

1 TO THE HONORABLE SENATE:

2 The Committee on Economic Development, Housing and General Affairs to
3 which was referred Senate Bill No. 254 entitled “An act relating to union
4 organizing” respectfully reports that it has considered the same and
5 recommends that the bill be amended by striking out all after the enacting
6 clause and inserting in lieu thereof the following:

7 * * * Bargaining Unit Contact Information * * *

8 Sec. 1. 3 V.S.A. § 941 is amended to read:

9 § 941. UNIT DETERMINATION, CERTIFICATION, AND
10 REPRESENTATION

11 * * *

12 (c)(1) A petition may be filed with the Board, in accordance with
13 procedures prescribed by the Board:

14 (1) By an employee or group of employees, or any individual or
15 employee organization purporting to act in their behalf, alleging by filing a
16 petition or petitions bearing signatures of not less than 30 percent of the
17 employees, that they wish to form a bargaining unit and be represented for
18 collective bargaining, or that the individual or employee organization currently
19 certified as bargaining agent is no longer supported by at least 51 percent of
20 the employees in the bargaining unit, or that they are now included in an

1 approved bargaining unit and wish to form a separate bargaining unit under
2 Board criteria for purposes of collective bargaining.

3 (2)(A) An employee or group of employees, or any individual or
4 employee organization purporting to act in their behalf, who has submitted a
5 petition pursuant to subdivision (1) of this subsection shall be entitled to a
6 hearing before the Board pursuant to subdivision (d)(1)(B) of this section in
7 the event the appropriateness of the proposed bargaining unit is challenged by
8 an employer.

9 (B) Within two business days after receiving notice that the petition
10 has been filed, the employer shall file with the Board and the employee or
11 group of employees, or the individual or employee organization purporting to
12 act in their behalf, a list of the names and job titles of the employees in the
13 proposed bargaining unit. To the extent possible, the list of employees shall be
14 in alphabetical order by last name and provided in electronic format.

15 (d) The Board, a Board member thereof, or a person or persons designated
16 by the Board shall investigate the petition; and do one of the following:

17 (1) Determine that the petition has made a sufficient showing of interest
18 pursuant to subdivision (c)(1).

19 ~~(1)(2)(A) If~~ It if it finds reasonable cause to believe that a question of unit
20 determination or representation exists, ~~an appropriate hearing shall be~~
21 ~~scheduled before the Board upon due notice~~ the Board shall schedule a hearing

1 to be held before the Board not more than eight days after the petition was filed
2 with the Board unless:

3 (i) the parties named in the petition mutually agree to extend the
4 time for the hearing; or

5 (ii) the Board determines that the time for the hearing must be
6 extended because an insufficient number of Board members are available to
7 hold a hearing or the Executive Director of the Board is unavailable due to
8 leave.

9 (B)(i) Once scheduled, the date of the hearing shall not be subject to
10 change except for good cause as determined by the Board. ~~Upon request, the~~
11 ~~results of the investigation shall be made available by the Board to the~~
12 ~~petitioners and all intervenors, if any, including the duly certified bargaining~~
13 ~~representative prior to giving notice of hearing. Written notice of the hearing~~
14 ~~shall be mailed by certified mail to the parties named in the petition not less~~
15 ~~than seven calendar days before the hearing.~~

16 (ii) The time for a hearing shall not be extended pursuant to
17 subdivisions (d)(2)(A)(i) or (ii) of this section for more than an additional 30
18 days.

19 (C)(i) Except as otherwise provided pursuant to subdivision (ii) of
20 this subdivision (d)(2)(C), the hearing shall be limited to the subject of whether
21 the proposed bargaining unit is appropriate.

1 (ii) Questions of whether one or more employees should be
2 included in or excluded from the bargaining unit shall not be addressed without
3 the mutual agreement of the parties; provided, however, that the Board shall
4 note any employees or positions as to whom a question exists so that those
5 ballots may be separated from those of the other employees during the election.
6 If the parties mutually agree to address whether certain employees should be
7 included in or excluded in the bargaining unit, the date of the election shall be
8 not more than 15 days after the Board issues its decision on those questions.

