



## WEEK IN ACTION!

November 6 – November 10, 2017

Your union's weekly newsletter, *Week In Action*, is emailed every Friday afternoon. *Week In Action* is the best way to stay up to date with weekly VSEA news!

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### **Proud To Help Vermont Veterans Every Day**

VSEA members are proud to serve Vermont veterans every day by:

- Staffing Vermont's sole facility to provide quality care to our state's veterans;
- Protecting our veterans' public safety;
- Helping our veterans navigate the State's sometimes complicated benefit processes;
- Assisting unemployed veterans with the skills they need to get a job;
- Ensuring veterans know about the health and welfare benefits available to them and are utilizing them;
- Providing our veterans with safe, clean drinking water and a clean environment;
- Keeping Vermont's highways and byways cleared so our veterans can get to work, medical appointments, etc.;
- Being there for veterans who are having trouble readjusting to society and might need some guidance or someone to listen;
- Advising our veterans grappling with aging or disability issues;
- Keeping our veterans suffering with a mental health crisis safe; and
- Making sure our veterans know about the contract language VSEA members have negotiated on their behalf over the years, like quality health care coverage and the ability to take time off to serve without fear of not having a job when you get back.

We know this list doesn't include all the services Vermont state employees provide daily to our state's veterans, but we do know that VSEA members are proud to deliver each and every service listed, or not listed. VSEA is also proud to represent so many Vermont veterans who return from service and find employment with the State.

This Veterans' Day, VSEA thanks every Vermont veteran for your service.

### **VLRB Rules DHR Violated Contract By Cutting Off Sick Leave After Six Weeks**

VSEA's Legal Team won another victory at the Vermont Labor Relations Board (VLRB) this week. This case strikes down DHR's practice of compelling employees

to use annual leave after six weeks of sick leave to cover their own injuries or illnesses, even when they have accrued sick leave. This is a longstanding issue that has frustrated VSEA members for years. The State has been arguing that contract language adopted in 1999 cuts off sick leave after six weeks and requires employees to use all their other paid leave before being eligible to draw on sick leave again. Except in the most serious cases, this effectively caps sick leave usage at six weeks per year. This is a concession that VSEA never agreed to in negotiations.

The VLRB sustained a grievance by an AOT employee who broke his knee and was out of work for seven weeks. The State ordered him to request FMLA time and then to use annual leave for the last week of his recovery. This decision orders the State to restore five days of annual leave to his record. It concludes with the following:

"In sum, we conclude that the State violated Article 31 of the Contract by requiring Grievant to use five days of annual leave for one of the seven weeks he was absent from work due to his serious injury. Grievant was entitled to use accrued sick leave for this week. His wish to do so was prevented by the State's position that the cascade provisions of Article 35, Section 5, of the Contract required that he use family leave for this week. The State was entitled to exercise its undisputed right to designate Grievant's leave for a knee fracture as counting towards Grievant's annual limits under the state and federal family and medical leave statutes, but the State did not have the right to compel Grievant to use annual leave during this period. As a result, Grievant lost five days of annual leave and should be reimbursed for the value of the leave."

"A few weeks ago, it's the Judicial Branch not following the law and now the Board finds that the State has been wrongly interpreting FMLA and how employees can use it for quite a while," says VSEA President Dave Bellini. "This is a nice victory and great proof of how one worker's win can make it so the State actually has to change course and begin applying the law correctly for *all* state employees. VSEA vows to continue to challenge any and all questionable interpretations and directives by the State because it's a big part of what a union does for its members, which is to give them a voice and the representation that they might not have on their own."

[Read Entire VLRB Decision](#) Online At VSEA.org

*Special Note: This decision will apply to all state employees' FMLA leave requests moving forward. It does not provide retroactivity for an employee who may have been issued a similar directive since 1999. A number of employees have filed grievances on the same issue that are currently held in abeyance, and that should now reach the same result.*

## **\*VSEA Treasurer Election Email With Ballot Link Coming Tuesday, November 14!**

VSEA's Elections, Rules and Nominating Committee is sending eligible members a link to your official online VSEA Treasurer-election ballot on Tuesday, November 14. If you requested a paper ballot, it is being mailed to you next week.

