

1 H.725  
2 Introduced by Representative Logan of Burlington  
3 Referred to Committee on  
4 Date:  
5 Subject: Labor; State Labor Relations Act; application  
6 Statement of purpose of bill as introduced: This bill proposes to amend and  
7 extend the applicability of the State Labor Relations Act in the event the  
8 National Labor Relations Board becomes unwilling or is unable to exercise its  
9 jurisdiction.

10 An act relating to the State Labor Relations Act  
11 It is hereby enacted by the General Assembly of the State of Vermont:  
12 Sec. 1. 21 V.S.A. § 1505 is amended to read:  
13 § 1505. APPLICATION  
14 (a) This chapter shall not apply to any employer or any labor dispute that  
15 affects commerce within the meaning of the National Labor Relations Act, 29  
16 U.S.C. §§ 151–169, unless the National Labor Relations Board shall have  
17 ceded jurisdiction to the Board pursuant to 29 U.S.C. § 160 or, shall have  
18 declined to assert jurisdiction pursuant to 29 U.S.C. § 164(c), or can no longer  
19 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.