9 (D) Hearing procedure and notification of the results of same the
10 hearing shall be in accordance with rules ~~prescribed~~ adopted by the Board, ~~or~~
11 except that the parties shall not be permitted to submit briefs to the Board after
12 the conclusion of the hearing unless the parties mutually agree to do so and the
13 Board consents.

14 (E) Except in instances when the parties mutually agree to address
15 whether certain employees should be included in or excluded from the
16 bargaining unit pursuant to subdivision (2)(C) of this subsection (d), the Board
17 shall issue its decision not more than two business days after the hearing or 10
18 days after the petition was submitted, whichever is later.

19 ~~(2)(3)~~ dismiss the petition, based upon the If the Board finds an absence
20 of substantive evidence, it shall dismiss the petition.

1 (e)(1)(A) Whenever, as a result on the basis of a petition and an appropriate
2 pursuant to subdivision (d)(1) of this section or a hearing pursuant to
3 subdivision (d)(2) of this section, the Board finds substantial interest among
4 employees in forming a bargaining unit or being represented for purposes of
5 collective bargaining, a secret ballot election shall be conducted by the Board
6 to be taken in such manner as to show not more than 21 days after the petition
7 is filed with the Board except as otherwise provided pursuant to subsection
8 (2)(C) of subsection (d).

9 (B) The time to conduct the election may be extended by:

10 (i) mutual agreement of the parties; or

11 (ii) the Board due to a lack of staff available to conduct the
12 election or other circumstances that make it impracticable for the Board to
13 conduct the election within 21 days after the petition is filed.

14 (2)(A) After the ballots are cast, the Board shall separate the ballot for
15 any employee for whom a question exists as to whether the employee should
16 be included in or excluded from the bargaining unit. The separated ballots
17 shall only be counted by the Board if it subsequently determines that those
18 employees or positions are an appropriate part of the bargaining unit.

19 (B) The election shall be conducted so that it shows separately the
20 wishes of the employees in the voting group involved as to the determination
21 of the collective bargaining unit, including the right not to be organized. In

1 ~~order for a~~ The collective bargaining unit to or collective bargaining
2 representative shall be recognized and certified by the Board, ~~there must be~~
3 upon a majority vote east by those of the employees voting.

4 (C) The Board shall, if necessary, hold a hearing not more than 30
5 days after the election to determine any outstanding questions as to whether
6 certain employees should be included in or excluded from the bargaining unit.

7 (3)(A) Unless the employer and labor organization agree to a longer
8 period:

9 (i) The employer shall file with the Board and the labor
10 organization that will be named on the ballot a list of the employees in the
11 bargaining unit within two business days after the Board determines that
12 substantial interest exists, and a secret ballot election shall be conducted.

13 (ii) If the parties subsequently stipulate to a different composition
14 of the bargaining unit, the employer shall file with the Board and the labor
15 organization that will be named on the ballot an amended list of the employees
16 in the bargaining unit within two business days after the parties enter into the
17 stipulation.

18 (B) The list shall include, as appropriate, each employee's name,
19 work location, shift, job classification, and contact information. As used in
20 this subdivision (3), "contact information" includes an employee's home

1 address, personal e-mail address, and home and personal cellular telephone
2 numbers to the extent that the employer is in possession of such information.

3 (C) To the extent possible, the list of employees shall be in
4 alphabetical order by last name and provided in electronic format.

5 (D) The list shall be kept confidential by the employer and the labor
6 organization and shall be exempt from copying and inspection under the Public
7 Records Act.

8 (E) Failure to file the list within the time required pursuant to
9 subdivision (A) of this subdivision (3) shall be grounds for the Board to set
10 aside the results of the election if an objection is filed within the time required
11 pursuant to the Board's rules.

