



## WEEK IN ACTION!

Weekly News From Your Union ~ May 21 – May 25, 2018

Your union's weekly newsletter, *Week In Action*, is emailed every Friday afternoon. *Week In Action* is the best way to stay up to date with weekly VSEA news!

- Subscribe to *Week In Action* Online: [www.vsea.org/wia](http://www.vsea.org/wia)

### **Memorial Day**

This Memorial Day 2018, VSEA President Dave Bellini and the VSEA Board of Trustees are proud to join with all VSEA members and retirees to honor VSEA members, Vermonters and all Americans who have died while serving our nation in the Armed Services.

### **ALERT! No Reply Yet To VSEA May 21 Letter To State, Asking It To Return To Negotiating Table To "Reset The Collective Bargaining Relationship"**

#### ***VSEA Members! Ask The State To "Return To The Table"***

Citing the fact that last-best-offer proceedings at the Vermont Labor Relations Board (VLRB) have yet to conclude with a final order, VSEA Labor Relations Director Gary Hoadley penned a letter to the State on May 21, asking its negotiators to take advantage of the interim period and return to the table "to explore how we can resolve this current conflict." Hoadley suggests inviting a federal mediator "to assist in narrowing our differences and attempt compromise that is necessary for possible resolution."

Hoadley explains in his letter that state employees are angry and frustrated about the latest round of negotiations "and the events surrounding bargaining impasse." He asks the State to work with VSEA to "find a way forward."

Hoadley's letter concludes:

"The VSEA and the State have a long history of successful negotiations and mutual agreements. We recognize the value in a negotiated settlement upon collaborative labor relations and affirming confidence in the collective bargaining process for state employees. Direct negotiation provides an opportunity to continue discussion toward a potential negotiated agreement."

To date, Hoadley or VSEA has not heard back from the State. VSEA had wanted to give the State and its negotiators a small window to respond before going public with Hoadley's letter, but it appears the State might need some nudging, so VSEA is enlisting members' and retirees' help.

**VSEA members and retirees are urged to help get an answer by calling or emailing the Governor's Office today with the message: "Return to the table today to negotiate a fair agreement with state employees."**

[Gov's Contact Info Here](#)

[Read VSEA Labor Relations Director Gary Hoadley's Full Letter on vsea.org](#)

## **Monday's WDEV Debate On Karen O'Neill Confirmation Does Nothing To Bolster State's Argument She Qualifies As "Neutral"**

Monday morning on WDEV, VSEA Executive Director Steve Howard debated former Green Mountain Power Executive Steve Terry on the Senate's recent vote to oppose Karen O'Neill's confirmation to the VLRB as a "neutral." Terry recently penned a commentary that labeled the Senate's rejection of O'Neill's confirmation as "shameful." Obviously, VSEA and nearly all of Vermont labor disagrees with Mr. Terry's viewpoint--as did the Senate.

Over the course of the debate, Terry said little to strengthen O'Neill's case, and he did not appear to understand the process to nominate individuals to the Review Panel, saying he believed the DOL Commissioner's one call to an IBEW official sufficed. Howard tried to explain the Commissioner's failure to follow protocol to Terry several times, but the important point kept getting lost.

VSEA's case was supported on air by Rep. Paul Poirier, who dropped into the WDEV studio to add his analysis and by longtime labor leader Stephen Finner, who calls in near the end of the debate.

[Listen Here](#) (Howard v. Terry begins at 59:56)

## **U.S. Supreme Court Issues First Of Two Expected Anti-Worker Decisions. Vermont Group Calls For State Response**

The U.S. Supreme Court issued a decision this week that will prevent a worker(s) from being able to sue employers. It's the first of two anti-union decisions the Court was expected to hand down; the second being the *Janus vs. Illinois* decision, which is coming soon.

[NYT Article On 5/21 SCOTUS Ruling](#)

[LA Times](#)

[The Atlantic](#)

[Truth Out](#)

[Vice News](#)

[The Nation](#)

In response to the Court's decision this week, the Vermont group Rights & Democracy put out a statement that calls on Vermont lawmakers to respond to the Court's ruling in the 2019 legislative session.

