



To: Senate Education Committee  
From: Sue Ceglowski, Executive Director, Vermont School Boards Association  
Re: H.81  
Date: March 18, 2021

Senator Campion has encouraged witnesses to use the Senator Doyle approach which is (as I understand it) to state the problem and propose a solution.

#### The Problem

The problem is that section 4 of H.81 removes the following language from current law.

~~(3) The premium responsibility percentages for each plan tier shall be the same for all participating employees.~~

~~(3) The school employers' and school employees' responsibilities for out-of-pocket expenses for each plan tier shall be the same for all participating employees.~~

The removal of this language is a significant policy change that tips the scales in favor of one side.

#### The Solution

The solution is adding balancing language to section 6 of H.81 so that it reads (new language in bold): "In reaching a decision, the **arbitrator or arbitrators shall determine which of the two submissions most appropriately balances appropriate access to health care benefits and reasonable cost containment to ensure the financial sustainability of the plan.** **The arbitrator or arbitrators shall also** give weight to the evidence, documents, written material, and arguments presented, as well as the following factors: "

There are five factors currently in the law. We have recommended adding two factors to the law (actuarial value and percentage increase or decrease in education spending that is likely to occur). We understand through Committee discussion that the Committee is not going to add those two factors.

Given that, we strongly urge you to add the above balancing language to the bill. Making clear to the arbitrator that balancing is required is the crux of the matter. It will also add an appropriate and necessary guide for the employer and employee negotiators. Striking a balance between appropriate access and cost is the reason the bargaining occurs - adding balancing language will not cause the bill to be unbalanced. It is what is needed to rebalance H.81.