12 * * *

13 (g)(1) In determining the representation of State employees in a collective
14 bargaining unit, the Board shall conduct a secret ballot of the employees within
15 the time period set forth in subdivision (e)(1)(A) of this section, unless the time
16 to conduct the election is extended pursuant to subdivision (e)(1)(B) of this
17 section, and certify the results to the interested parties and to the State
18 employer. The original ballot shall be so prepared as to permit a vote against
19 representation by anyone named on the ballot. No representative will be
20 certified with less than a majority of the votes cast by employees in the
21 bargaining unit.

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Sec. 2. 16 V.S.A. § 1992 is amended to read:

§ 1992. REFERENDUM PROCEDURE FOR REPRESENTATION

(a)(1) An organization purporting to represent a majority of all of the teachers or administrators employed by the school board may be recognized by the school board without the necessity of a referendum upon the submission of a petition bearing the valid signatures of a majority of the teachers or administrators employed by that school board. Within 15 days after receiving the petition the school board shall notify the teachers or administrators of the school district in writing of its intention to either require or waive a secret ballot referendum. If the school board gives notice of its intention to waive a referendum and recognize an organization, 10 percent of the teachers or administrators employed by the school board may submit a petition within 15 days thereafter, objecting to the granting ~~or~~ of recognition without a referendum, in which event a secret ballot referendum shall be held in the district for the purpose of choosing an exclusive representative ~~according to the guidelines for referendum contained in this legislation~~ as provided pursuant to the provisions of this section.

(2)(A)(i) An organization seeking to represent the teachers or administrators employed by a school board may petition **the school board for** a list of the teachers or administrators in the proposed bargaining unit.

1 (C) Any organization interested in representing teachers or
2 administrators in the school district shall have the right to appear on the ballot
3 by submitting a petition supported by ten percent or more of the teachers or
4 administrators in the school district.

5 (2)(A) Unless the school board and the organization agree to a longer
6 period, within two business days after the petition is presented, the school
7 board shall file with the organization that will be named on the ballot a list of
8 the teachers or administrators in the bargaining unit.

9 (B) The list shall include, as appropriate, each teacher’s or
10 administrator’s name, work location, job classification, and contact
11 information. As used in this subdivision (2), “contact information” includes a
12 teacher’s or administrator’s home address, personal e-mail address, and home
13 and personal cellular telephone numbers to the extent that the school board is
14 in possession of such information.

15 (C) To the extent possible, the list of teachers or administrators shall
16 be in alphabetical order by last name and provided in electronic format.

17 (D) The list shall be kept confidential by the school board and the
18 organization and shall be exempt from copying and inspection under the Public
19 Records Act.

20 (E) Failure to file the list within the time required pursuant to
21 subdivision (A) of this subdivision (2) shall be an unfair labor practice and

1 grounds for the Vermont Labor Relations Board to set aside the results of the
2 referendum if an unfair labor practice charge is filed not more than 10 business
3 days after the referendum.

4 * * *

5 Sec. 3. 21 V.S.A. § 1724 is amended to read:

6 § 1724. CERTIFICATION PROCEDURE

7 (a)(1) A petition may be filed with the Board, in accordance with
8 ~~regulations prescribed~~ rules adopted by the Board:

9 (1)(A) By an employee or group of employees, or any individual or
10 employee organization purporting to act in their behalf, alleging that not less
11 than 30 percent of the employees; wish to form a bargaining unit and be
12 represented for collective bargaining, or assert that the individual or employee
13 organization currently certified as bargaining agent is no longer supported by
14 at least 51 percent of the employees in the bargaining unit, or that not less than
15 51 percent of the employees now included in an approved bargaining unit wish
16 to form a separate bargaining unit under Board criteria for purposes of
17 collective bargaining.

18 (2)(B) By the employer alleging that the presently certified bargaining
19 unit is no longer appropriate under Board criteria.