VT Rights & Democracy's 5/21 Statement Reads:

*"Today the US Supreme Court rendered a 5-4 decision, authored by Trump nominee Neil Gorsuch, allowing employers to cheat workers out of their most basic rights with impunity by using forced arbitration to strip us of our right to sue. In Vermont we have an opportunity to take a different path. The first step is for [the State] to sign into law a tri-partisan bill, S.105, which would help prevent corporations from putting abusive terms in standard form contracts. This bill would make certain contract terms that waive important rights presumptively unconscionable, deterring their inclusion in the first place.*

*And in 2019, we need the Legislature to pass the Private Attorneys General Act (PAGA). The corporate attack on private enforcement of our vital rights requires Vermont to use every tool at its disposal to extend the reach of our public enforcement agencies. PAGA allows workers to bring representative actions in the name of the state, deterring wage theft, discrimination and sexual harassment with meaningful penalties. Because these are public enforcement actions collecting penalties for the state, courts have ruled that these suits are not limited by the class action waivers that the Supreme Court approved today.*

*Is the [State] on the side of Vermont consumers and employees, or the side of the large corporations cheering the huge victory that the U.S. Supreme Court handed them today? Please call the Governor's office at 802-828-3333, and tell him to sign S.105!"*

Note: Vermont's Legislative Working Vermonters' Caucus, which VSEA belongs to, strongly endorses S. 105.

Related May 21 *Politico* Story: [Blue States Strike First Against Awaited Anti-Union Court Ruling](#)

## **Member's Challenge Forces DOL To Revise To Policy Governing Information Disclosure**

VSEA members in Department of Labor (DOL) won a hard-fought victory when the DOL recently and finally revised its policy governing disclosure of information to no longer prohibit disclosures of records that are not confidential by law. The revision affirms that the DOL will honor disclosures that are protected under whistleblower or by labor law.

VSEA Second Vice President Cassandra Edson challenged the DOL's initial policy when it was issued in 2016, alleging it barred employees from disclosing virtually any information to anyone, whether their co-workers, their union, the State Auditor, or the press. It also required employees to sign that they understood and agreed to a dizzying array of complicated and often ambiguous federal and state laws.

After VSEA took the issue to the VLRB, the DOL finally issued a revised policy to meet the union's demands. The latest policy bars disclosures of legally confidential records, and states explicitly that it should not be read to interfere with protected legal rights.

VSEA has yet to learn whether the DOL will require employees to sign a document stating they understand and agree with the policy. If it does, VSEA is advising

members to cross out that language and write that you acknowledge have received and reviewed the record.

The attached notices detail your rights under Vermont's whistleblower laws.

## **Michael Scott is Vermont's Game Warden of the Year**

From [a May 24 F&W Statement](#):

Michael Scott of Barton is Vermont's State Game Warden of the Year. A game warden since 2014, Scott received the award in recognition of his excellent service from Governor Phil Scott on May 23 in Montpelier.

"I want to thank Michael for his outstanding performance in protecting Vermont's fish and wildlife resources and serving the people of Vermont," Governor Scott said at a ceremony this week. He added that Warden Scott was chosen for "his professionalism, his strong work ethic and because he is highly liked and respected by the people who live in his area, including the teachers and students in local schools he has visited."

"Warden Scott effectively enforces hunting, fishing and trapping laws," adds Fish & Wildlife Commissioner Louis Porter, "and in 2017 he arrested the offender in the notorious 'moose dragging' case in which a violator shot and killed a lactating cow moose, likely orphaning her calf, and dragging the carcass 12 miles behind his truck -- leaving it to waste beside the road. This case drew national attention and, as a result, the largest monetary donation to Vermont's "Operation Game Thief" in history."

Warden Scott previously was honored for his heroism in attempting to save the life of an angler who had fallen through the ice on Lake Willoughby and drowned. Scott ran across thin ice with a rescue line before breaking in himself and held the angler while bystanders pulled them to shore.

Warden Michael Scott's district includes the towns of Lowell, Albany, Irasburg, Glover, and Barton.

## **Seven Days Profiles State Apiarist & VSEA Member Dave Tremblay**

[Seven Days published a story in this week's edition](#) that profiles state apiarist Dave Tremblay, who travels Vermont inspecting bee colonies "for signs of diseases, mites and other infestations that can devastate Vermont's bee population."

Tremblay explains that the Champlain Valley is among the best places in the world to keep bees, largely because the forage is so diverse and abundant. But he adds that the bees' landscape has suffered somewhat in recent years, as dandelion- and wildflower-filled pastures have been replaced by cornfields.

In the piece, Tremblay advises Vermonters purchasing bees to "definitely register and ask for proof that they've been inspected."

