

Position Pool and Position Cap

House Committee on Appropriations
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Outline of Talk

- Position Cap
- Statutory Authority
- Position Sweep
- Requesting a Pool Position
- Wrap-up



Position Cap

- Annual Language in Appropriations Act
 - *Sec. A.107(a) “Notwithstanding any other provision of law, the total number of authorized State positions, both classified and exempt, excluding temporary positions as defined in 3 V.S.A. § 311(a)(11), shall not be increased during fiscal year 2027 except for new positions authorized by the General Assembly during the 2026 session. Limited-service positions approved pursuant to 32 V.S.A. § 5 shall not be subject to this restriction.”*



Position Cap

- Controls personnel costs
- Legislative control over workforce growth
- Forces prioritization and reallocation
- Creates budget predictability



Authorization of the Position Pool

- There isn't a reference to the "pool" in statute but...
- 3 V.S.A. § 327(a)-(b):

“(a) When a vacancy in the classified service occurs, the appointing officer shall make a diligent effort to recruit an employee from within the classified service to fill the vacancy.

(b) Any position which has been vacant for a period of six months shall be eliminated unless the Secretary of Administration determines that the position is essential and has remained vacant because of specific professional qualifications.”



Other Statutory Authority

- 3 V.S.A. § 2222(i)

“(i) The Secretary of Administration is authorized to transfer vacant positions throughout the Executive Branch of State government, and to adjust appropriations in the Executive Branch in accordance with the Secretary’s Statewide Vacancy Savings Plan that reflects realistic savings due to vacant positions. Such appropriation adjustments shall result in no change to the total statewide legislative appropriations to the Executive Branch. This authority is separate from the Secretary’s authority provided in 32 V.S.A. § 706.”



How the Position Sweep Works

- Positions are monitored on a rolling basis by DHR
- 6-month vacancy
- Some position titles not “swept”
- Transfer process into the Position Pool
- Position Pool Committee
 - Secretary of Administration, Commissioner of Finance and Management, and Commissioner of Human Resources
 - Departments/agencies can request the position return to their Position Control
 - Position Pool request forms



Request a New Pool Position

- Formal request process
 - Position Pool Committee
 - General Assembly – sometimes request comes with a new appropriation
 - Executive Branch only – Departments and Agencies
 - Judicial and Legislative Branches – not included
 - Other State Officers (Treasurer, Attorney General, Secretary of State, Auditor, Lieutenant Governor) – not included



Wrap Up – Position Pool

- Position pool ensures compliance with legislatively-established position cap
- May reduce unnecessary vacancy holding
- Fixed position cap gives appropriators a stable container for budgeting personnel costs
- Reduces risk of mid-year budget shortfalls caused by unanticipated position growth
- Easier to estimate multi-year fiscal impacts
- *New positions authorized*— preserves legislative flexibility to respond to emerging needs through the proper appropriations process



Resources

- List

- <https://humanresources.vermont.gov/classification-position-management/position-management/establishing-new-positions>