20 (2)(A) An employee or group of employees, or any individual or
21 employee organization purporting to act in their behalf, who has submitted a

1 petition pursuant to subdivision (1) of this subsection shall be entitled to a
2 hearing before the Board pursuant to subdivision (b)(1)(B) of this section in
3 the event the appropriateness of the proposed bargaining unit is challenged by
4 an employer.

5 (B) Within two business days after receiving notice that the petition
6 has been filed, the employer shall file with the Board and the employee or
7 group of employees, or the individual or employee organization purporting to
8 act in their behalf, a list of the names and job titles of the employees in the
9 proposed bargaining unit. To the extent possible, the list of employees shall be
10 in alphabetical order by last name and provided in electronic format.

11 (b) The Board, a Board member thereof, or a person or persons designated
12 by the Board shall investigate the petition; and do one of the following:

13 (1) Determine that the petition has made a sufficient showing of interest
14 pursuant to subdivision (a)(1)(A) of this section.

15 ~~(1)(2)(A) if~~ If it finds reasonable cause to believe that a question of unit
16 determination or representation exists, ~~an appropriate hearing shall be~~
17 ~~scheduled before the Board upon due notice. Written notice of the hearing~~
18 ~~shall be mailed by certified mail to the parties named in the petition not less~~
19 ~~than 14 calendar days before the hearing.~~ the Board shall schedule a hearing to
20 be held before the Board not more than eight days after the petition was filed
21 with the Board unless:

1 (i) the parties named in the petition mutually agree to extend the
2 time for the hearing; or

3 (ii) the Board determines that the time for the hearing must be
4 extended because an insufficient number of Board members are available to
5 hold a hearing or the Executive Director of the Board is unavailable due to
6 leave.

7 (B)(i) Once scheduled, the date of the hearing shall not be subject to
8 change except for good cause as determined by the Board.

9 (ii) The time for a hearing shall not be extended pursuant to
10 subdivision (b)(2)(A)(i) or (ii) of this section for more than an additional 30
11 days.

12 (C)(i) Except as otherwise provided pursuant to subdivision (ii) of
13 this subdivision (b)(2)(C), the hearing shall be limited to the subject of whether
14 the proposed bargaining unit is appropriate.

15 (ii) Questions regarding whether certain employees should be
16 included in or excluded from the bargaining unit shall not be addressed without
17 the mutual agreement of the parties; provided, however, that the Board shall
18 note any employees or positions as to whom a question exists so that those
19 ballots may be separated from those of the other employees during the election.
20 If the parties mutually agree to address whether certain employees should be

1 included in or excluded in the bargaining unit, the date of the election shall be
2 not more than 15 days after the Board issues its decision on those questions.

3 (D) Hearing procedure and notification of the results thereof of the
4 hearing shall be in accordance with rules ~~prescribed~~ adopted by the Board or,
5 except that the parties shall not be permitted to submit briefs to the Board after
6 the conclusion of the hearing unless the parties mutually agree to do so and the
7 Board consents.

8 (E) Except as otherwise provided pursuant to subdivision (2)(C) of
9 this subsection, the Board shall issue its decision not more than two business
10 days after the hearing or 10 days after the petition was submitted, whichever is
11 later.

12 ~~(2)(3) dismiss the petition, based upon the~~ If the Board finds an absence
13 of substantive evidence it shall dismiss the petition.

14 * * *

15 (e)(1)(A) In determining the representation of municipal employees in a
16 collective bargaining unit, the Board shall conduct a an election by secret
17 ballot of the employees and certify the results to the interested parties and to
18 the employer. The election shall be held not more than 21 days after the
19 petition is filed with the Board except as otherwise provided pursuant to
20 subdivision (b)(2)(C) of this section.

21 (B) The time to conduct the election may be extended by:

1 (i) mutual agreement of the parties; or

2 (ii) the Board due to a lack of staff available to conduct the
3 election or other circumstances that make it impracticable for the Board to
4 conduct the election within 21 days after the petition is filed.

