

1 Introduced by Representative Townsend of South Burlington

2 Referred to Committee on

3 Date:

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

5 Employee Health Benefits

6 Statement of purpose of bill as introduced: This bill proposes to make various
7 changes to the process for statewide collective bargaining for public school
8 employee health benefits.

9 An act relating to statewide public school employee health benefits

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

11 Sec. 1. 16 V.S.A. § 2101 is amended to read:

12 § 2101. DEFINITIONS

13 As used in this chapter:

14 (1) “Participating employee” means a school employee who is eligible
15 for and has elected to receive health benefit coverage through a school
16 employer.

17 (2) “School employee” ~~means:~~

18 (A) includes the following individuals:

1 ~~(A)~~(i) an individual employed by a ~~supervisory union or school~~
2 ~~district~~ employer as a teacher or administrator as defined in section 1981 of
3 this title; ~~or~~

4 ~~(B)~~(ii) a municipal school employee as defined in 21 V.S.A. § 1722;

5 (iii) an individual employed as a supervisor as defined in
6 21 V.S.A. § 1502;

7 (iv) a confidential employee as defined in 21 V.S.A. § 1722;

8 (v) a certified employee of a school employer; and

9 (vi) any other permanent employee of a school employer not
10 covered by subdivisions (i)–(v) of this subdivision (2); and

11 (B) notwithstanding subdivision (A) of this subdivision (2), excludes
12 individuals who serve in the role of superintendent.

13 (3) “School employer” means a supervisory union or school district as
14 those terms are defined in section 11 of this title.

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

16 § 2102. COMMISSION ON PUBLIC SCHOOL EMPLOYEE HEALTH

17 BENEFITS CREATED

18 * * *

19 (b) Composition and appointment.

1 (g) Release time. A school district that employs a member of the
2 Commission, or an alternate member of the Commission under subsection (j)
3 of this section, who represents school employees or school employers shall
4 grant the Commission member time off as necessary for the member to attend
5 meetings of the Commission.

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

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

16 (j) Alternate members. Four alternate members may be appointed to the
17 Commission who, if appointed, shall be entitled to attend all negotiating
18 sessions of the Commission. Up to two alternate members may be appointed
19 by representatives of school employees and up to two alternate members may
20 be appointed by representatives of school employers. The term of each
21 alternate member, if appointed, shall be six years. In the event of a vacancy,

1 the appointing authority of the alternate member whose seat becomes vacant
2 shall appoint a successor to serve out the remainder of the alternate member's
3 term. Alternate members may be removed by the Commission only for cause
4 and may be removed by the appointing authority of the alternate member
5 without cause.

6 (k) Funding. The Commission shall request the Governor to include in the
7 Governor's annual budget a minimum of \$17,500.00 appropriated to the
8 Agency of Education for per diem compensation and reimbursement of
9 expenses for members of the Commission. Any unencumbered appropriation
10 shall revert to the General Fund in the year following the conclusion of an
11 agreement under subdivision 2104(b)(1) of this title.

12 Sec. 3. APPROPRIATION

13 The sum of \$17,500.00 is appropriated to the Agency of Education from the
14 General Fund for fiscal year 2022 for per diem compensation and
15 reimbursement of expenses for members of the Commission.

16 Sec. 4. 16 V.S.A. § 2103 is amended to read:

17 § 2103. DUTIES OF THE COMMISSION

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

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Sec. 7. EFFECTIVE DATE

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This act shall take effect on passage.