

WEEK IN ACTION!

Weekly News From Your Union ~ May 12, 2014 – May 16, 2014

VSEA Thanks Law Enforcement Members During National Law Enforcement Week

VSEA President Shelley Martin and the VSEA Board of Trustees joined this week to thank all VSEA members working in law enforcement during National Law Enforcement Week.

“The services you provide to Vermonters on a daily basis are second to none,” said Martin. “We greatly appreciate your commitment and dedication to what is hard and sometimes dangerous work.

VSEA is proud to represent:

Vermont State Police Lieutenants;

Vermont Department of Liquor Control Investigators;

Vermont Game Wardens;

Department of Motor Vehicles Investigators and Commercial Vehicle Enforcement Inspectors; and

Attorney General’s Office Licensed Board Field Investigators.

VTDigger Story On VSEA Executive Director Mark Mitchell’s Tenure At VSEA Highlights Union’s New Direction

The following story appeared May 15 on *VTDigger*:

Mark Mitchell, executive director of the Vermont State Employees Association, is leaving at the end of the month. He is moving to Florida to take care of his 84-year-old mother who recently became ill.

“I’ve been gone my entire adult life doing union work around the country,” Mitchell said. “I feel like she needs me now.”

Mitchell says he is leaving the 5,000 member public sector union which represents state workers and staff workers for the state colleges, at a time when the VSEA is on good footing. Mitchell will stay on through the next VSEA board meeting on June 13 and help the union interview candidates for the new executive director position.

“We have the most highly functioning union in the state of Vermont,” Mitchell said. “I’m proud of the work our members have done to bring the union to a high level of effectiveness.”

Mitchell became executive director at a difficult time in the VSEA’s history — in November 2011, three months after floods from Tropical Storm Irene damaged the Waterbury State Office Complex. The 1,200 state employees who worked at the complex were sent to temporary work places in central Vermont and Chittenden County. Many of the workers had to increase their commutes by a half hour or more; some opted to quit because of the impact of long distance drives on their families. The union fought to protect workers who were relocated.

The Vermont State Hospital was closed in the aftermath of the flood and dozens of workers traveled to Brattleboro and Springfield to care for patients. Eventually, most were laid off with the promise that they would be rehired when the Green Mountain Psychiatric Care Center opens this year.

In September 2012, he proposed a dues increase for members in order to recruit union organizers. Since then, the staff has grown from 19 to 29.

Mitchell helped to negotiate two contracts with the state of Vermont, and he bargained a successful contract for workers with the state colleges. In both instances, the union established a “living wage” base for workers. He also started an effort to unionize deputy state’s attorneys and other workers in county prosecutors’ offices.

The Vermont Veterans Home in Bennington has been in dire financial straits for several years, and VSEA worked with employees and the [State] to keep the home open as a public facility.

Over the course of his two-and-a-half year tenure, Mitchell has taken the union from a service organization in which the staff managed relationships with the Legislature and the governor’s office to a member-led union that gives rank-and-file workers more say in how the union works with the administration and lobbies at the State House. The idea was to empower union members to become involved in union drives and issues that have an impact on their day to day work.

That shift was controversial, and led to a rift in VSEA management. About a year ago,

two VSEA attorneys called for Mitchell's firing. There was an investigation into alleged labor law violations. No wrongdoing was uncovered, and Mitchell was reinstated.

The controversy spurred union members around the state to get more involved.

Sheila Coniff, treasurer for the VSEA board, says Mitchell and the board of the VSEA survived that dark period by soldiering on.

"We dealt with some really tough dirty dealings from people outside the union and inside the union," Coniff said. "Still, to this day, people are constantly trying to do anything they can to discredit him and us, and we've gotten to where we can shake it off and keep going."

Coniff says Mitchell took a "lethargic service-driven organization," and at the request of the members turned the VSEA "into a member-driven organization."

"He did precisely that, nothing more and nothing less," Coniff said. "It's so successful that we have the wherewithal to do what we need to do."

In a service model union the staff "are kind of the big brother," members go to the union staff with problems and ask them to fix it. In an organizing model, she said, the members are involved in lobbying at the Statehouse and rallying behind individual members who have been unfairly treated. "What we want is something built on the reality of 6,000 workers standing shoulder to shoulder," Coniff said.

The VSEA legal team is aggressively pursuing contract violation cases, Coniff said, in order to ensure that the Shumlin administration takes the contract language seriously. "The contract is the contract," she said. "We're not going to sit back and do whatever the administration wants us to do."

This new spirit of unanimity and aggressive protection of workers' rights is all due to Mitchell's leadership, Coniff says.

"I can't overstate how much he has done for us," Coniff said. "His drive got us all in gear because of his desire to have members be the driving force of the union and we're taking that and we're running with it."