5 (2)(A) The original ballot shall ~~be so prepared as to~~ permit a vote
6 against representation by anyone named on the ballot. No representative will
7 be certified with less than a 51 percent affirmative vote of all votes cast. ~~In the~~
8 ~~ease where~~ If it is asserted that the certified bargaining agent is no longer
9 supported by at least 51 percent of the employees in the bargaining unit and
10 there is no attempt to seek the election of another employee organization or
11 individual as bargaining representative, there shall be at least 51 percent
12 negative vote of all votes cast to decertify the existing bargaining agent.

13 (B) After the ballots are cast, the Board shall separate the ballot for
14 any employee for whom a question exists as to whether the employee should
15 be included in or excluded from the bargaining unit. The separated ballots
16 shall only be counted by the Board if is subsequently determines that those
17 employees or positions are an appropriate part of the bargaining unit.

18 (C) The Board shall, if necessary, hold a hearing not more than 30
19 days after the election to determine any outstanding questions as to whether
20 certain employees should be included in or excluded from the bargaining unit.

1 (3)(A) Unless the employer and the individual or labor organization
2 seeking to represent the bargaining unit agree to a longer period:

3 (i) The employer shall file with the Board and the labor
4 organization that will be named on the ballot a list of the employees in the
5 bargaining unit within two business days after the Board determines that
6 substantial interest exists, and a secret ballot election shall be conducted.

7 (ii) If the parties subsequently stipulate to a different composition
8 of the bargaining unit, the employer shall file with the Board and the labor
9 organization that will be named on the ballot an amended list of the employees
10 in the bargaining unit within two business days after the parties enter into the
11 stipulation.

12 (B) The list shall include, as appropriate, each employee’s name,
13 work location, shift, job classification, and contact information. As used in
14 this subdivision (2), “contact information” includes an employee’s home
15 address, personal e-mail address, and home and personal cellular telephone
16 numbers to the extent that the employer is in possession of such information.

17 (C) To the extent possible, the list of employees shall be in
18 alphabetical order by last name and provided in electronic format.

19 (D) The list shall be kept confidential by the employer and the
20 individual or labor organization seeking to represent the bargaining unit and
21 shall be exempt from copying and inspection under the Public Records Act.

1 after receiving the authorization, commence withholding from the teacher's or
2 administrator's wages the amount of membership dues certified by the
3 teachers' or administrators' organization. The school board shall transmit the
4 amount withheld to the teachers' or administrators' organization on the same
5 day as the teacher or administrator is paid. Nothing in this subsection shall be
6 construed to require a member of a teachers' or administrators' organization to
7 participate in automatic dues deduction.

8 Sec. 7. 21 V.S.A. § 1645 is added to read:

9 § 1645. AUTOMATIC MEMBERSHIP DUES DEDUCTION

10 Independent direct support providers who are members of the labor
11 organization shall have the right to automatic membership dues deductions.
12 Upon receipt of a signed authorization to commence automatic membership
13 dues deductions from an independent direct support provider, the State shall, as
14 soon as practicable and in any event, no later than 30 calendar days after
15 receiving the authorization, commence withholding from the independent
16 direct support provider's wages the amount of membership dues certified by
17 the labor organization. The State shall transmit the amount withheld to the
18 labor organization on the same day as the independent direct support provider

1 is paid. Nothing in this section shall be construed to require a member of a
2 labor organization to participate in automatic dues deduction.

3 Sec. 8. 21 V.S.A. § 1737 is added to read:

4 § 1737. AUTOMATIC MEMBERSHIP DUES DEDUCTION

5 Employees who are members of the employee organization shall have the
6 right to automatic membership dues deductions. Upon receipt of a signed
7 authorization to commence automatic membership dues deductions from an
8 employee, the employer shall, as soon as practicable and in any event, no later
9 than 30 calendar days after receiving the authorization, commence withholding
10 from the employee's wages the amount of membership dues certified by the
11 employee organization. The employer shall transmit the amount withheld to
12 the employee organization on the same day as the employee is paid. Nothing
13 in this section shall be construed to require a member of an employee
14 organization to participate in automatic dues deduction.

