

VERMONT LABOR RELATIONS BOARD

VERMONT STATE EMPLOYEES')	
ASSOCIATION)	
)	
and)	DOCKET NO. 18-54
)	
STATE OF VERMONT DEPARTMENT)	
OF STATE'S ATTORNEYS AND SHERIFFS)	

ORDER

On December 31, 2018, the Vermont State Employees' Association ("VSEA") filed an amended Petition for Election of Collective Bargaining Representative to represent all permanent full-time and part-time employees of the Offices of State's Attorneys working in the job titles of Deputy State's Attorney, Victim's Advocate, Secretary and Administrative Secretary. On January 22, 2019, the State of Vermont Department of State's Attorneys and Sheriffs ("Employer") filed a response to the petition objecting to the inclusion of certain employees in the proposed bargaining unit based on their confidential status. On February 20, 2019, VSEA and the Employer agreed that the following bargaining unit is an appropriate unit:

- all permanent and limited-status full-time and part-time employees working in one or more of the 14 State's Attorneys' offices, in the following job titles: Deputy State's Attorney, Administrative Assistant, Secretary, Victim Advocate, Program Services Clerk;
- any permanent or limited-status Deputy State's Attorney in the State of Vermont Department of State's Attorneys and Sheriffs Central Office who are working as a Deputy State's Attorney-Sr. Appellate Attorney or Deputy State's Attorney-Traffic Safety Resource Prosecutor; and

- excluding the Deputy State's Attorney-Legislative and Administrative, in the Department's Central Office, and the Chief Administrative Deputy State's Attorney in the Chittenden County State's Attorney's Office

Pursuant to the agreement by the parties on the proposed bargaining unit, the Vermont Labor Relations Board conducted a secret ballot election, pursuant to 3 V.S.A. § 941(d) and (g), among employees in the above-described bargaining unit. The election was conducted by mail ballot.

The employees voting in the election were asked two questions: 1) whether they wish to be included in a collective bargaining unit consisting of the above-described employees; and 2) whether they wish to be represented for exclusive bargaining representative by the Vermont State Employees' Association. The ballots were counted on April 12, 2019, in the Labor Relations Board hearing room. 71 of 110 eligible employees cast valid ballots. One employee submitted an invalid ballot.

The results on the valid ballots on the first question of whether employees wish to be included in the bargaining unit were: Yes – 59, No – 12. The results on the second question of whether they wish to be represented for exclusive bargaining purposes by the Vermont State Employees' Association were: Yes – 59, No – 12.

As a result of this election, it is ordered that the Vermont State Employees' Association is certified as the exclusive bargaining representative of:

- all permanent and limited-status full-time and part-time employees working in one or more of the 14 State's Attorneys' offices, in the following job titles: Deputy State's Attorney, Administrative Assistant, Secretary, Victim Advocate, Program Services Clerk;

- any permanent or limited-status Deputy State's Attorney in the State of Vermont Department of State's Attorneys and Sheriffs Central Office who are working as a Deputy State's Attorney-Sr. Appellate Attorney or Deputy State's Attorney-Traffic Safety Resource Prosecutor; and
- excluding the Deputy State's Attorney-Legislative and Administrative, in the Department's Central Office, and the Chief Administrative Deputy State's Attorney in the Chittenden County State's Attorney's Office.

Dated this 29th day of April 2019, at Montpelier, Vermont.

VERMONT LABOR RELATIONS BOARD

/s/ Richard W. Park
Richard W. Park, Chairperson

/s/ Alan Willard
Alan Willard

/s/ Robert Greemore
Robert Greemore

/s/ David Boulanger
David R. Boulanger

/s/ Karen Saudek
Karen F. Saudek

/s/ Roger Donegan
Roger A. Donegan