

1 TO THE HOUSE OF REPRESENTATIVES:

2 The Committee on Government Operations to which was referred Senate
3 Bill No. 220 entitled “An act relating to State-paid deputy sheriffs”
4 respectfully reports that it has considered the same and recommends that the
5 House propose to the Senate that the bill be amended by striking out all after
6 the enacting clause and inserting in lieu thereof the following:

7 Sec. 1. 3 V.S.A. § 902 is amended to read:

8 § 902. DEFINITIONS

9 As used in this chapter:

10 * * *

11 (5) “State employee” means any individual employed on a permanent or
12 limited status basis by the State of Vermont, the Vermont State Colleges, the
13 University of Vermont, ~~or~~ the State’s Attorneys’ offices, or as a full-time
14 deputy sheriff paid by the State pursuant to 24 V.S.A. § 290(b), including
15 permanent part-time employees, and an individual whose work has ceased as a
16 consequence of, or in connection with, any current labor dispute or because of
17 any unfair labor practice, but excluding an individual:

18 (A) exempt or excluded from the State classified service under the
19 provisions of section 311 of this title, except that the State Police in the
20 Department of Public Safety; employees of the Defender General, excluding
21 attorneys employed directly by the Defender General and attorneys contracted

1 to provide legal services; deputy State’s Attorneys; ~~and~~ employees of State’s
2 Attorneys’ offices; and full-time deputy sheriffs paid by the State pursuant to
3 24 V.S.A. § 290(b) are included within the meaning of “State employee”;

4 * * *

5 (7)(A) “Employer” means the State of Vermont, excluding the
6 Legislative and Judiciary Departments, represented by the Governor or
7 designee, the Office of the Defender General represented by the Defender
8 General or designee, Vermont State Colleges represented by the Chancellor or
9 designee, and the University of Vermont represented by the President or
10 designee.

11 (B) With respect to employees of State’s Attorneys’ offices and full-
12 time deputy sheriffs paid by the State pursuant to 24 V.S.A. § 290(b),
13 “employer” means the Department of State’s Attorneys and Sheriffs
14 represented by the Executive Director or designee. Nothing in this subdivision
15 (7)(B) shall be construed to affect a sheriff’s deputation authority pursuant to
16 24 V.S.A. § 307(a).

17 * * *

18 Sec. 2. 3 V.S.A. § 906 is amended to read:

19 § 906. DESIGNATION OF MANAGERIAL, SUPERVISORY, AND

20 CONFIDENTIAL EMPLOYEES

21 * * *

1 (b)(1) The Executive Director of the Department of State’s Attorneys and
2 Sheriffs may determine positions in the State’s Attorneys’ offices whose
3 incumbents the Executive Director believes should be designated as
4 managerial, supervisory, or confidential employees. Any disputes arising from
5 the determination shall be finally resolved by the Board.

6 (2) The Executive Director of the Department of State’s Attorneys and
7 Sheriffs may designate as a confidential employee not more than one deputy
8 sheriff paid by the State pursuant to 24 V.S.A. § 290(b) who is assigned to the
9 Department of State’s Attorneys and Sheriffs’ central office to serve as the
10 coordinator for the other State-paid deputies.

11 Sec. 3. 3 V.S.A. § 911 is added to read:

12 § 911. DESIGNATION OF DEPUTY SHERIFFS PAID BY STATE;

13 STATEWIDE BARGAINING RIGHTS

14 (a) Deputy sheriffs paid by the State pursuant to 24 V.S.A. § 290(b) shall
15 be part of a single, separate statewide bargaining unit, as determined to be
16 appropriate by the Board pursuant to section 941 of this title, for the purpose of
17 bargaining collectively pursuant to this chapter.

18 (b) The bargaining unit created pursuant to this section shall be referred to
19 as the State-Paid Deputy Sheriffs Unit.

1 Sec. 4. EXISTING BARGAINING UNIT; DECERTIFICATION

2 On the effective date of this act, the existing bargaining unit and
3 certification of an exclusive bargaining representative for the State-paid deputy
4 sheriffs in the Chittenden County Sheriff’s Department shall be dissolved.

5 Sec. 5. 3 V.S.A. § 904 is amended to read:

6 § 904. SUBJECTS FOR BARGAINING

7 (a) All matters relating to the relationship between the employer and
8 employees shall be the subject of collective bargaining except those matters
9 that are prescribed or controlled by statute. The matters appropriate for
10 collective bargaining to the extent they are not prescribed or controlled by
11 statute include:

12 * * *

13 (8) terms of coverage and amount of employee financial participation in
14 insurance programs, except that the Department of State’s Attorneys and
15 Sheriffs and the deputy State’s Attorneys ~~and~~, other employees of the State’s
16 Attorneys’ offices, and deputy sheriffs paid by the State pursuant to 24 V.S.A.
17 § 290(b) shall not bargain in relation to terms of coverage and the amount of
18 employee financial participation in insurance programs;

19 * * *

20 Sec. 6. EFFECTIVE DATE

21 This act shall take effect on July 1, 2022.

1

2 (Committee vote: _____)

3

4

Representative _____

5

FOR THE COMMITTEE