Note: VSEA President Shelley Martin penned a message to all members

this week, concerning Mitchell's departure. In case you missed it, please [click here to read](#).

BGS Custodians' Efforts Rewarded With New Mold Removal Protocol!

A months-long campaign by a group of BGS custodians for a mold-removal protocol has paid off. This week, BGS officials informed VSEA campaign leaders James Hale and Deb Franks that a new mold-removal protocol is being implemented and that employees will receive annual mold awareness and clean-up training. Hale and Franks are attributing the victory to rank-and-file member activism and positive collaboration with BGS officials throughout the campaign.

VSEA BGS custodians mobilized back in March, drafting a mold-removal protocol that included the items they desired and then getting a majority of the workers to sign their names to it, petition-style. The worker' draft protocol was then presented to BGS officials in one of the first of several productive meetings with them on the road to an official mold-removal protocol being implemented this week. To its credit, BGS also asked its workers to complete a survey about mold and its safe removal, and the findings were used to help officials develop the new protocol.

Hale and Franks say the new protocol will go a long way towards addressing the safety and health concerns of many of BGS custodians. They thanked BGS Commissioner Michael Obuchowski for the way he and his staff productively engaged with workers.

Congratulations VSEA BGS custodians! Way to fight the good fight—and win!

VSEA Legislative Team Provides 2014 Legislative Session Outcomes Overview

The gavel has banged, officially ending the 2014 Vermont legislative session. To update members on all the VSEA-related activity this session, VSEA's Legislative team is pleased to provide the following brief snapshot

H. 882 - The Pay Act

On May 2, The Pay Act passed the Senate floor by voice vote after the Senate Committee on Government Operations and the Senate Committee on Appropriations reported favorably on the bill. The Pay Act is fully funded and will support your most recently negotiated contract which included a 2.5% COLA and a 1.7% average step increase for a total increase on average of 4.2%. It makes a difference to be in a union. The debate in the Legislature this year was all about cutting the non-union exempt and statutory employees. Originally, the Pay Act granted them the same 4.2% VSEA members bargained for successfully, but in the end they were cut to 3.3%. No legislator wanted to cut the bargained agreements for fear of angering the members of the VSEA and forcing the process back to the bargaining table.

S. 241 - An Act Relating to Binding Arbitration for State Employees

On May 9, the House and Senate adopted the committee of conference report for studying grievance arbitration for state employees. The Commissioner of Human Resources will do the study this summer with input from state employees and the Troopers. This is a major step toward successfully passing legislation to allow state employees to bargain for arbitration as an independent, less formal final step of the grievance process.

S. 218 - An Act Relating to Temporary Employees

On May 7, the House and Senate passed the temporary workers bill which reduces the amount of hours a temporary employee can work from 1520 to 1280 hours in a calendar year. The Commissioner of Human Resources has the power to allow a temporary worker to work longer if needed in an emergency. For the first time, the management is going to have to annually report the number of hours a temporary worker works and justify to legislators the temporary status of the position. Additionally, the bill includes studies on staffing in correctional facilities meant to determine the appropriate level of staffing for the Department and includes a requirement that the Administration present a 3 year and a 5 year plan to transition the Correction Department away from temporary employees to permanent classified positions.

S. 225 - An Act Relating To A Report On Recommended Changes In The Structure Of Vermont State Employment In Order To Reduce Employment-Related Stress

On May 7, the House passed the bill in concurrence with the Senate version of the bill. Originally seeking to remove the early retirement penalty for dispatchers this bill became a study to look at the broader issues of stress in the work place with an emphasis on particular jobs. These jobs are as follows:

- Employees of the Department of Corrections;
- Employees of the Woodside facility;
- Dispatchers in the Department of Public Safety;
- Social workers in the Family Services Division of the Department for Children and Families who provide direct child safety services;
- Direct care providers at the Vermont Veterans' Home;
- State Police officers in the Computer Crimes Unit that assist in cases regarding child pornography; and employees of the Vermont Psychiatric Care Hospital.

This study will be performed by the Commissioner of Human Resources and will explore options such as early retirement benefits as well as structural changes that would reduce employee stress now. Possible early retirement options include looking at an additional retirement group between group F and Group C. This bill requires that the State make recommendations for stress-relieving policies and programs for highly stressful state positions. Your union will be working over the summer to reach out to members in these positions to build a platform for next session.

H.863 - Whistleblower Protections Strengthened.

At the request of State Auditor Doug Hoffer, whistleblowers, including state employees can now participate in anonymously in the work of the state auditor's office as they review the programs of state government.