Definitely worth a read if you are at all interested in Vermont's bee population and its future.

## **Editorial Highlights VT State Colleges' Ongoing Funding Crisis**

[A May 24 editorial in the \*Morrisville News & Citizen\*](#), titled "Money Will Be Issue For Northern Vermont University," the writer lauds the move to combine Johnson State and Lyndonville State, but reminds that a lack of state funding remains a critical issue.

*For Lamoille County, the merger preserves a major asset. Johnson State has contributed mightily to the county's economy, its leadership ranks and its intellectual climate. State legislators and business leaders have emerged from Johnson State, and faculty and staff members have raised the level of debate in politics and society.*

*However, this merger will not end the financial straits of the Vermont State Colleges system. Though more than 80 percent of its students come from Vermont — nearly triple the percentage at the University of Vermont — the state colleges have been the poor sister in state financing of higher education. State law says the state colleges will be "supported in whole or in substantial part with state funds." But it's been decades since that was the case, and now the state colleges receive only about 15 percent of their revenues from the state.*

*The colleges have done what they can to cut costs and boost efficiency without hurting education. Hundreds of jobs were cut between 2014 and 2016, saving \$3.6 million between 2014 and 2016. Contributions to employee pensions are down, health insurance is no longer a retirement benefit, high-deductible health insurance programs have cut expenses, and pay raises run below the average for comparable public sector employees.*

## **GoFundMe Created To Help State Colleges' Member & Daughter Recover From Devastating Fire**

Last week, *WIA* informed readers about longtime State Colleges' member and activist Monique Prive and her daughter Tiffany losing their pets and all their belongings after fire engulfed the home where they were tenants.

*WIA* is happy to report that a GoFundMe page has now been created to help Monique and Tiffany, and VSEA members and retirees are invited to [donate online here](#).

For anyone wanting to send a donation and/or a card, the address is:

Monique Prive  
312 Depot Street  
West Burke, VT 05871

Monique's mail will be held at the post office where she will pick it up.

## **Last Call! June 1 Is Deadline To Submit Your Petition For Election To The VSEA Board Of Trustees!**

VSEA's Elections, Rules and Nominating Committee is reminding that June 1 is the deadline for interested members to submit a petition to run for a seat on the VSEA Board of Trustees.

As set forth in VSEA Bylaws, the following seats on the VSEA Board of Trustees are up for petition and election:

- 1) Non-Management Unit Trustee
- 2) Judicial Unit Trustee
- 3) District 3 Trustee (Newport/ Island Pond, Lamoille, Northeast Kingdom, St. Johnsbury)
- 4) District 6 Trustee (Brattleboro, Springfield, White River Junction)

Trustees elected in the above Districts must reside or have an assigned workstation, and continue to reside or have an assigned workstation, in the respective District. Trustees that represent units must stay a classified employee in that unit during the duration of their term.

If you are interested in placing your name into nomination to run for election for a seat on the VSEA Board of Trustees, please complete the attached petition and return it to VSEA headquarters by the deadline date of 4:00 p.m., June 1, 2018. To be eligible for candidacy for this position, you must be an active member of VSEA. In order for your petition to be accepted, it must have the signatures of at least 25 VSEA members. Please note that "agency-fee payers" are not full-fledged members and their signatures are not valid for inclusion on your petition. Therefore it is suggested that you obtain more than 25 signatures.

### **Role of a Trustee:**

The VSEA Board of Trustees manages the internal affairs of the union and ensures that the policies of VSEA are followed. It reviews and approves the union's budget for submission to the membership, and it reviews committee reports and recommends action by the Council and members. The Board also sets policy for VSEA.

The Board meets monthly and Trustees are expected to attend all the meetings as well as all quarterly Council meetings and the VSEA Annual Meeting. Release time from work is authorized under the unit collective bargaining contract. Each Trustee is also assigned to at least one VSEA Chapter to attend meetings and provide any necessary assistance.

If you have questions regarding your petition to fill a VSEA Trustee seat, please email the ERN committee ([vsea@vsea.org](mailto:vsea@vsea.org)). The deadline to submit petition to fill one of the three VSEA Trustee seats is 4:00 p.m., Friday, June 1, 2018."

Petition on [vsea.org](http://vsea.org)

Send your petition to:

VSEA  
ERN Committee  
155 State Street

Montpelier, VT. 05602

No faxes /or scanned documents will be accepted.

