

VERMONT LABOR RELATIONS BOARD

STATE OF VERMONT DEPARTMENT	)	
OF CORRECTIONS	)	
	)	
and	)	DOCKET NO. 19-42
	)	
VERMONT STATE EMPLOYEES'	)	
ASSOCIATION	)	

ORDER

The State of Vermont Department of Corrections (“Employer”) and the Vermont State Employees’ Association (“VSEA”) filed a joint unit clarification petition on November 12, 2019, seeking to shift all Department of Corrections employees currently included in the Non-Management Bargaining Unit represented by VSEA to the Corrections Bargaining Unit represented by VSEA. The Vermont Labor Relations Board issued a Memorandum and Order on December 23, 2019, concluding that the addition of Department of Corrections employees currently included in the Non- Management Unit Bargaining Unit to the Corrections Bargaining Unit would create an appropriate unit. The Board also ordered that a secret ballot election be conducted by mail pursuant to 3 V.S.A. §941(e) to determine whether the Department of Corrections employees currently included in the Non- Management Unit Bargaining Unit and employees in the existing Corrections Bargaining Unit desire to be organized together into a revised Corrections Bargaining Unit.

The Board issued an Order on June 25, 2020, setting forth the details of the election. The election was conducted by mail ballot. The ballots were counted by Board Executive Director Timothy Noonan on August 28, 2020, at 9:00 a.m., in the Labor Relations Board hearing room in Montpelier. John Berard, State of Vermont Director of Labor Relations, was present in the Board hearing room as an observer for the State. Kelly Everhart, VSEA Counsel, observed for VSEA via the Microsoft Teams video platform.

The election ballot provided as follows:

Do you desire to be in a collective bargaining unit consisting of employees of the Vermont Department of Corrections currently included in the Non-Management Bargaining Unit represented by the Vermont State Employees' Association and employees in the existing Corrections Bargaining Unit represented by the Vermont State Employees' Association?

Yes      /        /                      No      /        /

17 of 35 eligible Department of Corrections employees currently included in the Non-Management Unit voted in the election. Fifteen of these employees voted "yes" and two employees voted "no".

112 of 749 eligible Department of Corrections employees in the existing Corrections bargaining unit voted. 82 of these employees voted "yes" and 30 employees voted "no".

As a result of this election, it is ordered that the Department of Corrections employees currently included in the Non-Management Bargaining Unit represented by the Vermont State Employees' Association are added to the Corrections Bargaining Unit represented by the Vermont State Employees' Association effective as of the date of this Order..

Dated this 9th day of September 2020, at Montpelier, Vermont.

VERMONT LABOR RELATIONS BOARD

/s/ Richard W. Park

By: Richard W. Park, Chairperson