15 Sec. 9. 33 V.S.A. § 3618 is added to read:

16 § 3618. AUTOMATIC MEMBERSHIP DUES DEDUCTION

17 Early care and education providers who are members of the labor
18 organization shall have the right to automatic membership dues deductions.
19 Upon receipt of a signed authorization to commence automatic membership
20 dues deductions from an early care and education provider, the State shall, as
21 soon as practicable and in any event, no later than 30 calendar days after

1 receiving the authorization, commence withholding from the subsidies paid to
2 the early care and education provider the amount of membership dues certified
3 by the labor organization. The State shall transmit the amount withheld to the
4 labor organization on the same day as the subsidies are paid to the early care
5 and education provider. Nothing in this section shall be construed to require a
6 member of a labor organization to participate in automatic dues deduction.

7 * * * Access to Employees in Bargaining Unit * * *

8 Sec. 10. 3 V.S.A. § 909 is added to read:

9 § 909. ACCESS TO NEW EMPLOYEES IN BARGAINING UNIT

10 (a) An employer shall provide the employee organization that is the
11 exclusive representative of the employees in a bargaining unit with an
12 opportunity to meet with each newly hired employee in the bargaining unit to
13 present information about the employee organization.

14 (b)(1) The meeting shall occur during the new employee's orientation or, if
15 the employer does not conduct an orientation for newly hired employees,
16 within 30 calendar days from the date on which the employee was hired.

17 (2) If the meeting is not held during the new employee's orientation, it
18 shall be held during the new employee's regular work hours and at his or her

1 regular worksite or a location mutually agreed to by the employer and the
2 employee organization.

3 (3) The employee organization shall be permitted to meet with the
4 employee for not less than 60 minutes.

5 (4) The employee shall be paid for attending the meeting at his or her
6 regular rate of pay.

7 (c)(1) Within 10 days after hiring a new employee in a bargaining unit, the
8 employer shall provide the employee organization with his or her name, job
9 title, worksite location, work telephone number and e-mail address, home
10 address, personal e-mail address, home and personal cellular telephone
11 numbers, and date of hire.

12 (2) The employee's home address, personal e-mail address, and home
13 and personal cellular telephone numbers shall be kept confidential by the
14 employer and the employee organization and shall be exempt from copying
15 and inspection under the Public Records Act.

16 (d) The employer shall provide the employee organization with not less
17 than 10 days' notice of an orientation for newly hired employees in a
18 bargaining unit.

1 Sec. 11. 3 V.S.A. § 1022 is added to read:

2 § 1022. ACCESS TO NEW EMPLOYEES IN BARGAINING UNIT

3 (a) An employer shall provide the employee organization that is the
4 exclusive representative of the employees in a bargaining unit with an
5 opportunity to meet with each newly hired employee in the bargaining unit to
6 present information about the employee organization.

7 (b)(1) The meeting shall occur during the new employee's orientation or, if
8 the employer does not conduct an orientation for newly hired employees,
9 within 30 calendar days from the date on which the employee was hired.

10 (2) If the meeting is not held during the new employee's orientation, it
11 shall be held during the new employee's regular work hours and at his or her
12 regular worksite or a location mutually agreed to by the employer and the
13 employee organization.

14 (3) The employee organization shall be permitted to meet with the
15 employee for not less than 60 minutes.

16 (4) The employee shall be paid for attending the meeting at his or her
17 regular rate of pay.

18 (c)(1) Within 10 days after hiring a new employee in a bargaining unit, the
19 employer shall provide the employee organization with his or her name, job
20 title, worksite location, work telephone number and e-mail address, home

1 address, personal e-mail address, home and personal cellular telephone
2 numbers, and date of hire.

3 (2) The employee's home address, personal e-mail address, and home
4 and personal cellular telephone numbers shall be kept confidential by the
5 employer and the employee organization and shall be exempt from copying
6 and inspection under the Public Records Act.

