



## VERMONT TROOPERS' ASSOCIATION, INC.

7 BALDWIN STREET • P.O. BOX 1474 • MONTPELIER, VT 05601

### EXECUTIVE BOARD

DARREN ANNIS, PRESIDENT  
MATT DENIS, VICE PRESIDENT  
OWEN BALLINGER, TREASURER

### EXECUTIVE DIRECTOR

MICHAEL O'NEIL

Senate Committee on Economic Development, Housing and General Affairs:

I write on behalf of Vermont Troopers' Association to express concern about the nomination of Karen O'Neill to serve a neutral member of the Vermont Labor Relations Board. For the record, we are not related.

The VTA is the labor organization representing approximately 270 sworn Troopers and Sergeants of the Vermont State Police. Upon retiring earlier this year after serving as a Trooper for over 28 years, I transitioned from VTA's longtime President to its Executive Director. I also served, until recently, as labor representative to the Vermont Labor Board Review Panel, which solicits and reviews Member nominees to the Board.

The VTA is subject to the Vermont Labor Relations Board. It is where bargaining disputes, grievances, and unfair labor practice allegations are resolved. The VTA has generally enjoyed a civil relationship with this and past Administration's and we have had very little reason to invoke VLRB procedures in the past 15 years or so. We have had individual members file grievances on their own to varying degrees of success.

Although the VTA and the state have not been parties to many VLRB proceedings, the VLRB serves as a critical backdrop to our relationship. The VTA is acutely aware that any legal or contract disputes are likely to be decided by a three-person panel that represents the interests of labor, management, and the people of Vermont. We depend upon the impartial and neutral members to provide fairness and objectivity to any dispute. The VLRB panels are like a three-legged stool - each party indispensable to labor stability. To appoint, as a neutral, an individual with an affinity toward labor or management to the neutral position is to upset the delicate balance of the VLRB. In that case, the three-legged stool loses a leg and can no longer stand.

My comments about Karen O'Neill should not be taken as an attack or criticism on her personal integrity, her competency in labor relations, or her skills. Had the Governor nominated O'Neill to a management seat on the Board, the VTA would have no objection. In fact, we might have even offered our support. But, she has been nominated to a position that mandates someone "not connected with any labor organization or management position." That is not the case. Attorney O'Neil has been, from what I understand, strongly affiliated with management. It degrades the legislature's carefully-calibrated approach to public sector labor disputes to characterize her as a "neutral."



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She has served as general counsel to Green Mountain Power Company, in addition to serving as attorney for other utility companies. By definition, a general counsel is responsible for advising a business on management interests, including labor relations and human resources. Her job directly or indirectly was to represent, defend and support management of utilities, including in disputes with its employees and unions. Again, this statement of fact is not a reflect on her character. It is, however, a reflection on whether she is appropriately characterized as neutral.

Finally, Attorney O'Neill's work as a shareholder with the law firm of Gravel & Shea creates the most serious concerns. This law firm advertises itself as helping employers bust unions. The web site reads: "In both the public and private sectors, we have successfully defeated union organizing drives." Regardless of whether Attorney O'Neill worked on union-related matters, she was affiliated with a partisan side and, one can reasonably conclude, financially benefited from the firm's anti-union business. Whatever can be said about Attorney O'Neill's skills, competencies, and statures, it cannot be said that "she can be reasonably considered to be able to serve as a neutral individual."

These concerns underscore why the Senate's role in providing advice and consent to VLRB is important. The VTA encourages the Senate to scrutinize her record and determine whether the purpose and letter of the State Employees Labor Relations Act are being fulfilled by her designation as a neutral member.

Michael O'Neil

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