

## 1997 - 2001

The Board caseload remained high during the five-year period from 1997 through 2001, but there was a substantial shift in the types of cases filed with the Board. The average annual average of cases filed was 79, only two percent lower than the high annual average from 1987-1996. However, the percentage of grievances compared to other types of cases was much higher during this period than the preceding ten years. During 1997 - 2001, grievances represented 58 percent of case filings, compared to 43 percent during the preceding 10 years. Unit determination/representation cases constituted 17 percent of case filings, compared to 29 percent from 1987-1996. Unfair labor practice charges were 22 percent of cases, compared to 25 percent during the preceding ten years. Miscellaneous cases were responsible for the remaining 3 percent.<sup>1</sup>

Union representation election activity substantially decreased. The annual average number of elections was 8.4 from 1997 to 2001. This was 35 percent lower than the annual average for the preceding ten years. Unions prevailed in a remarkable 98 percent of the elections, compared to 88 percent from 1987-1996.<sup>2</sup>

Another significant caseload trend which developed during this period was a much higher number of case closings by settlement or withdrawal than had historically occurred. Before 1997, slightly more cases closed by Board decision in the history of the Board than by the informal resolution methods of settlement or withdrawal. Beginning in 1997 and continuing through 2001, case closings by settlement or withdrawal were nearly double the closings by decision. This resulted from the parties before the Board demonstrating a willingness to make increased efforts to informally resolve their disputes and the Board placing greater emphasis

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<sup>1</sup> 1997 to 2001 Annual Reports, Vermont Labor Relations Board.

<sup>2</sup> Id.

on staff attempting to informally resolve more cases. This was done through increased use of informal meetings, pre-hearing conferences and telephone conference calls. This paid substantial dividends in more informal resolutions of cases.<sup>3</sup>

The percentage of Board decisions appealed to the Supreme Court continued at low levels. 17 percent of decisions were appealed during the five-year period. The Board continued to improve its rate of success in having decisions affirmed by the Court during the period. The Board was affirmed in 88 percent of decisions, partially affirmed in 4 percent, and reversed in only 8 percent. Also, the numbers of appeals of Board decisions pending at the Court dropped to unprecedented lows.<sup>4</sup>

Board Members Louis Toepfer and Leslie Seaver completed their tenures as Board members after eleven and ten years of service, respectively. John Zampieri of Ryegate and Edward Zuccaro of St. Johnsbury were appointed by the Governor to succeed them. Catherine Frank continued to serve as Board Chairperson during this period.<sup>5</sup>

Jo Ellen Grearson, after 18 years of service as Typist and Clerk, resigned in 1997 to accept other employment. The Board functioned without a Clerk from 1997 to 2001; the Labor Relations Specialist and Executive Director shared administrative responsibilities during this period. Linda McIntire resigned as Labor Relations Specialist in early 2001 after more than a decade of service to the Board. The Board did not replace her. Instead, the Board filled the long-vacant Clerk position and hired Jan Burrus as part-time Clerk.<sup>6</sup>

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<sup>3</sup> Id.

<sup>4</sup> Id.

<sup>5</sup> Id.

<sup>6</sup> Id.

The Board continued its publication of annual volumes of decisions. It annually updated its *Guide to Vermont Labor Relations Statutes*, revised its *Practice and Procedure Manual*, and continued to produce a newsletter. Also, the Board created a website in 1997. By 2001, the website included Board decisions since 1996, the Board Annual Report, the text of labor relations statutes administered by the Board, the Board's *Practice and Procedure Manual*, forms for filing cases with the Board, order forms for Board publications, and links to other websites of interest to labor relations practitioners.<sup>7</sup>

The Board continued its involvement in offering labor relations practitioners regular labor relations conferences. The Board continued to be actively involved in the New England Consortium of State Labor Relations Agencies, and participated in the planning and conducting of training sessions and annual labor relations conferences offered by the Consortium which attracted labor relations practitioners from throughout New England and New York. Also, the Board sponsored one state labor relations conference during this period. The Board also continued its participation in the Association of Labor Relations Agencies.<sup>8</sup>

Further, the Board instituted regular training sessions during this period. The Board offered two to three training sessions annually. The training sessions for labor relations practitioners were on presenting unit determination/representation and unfair labor practice cases to the Board, and on dealing with difficult substantive and procedural issues that arise in discipline and other cases in administering collective bargaining contracts. The Board Executive Director was trainer for the sessions.<sup>9</sup>

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<sup>7</sup> Id.

<sup>8</sup> Id.

<sup>9</sup> Id.