7 (d) The employer shall provide the employee organization with not less
8 than 10 days' notice of an orientation for newly hired employees in a
9 bargaining unit.

10 Sec. 12. 16 V.S.A. 1984 is added to read:

11 § 1984. ACCESS TO NEW TEACHERS OR ADMINISTRATORS IN
12 BARGAINING UNIT

13 (a) A school board shall provide a teachers' or administrators' organization
14 that is the exclusive representative of the teachers or administrators in a
15 bargaining unit with an opportunity to meet with each newly hired teacher or
16 administrator in the bargaining unit to present information about the teachers'
17 or administrators' organization.

18 (b)(1) The meeting shall occur during the new teacher's or administrator's
19 orientation or, if the school board does not conduct an orientation for newly
20 hired teachers or administrators, within 30 calendar days from the date on
21 which the teacher or administrator was hired.

1 (2) If the meeting is not held during the new teacher’s or administrator’s
2 orientation, it shall be held during the new teacher’s or administrator’s regular
3 work hours and at his or her regular worksite or a location mutually agreed to
4 by the school board and the teacher’s or administrator’s organization.

5 (3) The employee organization shall be permitted to meet with the
6 employee for not less than 60 minutes.

7 (4) The teacher or administrator shall be paid for attending the meeting
8 at his or her regular rate of pay.

9 (c)(1) Within 10 days after hiring a new teacher or administrator, the
10 school board shall provide the teacher’s or administrator’s organization, as
11 appropriate, with his or her name, job title, worksite location, work telephone
12 number and e-mail address, home address, personal e-mail address, home and
13 personal cellular telephone numbers, and date of hire.

14 (2) The teacher’s or administrator’s home address, personal e-mail
15 address, and home and personal cellular telephone numbers shall be kept
16 confidential by the employer and the teacher’s or administrator’s organization
17 and shall be exempt from copying and inspection under the Public Records
18 Act.

19 (d) The school board shall provide the teacher’s or administrator’s
20 organization with not less than 10 days’ notice of an orientation for newly
21 hired teachers or administrators in its bargaining unit.

1 Sec. 13. 21 V.S.A. § 1738 is added to read:

2 § 1738. ACCESS TO NEW EMPLOYEES IN BARGAINING UNIT

3 (a) An employer shall provide the employee organization that is the
4 exclusive representative of the employees in a bargaining unit with an
5 opportunity to meet with each newly hired employee in the bargaining unit to
6 present information about the employee organization.

7 (b)(1) The meeting shall occur during the new employee's orientation or, if
8 the employer does not conduct an orientation for newly hired employees,
9 within 30 calendar days from the date on which the employee was hired.

10 (2) If the meeting is not held during the new employee's orientation, it
11 shall be held during the new employee's regular work hours and at his or her
12 regular worksite or a location mutually agreed to by the employer and the
13 employee organization.

14 (3) The employee organization shall be permitted to meet with the
15 employee for not less than 60 minutes.

16 (4) The employee shall be paid for attending the meeting at his or her
17 regular rate of pay.

18 (c)(1) Within 10 days after hiring a new employee in a bargaining unit, the
19 employer shall provide the employee organization with his or her name, job
20 title, worksite location, work telephone number and e-mail address, home

1 address, personal e-mail address, home and personal cellular telephone
2 numbers, and date of hire.

3 (2) The employee’s home address, personal e-mail address, and home
4 and personal cellular telephone numbers shall be kept confidential by the
5 employer and the employee organization and shall be exempt from copying
6 and inspection under the Public Records Act.

7 (d) The employer shall provide the employee organization with not less
8 than 10 days’ notice of an orientation for newly hired employees in a
9 bargaining unit.

10 * * * Effective Date * * *

11 Sec. 14. EFFECTIVE DATE

12 This act shall take effect on July 1, 2020.

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16 (Committee vote: _____)

17 _____

18 Senator _____

19 FOR THE COMMITTEE