

VERMONT LABOR RELATIONS BOARD

GRIEVANCE OF:)	
)	
SHEILA KIRBY, MARCIA)	DOCKET NO. 91-48
LAPLANTE, ANITA BELLEN)	
AND BARBARA FREY)	

ORDER

Upon review of the proposed remedies in this matter filed by the parties pursuant to the April 30, 1993, decision of the Labor Relations Board, and consistent with the conclusions reached by the Board in such decision, it is hereby ORDERED:

1. The appointment of Candidate #1 to the Field Supervisor position is declared invalid, and the selection process for the position shall be reopened forthwith. None of the members of the previous interview panel nor the prior decision-making process will be involved in the reopened process. In addition to members of the Office of Alcohol and Drug Abuse Programs ("ADAP"), the interview panel will include neutral parties outside ADAP in order to establish a gender-balanced panel.

2. Candidate #1 shall remain in the Field Supervisor position on an acting basis until the position is filled. He shall be eligible to apply for the position but shall be given no consideration or credit based on his performance in the position.

3. The selection process for the position shall be internal to ADAP, as it existed in July, 1990, and be

limited to ADAP employees who either applied for the position initially, or filed a grievance over the selection process.

4. The selection process shall be based upon the minimum qualifications and job duties and responsibilities of the Southern Regional Supervisor position as it existed in August, 1990. All candidates will have their qualifications and experience evaluated as of August, 1990, both to establish whether they met the minimum requirements for the position, and to evaluate whether they should be hired.

5. The position offered to the successful candidate will be based on the position description and class specification which existed in August, 1990.

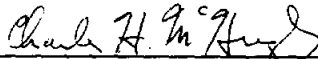
6. In the event that Candidate #1 is not selected for the position, he shall be placed in a position in ADAP which is at least the same pay grade as the position he occupied immediately prior to being selected as Field Supervisor, and shall be treated for pay purposes as if he was involuntarily demoted.

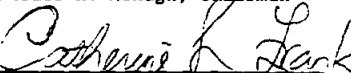
7. In the event that Candidate #1 is not selected for the position, the person who is selected for, and accepts, the position shall be awarded backpay and benefits, at 12 percent interest per annum, in the amount he or she would have received if selected for the position in August, 1990, minus any income (including unemployment compensation received and not paid back) received by such person in the

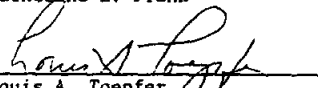
interim. Such award shall run through the date upon which the person is hired into the position following the reopening of the selection process.

Dated this 4th day of June, 1993, at Montpelier, Vermont.

VERMONT LABOR RELATIONS BOARD


Charles H. McHugh, Chairman


Catherine L. Frank


Louis A. Toepfer