

Discrimination Against Employee for Filing Charges or Complaints, or Giving Testimony, Under Labor Relations Acts

The majority of the Vermont labor relations acts make it an unfair labor practice for an employer to discharge or otherwise discriminate against an employee because the employee has filed charges or complaints or given testimony under the applicable labor relations act.¹ These provisions typically apply to alleged retaliation against employees for involvement in processes of the Labor Relations Board under the applicable labor relations act and protect the Board's processes from abuse.² Under the State Employees Act, the filing of a "complaint" protected by this provision refers to initiating a complaint with the employee's immediate supervisor under the grievance procedure.³

¹ 3 V.S. A. §961(4), 3 V.S. A. §1026(4), 21 V.S.A. §1621(a)(4), 21 V.S.A. §1637(b)(4), 21 V.S.A. §1726(a)(4).

² Simoni v. South Royalton High School Board, 26 VLRB 199, 200 (2003). Teamsters Local 597 v. Chittenden County Transportation Authority, 23 VLRB 240, 243 (2000).

³ Percy v. Department of Corrections, 21 VLRB 242, 243 (1998). VSEA and Barney v. Department of Public Safety, 21 VLRB 224, 226-227 (1998).