\*If you are unable to access a petition online, please contact VSEA headquarters at 223-5247 to request to have a hard copy petition mailed to your home. Petitions are also available on the VSEA website in the Members Only Documents.

### **Next Waterbury Chapter Meeting Is May 30!**

VSEA's Waterbury Chapter will hold its next Chapter meeting on Wednesday, May 30, at 12:00 p.m. in the State Office Building's Second-Floor, Ash Conference Room, located in Waterbury. Food and beverages being provided. Lots on the agenda to cover.

Chapter President John Mangione is reminding members who attend to bring a food donation for the Chapter President's food drive, which concludes on May 31.

Please direct any questions or comments to VSEA Waterbury Chapter President John Mangione via email at [mangioneart@comcast.net](mailto:mangioneart@comcast.net).

### **Organizer's Worksite Meeting On May 30 In Montpelier!**

VSEA Organizer David Oppenheimer is holding a meeting on May 30 with VSEA members working in the Attorney General's office. The meeting begins at 12:00 p.m. in Third-Floor Conference Room at 109 State Street in Montpelier. There will be pizza for members attending. A contract update will be provided, and there will be a discussion about the Janus lawsuit's progress to date.

Members with questions can contact David by email ([doppenheimer@vsea.org](mailto:doppenheimer@vsea.org)) or by phone at 802-223-5247.

### **Organizer's Worksite Meeting On May 31 In Burlington!**

VSEA Organizer Carmen Scoles is holding a meeting on May 31 with VSEA members working in Burlington. The meeting begins at 11:50 a.m. in the State Office Building's Conference Room 3B, located at 108 Cherry Street in Burlington. There will be snacks for members attending. A contract update will be provided, and there will be a discussion about the Janus lawsuit's progress to date.

Members with questions can contact Carmen by email ([cscoles@vsea.org](mailto:cscoles@vsea.org)) or by phone at 802-223-5247.

### **Upcoming Steward Training Dates**

VSEA Field Services Director Gretchen Naylor asked WIA to announce a revised series of Steward training dates in the coming months. The dates are:

- June 8: Holiday Inn, Rutland; and
- September 18: VSEA HQ, Montpelier.

Trainings begin at 8:30 a.m.

[Register Here on vsea.org](https://vsea.org)

## **Time Running Out For VSEA Members To Apply For A 2018 Vermont State Colleges Staff Federation Scholarship**

***Note: This is not affiliated with VSEA's Scholarship Program!***

If you are a VSEA member—or a member's spouse, dependent or domestic partner—you are eligible to receive a 2018 Vermont State Colleges Staff Federation (VSCSF) scholarship award!

**The fund is intended help VSEA members and their spouses, dependents or domestic partners who are seeking financial assistance to pursue post-secondary educational goals at one of the following:**

- **Castleton University;**
- **Lyndon State College;**
- **Johnson State College (soon to be Northern VT University) or**
- **Vermont Technical College.**

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

- Career goals;
- Financial need;
- Abilities and initiative;
- Life experiences; and
- College attending

The scholarship application must be completed in full and one \$500 scholarship will be awarded. The deadline to apply is May 31, 2018.

[Application Here!](#)

VSCSF scholarship applications and essays should be sent to:

Samuel Read Hall Library  
c/o Monique Prive  
P.O. Box 919  
Lyndonville, VT 05851-0919

If you have any questions, please contact Scholarship Committee Chair Denise Doyon by phone at 802-626-6350 or by e-mail at <mailto:denise.doyon@northernvermont.edu>.

*Note: VSCSF scholarships are not to be confused with VSEA's annual scholarships, also being offered right now [here!](#) Eligibility does not require attendance at one of the VSCSF's four designated colleges or universities.*

## **Now Is The Time To Enroll In VSEA's Popular Delta Dental Supplemental Plan Benefit**

VSEA members should have received a letter by now, announcing a new, open-enrollment period to participate in your union's very popular Delta Dental Supplemental Plan. The enrollment period is also when members already in the



program can amend their number of dependents also using the program, if this number has changed in the past year.

All enrollment forms will be due back on a May 2018 date to be announced.

