

H.725

Introduced by Representative Logan of Burlington

Referred to Committee on

Date:

Subject: Labor; State Labor Relations Act; application

Statement of purpose of bill as introduced: This bill proposes to amend and extend the applicability of the State Labor Relations Act in the event the National Labor Relations Board becomes unwilling or is unable to exercise its jurisdiction.

An act relating to the State Labor Relations Act

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

Sec. 1. 21 V.S.A. § 1505 is amended to read:

§ 1505. APPLICATION

(a) This chapter shall not apply to any employer or any labor dispute that affects commerce within the meaning of the National Labor Relations Act, 29 U.S.C. §§ 151–169, unless the National Labor Relations Board shall have ceded jurisdiction to the Board pursuant to 29 U.S.C. § 160 ~~or~~, shall have declined to assert jurisdiction pursuant to 29 U.S.C. § 164(c), or can no longer execute its statutory duties for any reason, including:

1 (1) the repeal of the National Labor Relations Act or a narrowing of the
2 National Labor Relations Act so that it no longer covers a certain type, class,
3 or industry of workers; or

4 (2) the preemptive effect of the National Labor Relations Act is no
5 longer effective.

6 (b) If the Board acquires jurisdiction pursuant to subdivision (a)(1) or
7 (a)(2) of this section, the Board shall, upon petition, promptly certify the
8 exclusive bargaining representative of any bargaining unit previously certified
9 by the National Labor Relations Board and whose certification remained in
10 effect until federal preemption was no longer effective. The Board shall verify
11 the validity of the certification formerly granted by the National Labor
12 Relations Board within 60 days after receipt of the petition. All existing terms
13 and conditions of employment between an exclusive bargaining representative,
14 previously certified by the National Labor Relations Board, and an employer
15 shall remain in full force and effect during the Board's verification process.

16 Sec. 2. EFFECTIVE DATE

17 This act shall take effect on passage.