

State Parks Seasonal Workforce Annual Hours Worked Limitation

Background

Vermont's state park system has traditionally relied heavily on high quality, motivated seasonal employees to provide its frontline service throughout the primary operating season (non-winter months). A workforce of almost 400 seasonal employees carries the burden of providing rule enforcement, security, emergency response, light maintenance, grounds keeping and janitorial service throughout all 55 state parks. Of those, around 120 are Park Managers and Assistant Park Managers. These are the key employees at each park supervising staff and overseeing all aspects of park operations and visitor service. They reside in the park as a condition of their employment and are responsible for the park on a 24/7 basis throughout the operating season. They are placed into a special overtime category which allows them to be compensated for 96 hours per pay period in exchange for any and all overtime necessary to deal with emergencies, security issues and anything else day or night at any point during the season. They tend to work from 96 hours to well over 100 hours every pay period. They start their employment well before the operating season to prepare the parks and facilities for visitors and they remain on site for a period afterwards to close down the operations. The length of annual employment of these key positions ranges from 19 weeks to 28 weeks depending on the park. The parks' operating seasons vary to accommodate demand and when demand dictates, seasons are being extended. It is critical that these key employees be on hand throughout the full season which can in some cases require more than 1,280 hours of seasonal work in a year.

Issue

The statute (3 V.S.A. 331) prohibits a temporary state employee from working more than 1,280 hours in a calendar year unless waived by the Commissioner of the Department of Human Resources. Currently, managing a state park does not meet the test for a waiver. Over the past few years, FPR has taken several steps to manage our workforce within this limitation, but despite those efforts, there are still 7 key employees scheduled to work more than 1,280 hours during calendar year 2019. The four high demand parks at which they work have long enough operating seasons to require this level of management. Our options are limited and impractical. They include employing these key people for a shorter period than is necessary to accomplish the service we need, and the public expects. Replacing them at some point in the season when they have reached their hour limit is completely impractical for a wide variety of reasons (continuity of management familiar with the park, staff supervision, training, inability to find qualified people willing to work for such a short period). The only other option is to shorten the operating season to fit within this limitation. This option goes against all FPR has been trying to provide a high-quality park system that is both financially sustainable and provides multiple significant values to Vermonters and their guests. It would be extremely poor management to allow an operating season to be dictated by an issue like this.

In addition, there are 26 employees at 12 other parks that are scheduled to work very close to the 1,280-hour limit. Due to the nature of their work, if they record their actual hours worked, due to emergencies, staff shortages or any number of other factors they may very well also exceed the limit. This can happen before anyone monitoring their time records realizes. This results in hasty layoff of key employees devastating the relationship with those employees and the operation of the parks with only days or weeks to go to the end of their seasons. Again, shortening the season or finding someone to fill

in for a short period are just not practical options. Neither, of course, is requiring those employees to only record a predictable 96 hour per pay period regardless of the real hours worked.

Demand for our park system is high. There has been a 40% increase in visitation over the last 10 years. People want more access, not less. Over the next 5 to 10 years it is expected that the operating seasons at another 13 parks will be extended to meet growing demand. Many of the key employees at those parks will then be in the same situation as those described above.