O'Sullivan of Burlington,

5 Sullivan of Burlington, Troiano of Stannard, Walz of Barre

6 City, and Yacovone of Morristown

7 Referred to Committee on

8 Date:

9 Subject: Education; collective bargaining; Commission on Public School

10 Employee Health Benefits

11 Statement of purpose of bill as introduced: This bill proposes to allow the

12 Commission on Public School Employee Health Benefits to allocate premium

13 and out-of-pocket responsibilities between employers and employees based on

14 the ability of the employee to pay these expenses, to permit an arbitrator

15 resolving a dispute for the Commission greater latitude in fashioning a

16 resolution, and to establish a process for the Commission to request and

17 receive information necessary for the negotiations.

18 An act relating to statewide public school employee health benefits

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

2 Sec. 1. 16 V.S.A. § 2102 is amended to read:

3 § 2102. COMMISSION ON PUBLIC SCHOOL EMPLOYEE HEALTH

4 BENEFITS CREATED

5 * * *

6 (g) Release time. A school district that employs a member of the
7 Commission who represents school employees shall grant the Commission
8 member time off as necessary for the member to attend meetings of the
9 Commission.

10 (h) Staffing and expenses. The Commission may hire staff as it deems
11 necessary to carry out its duties under this chapter. Compensation for
12 Commission staff and administrative expenses of the Commission shall be
13 shared equally by school employers and school employees. The
14 representatives of school employers and the representatives of school
15 employees shall equitably apportion their share of the costs of compensation
16 and administrative expenses among their members.

17 ~~(h)~~(i) Rulemaking. The Commission may adopt rules or procedures, or
18 both, pursuant to 3 V.S.A. chapter 25 as needed to carry out its duties under
19 this chapter.

1 Sec. 2. 16 V.S.A. § 2103 is amended to read:

2 § 2103. DUTIES OF THE COMMISSION

3 (a) The Commission shall determine the percentage of the premium for
4 individual, two-person, parent-child, and family coverage under a health
5 benefit plan that shall be borne by each school employer and the percentage
6 that shall be borne by participating employees.

7 (1) The premium responsibility percentages shall remain in effect for the
8 entire plan year.

9 (2) Each school employer shall be responsible for paying, on behalf of
10 all of its participating school employees, the applicable percentages of
11 premium costs as determined by the Commission.

12 (3) The premium responsibility percentages for each plan tier ~~shall be~~
13 ~~the same for all~~ may differ among participating employees to reflect an
14 employee's ability to pay based on the amount of the employee's salary.

15 (b)(1) The Commission shall determine:

16 (A) the amount of school employees' out-of-pocket expenses for
17 which the school employer and the school employees shall be responsible,
18 which may take into account an employee's ability to pay based on the amount
19 of the employee's salary; and

1 before February 1 of the year of bargaining, the parties shall submit to the
2 Commission the information requested.

3 * * *

4 Sec. 4. 16 V.S.A. § 2105 is amended to read:

5 § 2105. DISPUTE RESOLUTION

6 * * *

7 (b)(1) If the Commission is unable to resolve all matters remaining in
8 dispute within 30 days after receiving the fact finder's report, the Commission
9 shall submit the matters remaining in dispute to the arbitrator or arbitrators
10 selected pursuant to section 2104 of this chapter for resolution.

11 (2) The representatives of school employees and the representatives of
12 school employers shall submit to the arbitrator or arbitrators their last best
13 offer on all issues remaining in dispute.

14 (3) The arbitrator or arbitrators shall select one of the last best offers in
15 its entirety without amendment, provided, however, that if the arbitrator or
16 arbitrators determine that the last best offers submitted by both parties are
17 unreasonable and likely to produce undesirable results or to have a long-lasting
18 negative impact on the parties' collective bargaining relationship, then the
19 arbitrator or arbitrators may either:

20 (A) select the recommendations made by the fact finder in their
21 entirety pursuant to subdivision (a)(4) of this section; or