H. 885 FY 2015 Budget - An Act Relating to the Support of Government

New Permanent Classified Positions

(a) The establishment of the following new permanent positions is authorized in fiscal year 2015 as follows:

(1) In the Department of Information and Innovation – three (3) classified positions – one (1) IT Contract Specialist and two (2) Enterprise Architect.

(2) In the Department of State's Attorneys and Sheriffs – four (4) exempt positions – Deputy State's Attorney.

(3) In the Department of Public Safety – three (3) classified positions – one (1) Marijuana Registry Administrator, one (1) Fire Prevention Safety Officer, and one (1) Electrical Inspector.

(4) In the Agency of Agriculture, Food and Markets – two (2) classified positions – Food Safety Specialist.

(5) In the Department of Financial Regulation – one (1) classified position – Financial Examiner II.

(6) In the Department of Health – one (1) classified position – Public Health Dental Hygienist.

(7) In the Department for Children and Families – one (1) classified position – Financial Specialist III.

(8) In the Department of Environmental Conservation – one (1) classified position – Environmental Engineer VI.

(9) In the Department of Economic Development – one (1) classified position – Economic Development Director.

New Limited Service Positions

(b) The establishment of the following new classified limited service positions is authorized in fiscal year 2015 as follows:

(1) In the Department of Environmental Conservation – one (1) Solid Waste Analyst, one (1) Environmental Analyst III, and one (1) Wetland Ecologist.

(2) In the Department of Liquor Control – one (1) Tobacco Compliance Officer.

(c) The conversion of classified limited service positions to classified permanent status is authorized in fiscal year 2015 as follows:

(1) In the Agency of Agriculture, Food and Markets – two (2) working lands staff positions - Agricultural Development Coordinator and Grants Program Specialist II

Your union successfully fought back attempts to cut the number of positions at the new Berlin Psychiatric Facility. All 183 positions recommended by the State are in the final budget

Position Pilot

A position pilot program is created for the Department of Environmental Conservation the Department for Children and Families, the Agency of Transportation and the Department of Buildings and General Services to allow the departments to add more permanent, classified staff if the need arises and the department's budget will allow. The pilot essentially allows the State to add more classified positions without the need

for legislative approval of each position. The rationale here is that the departments can reduce the use of temporary workers and contractors that would normally have to be relied on until the legislature can approve new positions.

Vermont Veteran's Home

The first language section about the Veterans' Home refers to a funding review study that will be performed by the Secretary of Administration. The language directs the Secretary of administration to come up with a plan that will eliminate the need for General Fund subsidies by 2018.

The second section of the budget that concerns the Veteran's home requires the Veteran's Home report to the legislature and the Secretary of administration before July 1 on the number of employees who work 16 hours or fewer per week. This section also includes language allowing a classified employee to serve on the Veterans' Home Board of Trustees.

Community High School of Vermont

Language in the budget requires the Commissioner of Corrections in consultation with the Community High School Board of Trustees to submit a report to the Joint Legislative Corrections Oversight Committee. The report shall include the following: (1) a detailed description of the School's programs, curriculum, and outcomes; (2) data and projections on the student population, including the total number of students enrolled at the School, the number of students who are currently incarcerated, student ages, and the current cost per student; (3) a comparison of the School's current cost per student with statewide education spending per student; and (4) an analysis of the use of more efficient delivery systems, including technology.

The Joint Legislative Corrections Oversight Committee will submit a report to the General Assembly by January 1. It will include plans for funding programs and curriculum at the Community High School of Vermont.

S.193 Secure Choice Pensions

Study language was included in the state budget to research the implications of establishing a separate defined benefit plan for Vermonter's who do not have them. This would increase retirement security in Vermont and potentially save the State funding for subsidies for low income retirees.

Funding for State Colleges

The final state budget includes an anemic \$400,000 increase in funding for Vermont's state colleges. This amount is barely enough to keep up with inflation. Fortunately, S.40, a bill to study how to get funding for state colleges and UVM increased back the level of funding provided in the 1980's passed. VSEA will actively participate in this study and will work with our allies to launch a campaign to make state colleges viable and affordable for all Vermonters.

The VSEA Legislative team will be providing a more complete analysis in the coming weeks. Please watch your in-boxes!

VSEA Applauds Signing Of Legislation To Protect Whistleblower Identities

VSEA members who want to blow the whistle on waste, fraud and corruption now have an extra layer of protection after the State signed H. 863 (The "Whistleblower Protection Bill") into law on May 14. The bill augments statutory language that already exists to protect state employee whistleblowers from retaliation with language to protect the identities of whistleblowers. The bill was championed by State Auditor Doug Hoffer, and his office hosted the official signing ceremony. VSEA was represented by Associate General Counsel Rebecca McBroom, who told the crowd that VSEA is hopeful this new identity protection will spur more members to begin reporting waste, fraud and corruption.

