

VERMONT LABOR RELATIONS BOARD

GRIEVANCE OF CHRISTOPHER)	
ROBINSON AND THE VERMONT)	DOCKET NO. 08-51
STATE EMPLOYEES')	
ASSOCIATION)	

MEMORANDUM AND ORDER

The issue before the Labor Relations Board is whether to grant a request filed by Grievants for clarification or reconsideration of the May 14, 2009, decision in this matter; 30 VLRB 192; due to the Board not awarding interest on the \$420 which the Board ordered the Employer to reimburse Grievant Christopher Robinson for courses he took at Woodbury College. Grievants request that the Board award interest on the \$420. The State of Vermont Office of Defender General ("Employer") opposes the awarding of interest.

A review of past Board decisions awarding small dollar amounts to employees indicates that Board precedents have not been consistent on whether interest is awarded in such cases. The Board has awarded payment of interest in decisions rescinding suspensions ranging from one to eight days. Grievance of Griswold, 12 VLRB 252 (1989). Grievance of King, 13 VLRB 253 (1990). Grievance of Putvain, 18 VLRB 160 (1995). Grievance of Munsell, 11 VLRB 135 (1988).

The experience involving non-suspension cases is more mixed. In the earlier years of Board decisions, the Board was likely to grant interest on awards involving small dollar amounts. In Grievance of Fix, 11 VLRB 159 (1988), the Board awarded interest on an award of 16 hours of overtime pay. In Grievance of Sander, 10 VLRB 16 (1987), the Board added the payment of interest to an overtime award of \$627.

However, more recently, the Board has not awarded interest on such awards in two cases. In Grievance of Lilly, 24 VLRB 233 (2001), the Board did not grant payment of interest in an order directing the employer to provide a correctional officer with payment for overtime he should have worked during a two and one-half month period. In Grievance of VSEA, et al, 24 VLRB 211 (2001), the Board did not order the payment of interest in an order directing the Department of Motor Vehicles to reimburse eight employees for any mileage they traveled for a one-year period between home and temporary work location, when they traveled through the municipality in which their official station was located enroute to or returning from the temporary work location but did not stop at their official station.

The lack of consistent precedents by the Board results in insufficient guidance to employers and unions confronting similar issues. Thus, we take this opportunity to correct this deficiency by stating the standard we find appropriate in these cases. We conclude that the time, cost and effort involved in computing interest on a monetary award of less than \$600 makes the award of interest not appropriate in such cases. A monetary award needs to be at least \$600 before we will award interest. Accordingly, we deny Grievants' request to award interest on the \$420 which the Board ordered the Employer to reimburse Grievant Robinson for courses he took at Woodbury College.

Based on the foregoing reasons, it is ordered that Grievants' request for reconsideration or clarification of the May 14, 2009, decision in this matter is denied.

Dated this 9th day of October, 2009, at Montpelier, Vermont.

VERMONT LABOR RELATIONS BOARD

/s/ Edward R. Zuccaro

Edward R. Zuccaro, Chairperson

/s/ Leonard J. Berliner

Leonard J. Berliner

/s/ James C. Kiehle

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