

VERMONT LABOR RELATIONS BOARD

ESTHER SWETT and VERMONT STATE	)	
COLLEGES FACULTY FEDERATION LOCAL	)	
#3180, VFT, AFT, AFL-CIO	)	
	)	DOCKET NO. 80-61
v.	)	
	)	
VERMONT STATE COLLEGES	)	

MEMORANDUM AND ORDER DECLINING TO ISSUE  
UNFAIR LABOR PRACTICE COMPLAINT AND DEFERRING TO ARBITRATION

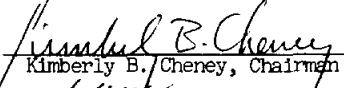
On July 29, 1980, the Vermont State Colleges Faculty Federation (the "Federation") and Esther Swett filed a charge of unfair labor practices against the Vermont State Colleges (the "Colleges"). In that charge, the Federation alleges that the Colleges, Castleton State College specifically, committed unfair labor practices in violation of 3 V.S.A. §961(1), (3) and (6) by its actions non-reappointing Esther Swett to her position as Instructor of Nursing.


We conclude after reviewing the alleged facts surrounding these charges that the issues contained in the unfair labor practice can and should be reviewed in the Board's consideration of Ms. Swett's grievance on this same matter, Docket #80-56, also filed with the Board on July 29, 1980. A dual process of review is neither warranted nor desirable where the alleged incident and its effects relate to Ms. Swett individually. See Vermont State Colleges Faculty Federation Local #3180, VFT, AFT, AFL-CIO v. Vermont State Colleges, 3 VLRB 192 (1980) (re: non-reappointment of Marvin Weber).

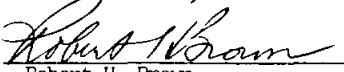
For the foregoing reasons, and based on our review of the facts alleged in the instant charge and the Grievance of Esther Swett, we decline to issue an unfair labor practice complaint, deferring this matter to the grievance and arbitration procedure before the Board.

Dated this 22<sup>nd</sup> day of August, 1980, at Montpelier, Vermont.

VERMONT LABOR RELATIONS BOARD

  
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Kimberly B. Cheney, Chairman

  
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William G. Kemsley, Sr.

  
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Robert H. Brown