As part of its story about H. 863 being signed, ABC 22 reached out to VSEA member and current victim of retaliation John Howe for his feelings about the bill. Howe responded, "I love the sentiment...but it's one thing to say every employee has the right to do this, but you have to have a system to prevent retaliation." Howe and VSEA continue to call on the State to supplement the existing statutory language with a strong statewide policy to address managers who engage in retaliation against frontline employees.

Deadline To Apply For VSEA Scholarship Is Monday, May 19

The VSEA Scholarship & Awards Committee is soliciting scholarship applications from VSEA members and their spouses, dependents and domestic partners. Scholarship applications are now being accepted from students seeking financial assistance in the pursuit of post-secondary educational goals.

The application process is easy, requiring the applicant to write a couple of short essays as well as provide a grade history, employment history, personal references and a few other things. All applications received before the official Monday, May 19, deadline will then be reviewed by all Committee members who debate the eligible candidates and then vote to decide a particular year's winners. The Scholarship and Awards Committee will announce the recipients of the scholarships at the June 2014 VSEA Council Meeting.

The guidelines to apply for a scholarship are as follows:

Applications will be considered from persons entering or engaged in:

- * *Educational or vocational degree or licensed programs*
- * *Course(s) to further skill development*
- * *Self-improvement courses*

Those persons eligible for scholarship consideration are as follows:

- * *VSEA active members*
- * *VSEA active members' dependents*
- * *VSEA active members' dependent step-child*
- * *VSEA active members' spouses/domestic partners*

The Scholarship Committee will base its decision for the scholarship eligibility on the following criteria:

- * *Career goals*
- * *Financial need*
- * *Abilities and initiative*
- * *Life experiences*
- * *Class standing (recent graduates)*
- * *Community and school involvement*

VSEA Scholarship Applicant Requirements

The VSEA Scholarship Application must be completed in full, with the appropriate accompanying materials, including:

- High school/college transcripts or other information (i.e., resume, personal statement) that provide an overview of the applicant's academic/work record or ability;
- Two written letters of reference must accompany the application. (These letters should reflect the student's level of achievement, rather than provide a testimonial to the student's good character); and
- Copies of W2 tax forms to show income.

The Scholarship Award money available for 2014 Scholarships is \$6,000 and shall be divided into several scholarship prizes as determined by the Awards/ Scholarship Committee.

All completed applications and all accompanying data must be received at VSEA Headquarters no later than 4:30 p.m, Friday, May 19, 2014.

VSEA Awards/Scholarship Committee
c/o VSEA Headquarters
155 State Street
Montpelier, Vermont 05602

Please direct any questions concerning the scholarship awards/application process to the Chair of the VSEA Awards/Scholarship Committee:

Janis L. Henderson
VSEA Awards/Scholarship Committee
Work Phone: 802-626-6575
Personal E-mail: jhenderson@vsea.org

VSEA Schedules May 22 Information Gathering Meeting With DAIL Employees

VSEA is hosting a lunchtime information gathering meeting with DAIL employees on Thursday, May 22. One of the primary topics of discussion will be management

retaliation and its impact on DAIL employees and their ability to provide the best service possible to Vermonters. The meeting begins at 5:30 p.m. and is being held at the Williston Fire Station at 645 Talcott Road. Pizza and drinks will be provided.

VSEA Needs To Know If Your Mailing Address Is Different Than Your Home Address

Many VSEA members have a mailing address that is different from their home address. They may keep a P.O. Box at the post office, or they may have a mailbox with an address different from their actual house address. If this is the case with you, please email the Union at nstein@vsea.org and let us know! Our reason is that the address information for our members that we receive from the State is unreliable. The State cannot report to us both a "Mailing Address" and a "Home Address." We only occasionally send paper U.S. mail, but, when we do, it's important, and includes: Ballots for Union elections, insurance information, and legally-required warnings of Union meetings.

If your mailing address is different from your home address, we need you to tell us! Email nstein@vsea.org. Thanks!

Upcoming Meetings/Events/Holidays:

May 19

Deadline to Apply For VSEA Scholarship! See WIA entry above.

May 20

OCS Committee Meeting

VSEA HQ

Montpelier, VT

9:00 a.m.

May 20

Steward Training: Your Bargaining Unit's Contract (NMU)

Room 1A

108 Cherry St.

Burlington

9:00 a.m.

May 22

Awards & Scholarship Committee Meeting
VSEA HQ
Montpelier
9:00 a.m.

May 22

VSEA Meeting With DAIL Workers
Williston Fire Station
645 Talcott Rd.
Williston
5:30 p.m.

May 22

Steward Training: Solidarity, Power and State Policies
Third Floor Conference Room
5 Perry St.
Barre