*Note: If you are already taking advantage of this benefit, and you have no changes this year to your coverage, **you do not need to send back a new form**, as you will be automatically renewed.*

## **It's Time! Please Donate Today To Your Unit Sick Leave Bank**

### ***Donations Being Accepted April 1 To June 30***

VSEA member Dawn Carrillo staffs the Non-Management Unit Sick Leave Bank, and she is once again asking *WIA* to help her solicit time donations to the bank from VSEA members. Carrillo is also announcing that the donation period is April 1 to June 30, 2018, and she reminds that **donations to the Corrections and Supervisory Unit Banks are also needed.**

"Just donating an hour of your time can mean the world to a fellow employee," reads a DHR flyer. It also informs state employees that they can **donate any amount of annual- or personal-leave time** to their respective Unit sick leave bank. "Know that you are performing a wonderful service by helping your friends and fellow employees, who, along with their families, are struggling due to serious health issues," the flyer concludes.

[VSEA members interested in donating some much-needed time to the NMU, Corrections and Supervisory Sick Leave Banks can find a donation form here.](#)

"I want to thank every member for considering a donation to your Unit sick leave bank," says VSEA President Dave Bellini. "Even if you only donate one hour to the bank, these one-hour donations add up. It's so worthwhile because your donation is going to help a fellow state employee who is battling a serious illness."

## **AFL-CIO's Online CEO Pay vs. Median Worker Pay Chart Updated**

The national AFL-CIO recently posted its [annual comparison chart](#), showing what the CEOs of some of America's largest corporations are paid in comparison to what his or her company's average worker is paid. According to the chart, here are the top five largest pay ratios:

- 1) Weight Watchers International – 5,908:1
- 2) Mattel – 4,987:1
- 3) Abercrombie & Fitch Company – 3,431:1
- 4) McDonald's Corporation – 3,101:1
- 5) Gap – 2,900:1

From the page:

*"Public companies are now required to disclose their companies' pay ratios between the CEOs and median employees. These data are important because*

*they show which companies are investing in their workforce to create high-wage jobs."*

## **Study Finds 58% Of Americans Would Take A Pay Cut For More Vacation Time**

[USA Today recently reported on a study](#) that found that 58 percent of working Americans would take a pay cut in exchange for more vacation time.

From the story:

*These days, many workers are expected to log in long hours during the week and put in more time on weekends as needed. Often, this extra work comes with no additional compensation. In light of that, 10 days off over the course of what can easily be a 260-day work year doesn't seem all that generous -- or fair.*

*Worse yet, some companies don't distinguish between paid time off for leisure purposes versus sick time. This means that plenty of employees out there get 10 days total across both categories, which explains why so many workers have a tendency to come into the office when they're sick.*

### ***Fighting for more time off***

*Although 58% of employees claim they'd be willing to forgo a proportional percentage of their pay in exchange for more time away from the office, many workers don't have that luxury. An estimated 75% of U.S. adults already live paycheck to paycheck, and to lose even a small portion of their income would be detrimental to their immediate and long-term financial health.*

### **Quote Of The Week!**

*"The hearing was conducted in a respectful and appropriate manner. Ms. O'Neill was treated respectfully throughout the process by both the committee and the witnesses. Many witnesses applauded her lengthy management career but stated the obvious - that she was not a "neutral" because of it. Witnesses and the committee stuck to the facts at hand and were professional in their comportment. Mr. Terry, on the other hand, seems to have hallucinated about an alternative committee meeting somewhere else. It wasn't this one."*

VSEA Retiree Kathy Callaghan, commenting on [a recent VTDigger commentary](#) where the writer wrongly bemoans the way he believes Karen O'Neill was treated during her Senate Economic Development Committee confirmation hearings.

### **Upcoming Meetings/Events/Holidays:**

#### **May 28**

Memorial Day 2018 Holiday  
VSEA & Most State Offices Closed

#### **May 30**

Waterbury Chapter Meeting  
State Office Building

Ash Conference Room  
Waterbury  
12:00 p.m.

**May 30**

Organizer's Worksite Meeting – Montpelier  
Attorney General's Office  
Third-Floor Conference Room  
109 State Street  
Montpelier  
12:00 p.m.

**May 31**

Policy Committee Meeting  
VSEA HQ  
155 State Street  
Montpelier  
9:00 a.m.

**May 31**

Organizer's Worksite Meeting – Burlington  
State Office Building  
Conference Room B  
108 Cherry Street  
Burlington  
12:00 p.m.

**June 1**

Legislative Committee Meeting  
VSEA HQ  
155 State Street  
Montpelier  
8:30 a.m.

**June 1**

Deadline To Submit Petition For Board Seat