**Very important!** Your electronic ballot is being sent to the primary email address that VSEA currently has on file for you. **If you do not receive an email from [vote@simplyvoting.com](mailto:vote@simplyvoting.com) on Tuesday, November 14, please look in your "Other" or "Spam" folders before contacting headquarters to request that your ballot be reissued.**

Role of the Treasurer:

The Treasurer shall oversee the receipt and disbursement of all funds of the VSEA and its various sub-entities. S/he shall keep or cause to be kept a true record of all receipts and disbursements. S/he shall disburse funds only when directed to do so by the Board of Trustees and then only when the disbursement is approved by the President or by the President's authorized representative; provided however, that s/he shall reimburse any member of VSEA for necessary expenses in connection with the performance of his/her duties when so authorized by the Board of Trustees or the President.

The Treasurer shall keep all corporate funds in accounts under the name of the Corporation and shall submit all books and accounts to the auditor within thirty (30) calendar days following the close of the fiscal year or any other time when so directed by the Board of Trustees. The Treasurer shall furnish a bond in such amount as the Board of Trustees may require, the cost thereof to be paid by the Corporation.

In the absence of the President, the First Vice-President, and the Second Vice-President, the Treasurer shall preside at Council Meeting.

Below is a full list of candidates for this office:

**Candidates for VSEA Treasurer:**

[Jacklyn "Jackie" Hickerson, Tax Department](#)

[Robert "Bob" Stone, Department of Public Safety](#)

[Michele Webster, Department for Children and Families](#)

**State Leasing New Space In Brattleboro**

[The Commons reports this week](#) that BGS Commissioner Chris Cole has submitted a letter of intent to the town of Brattleboro to lease 10,000 square feet of office space, located at 230 Main Street in Brattleboro. The State Office Building is located at 232 Main Street, and Cole says the idea is to create a "campus" atmosphere for employees and provide the public with "one-stop shopping."

One paragraph in the story that does raise a red flag is this one:

"Although parts of the building—especially the basement—were plagued by dampness and mold, [Agency of Administration Director of Planning and Property Management Bill] Laferriere said he and his colleagues were satisfied with the

town's mitigation plans.

"We did a facilities assessment on the building and there were no adverse findings," he says in the story.

*Note: VSEA will be monitoring the testing being done and asking to review the results, prior to state employees being relocated to the new space.*

## **Celebrate Old Labor Hall's 19<sup>th</sup> Anniversary On Saturday!**

VSEA members are invited to attend the Vermont Workers' Center's 19<sup>th</sup> anniversary celebration of the Old Labor Hall on Saturday, November 11, from 5:30 p.m. to 7:00 p.m. at the Hall, located at 46 Granite Street in Barre. A meal is being provided by The People's Kitchen (sliding-scale donations accepted!).

To RSVP for the anniversary celebration, please email [kate@workerscenter.org](mailto:kate@workerscenter.org) and write "2017 Dinner" in the email subject line.

## **Next Lamoille Valley Chapter Meeting Is November 16**

VSEA's Lamoille Valley Chapter will meet Thursday, November 16, beginning at 12:00 p.m. at the State Office Building, located at 63 Professional Drive in Morrisville. Food is being provided.

If you have any questions please feel free to contact Lamoille Valley Chapter President Aimee Towne via email: [atowne@vsea.org](mailto:atowne@vsea.org).

## **First Health Department Labor – Management Committee Meeting Is November 17**

VSEA is pleased to see a new labor – management committee has been formed to facilitate healthy dialogue and the exchange of ideas between frontline Department of Health employees and management. The Committee's inaugural meeting is November 17 at 108 Cherry Street in Burlington.

The VDH Labor Team is:

Cheryl Brinkman  
John Davy  
William Fritch  
Bonny Lee  
Marie Sawyer (Alternate)

## **"Talking Union": A VSEA Video Series**

A few weeks back, *WIA* informed readers that the second in a series of video chats with frontline state employees had posted. It featured Reach Up Case Manager Sue LaFleche in the second of what the VSEA Communications Department hopes will be many face-to-face sit-downs with VSEA members to talk union and why every member needs to be engaged and informed.

This week, VSEA posted the third in the video-series, and it features DOC Corrections Educator John Vorder Breugge:

View "Talking Union," Episode 3 – John Vorder Breugge (DOC – Corrections Educator) Online At [VSEA.org](http://VSEA.org)

VSEA members who want to appear on video to let the membership and public know what your union means to you and your family are urged to email VSEA Communications Director Doug Gibson ([dgibson@vsea.org](mailto:dgibson@vsea.org)).

## **Looking For District 5 Member To Serve On VSEA's Board – Bennington & Rutland**

The VSEA Board is renewing its effort to recruit a member to fill VSEA's now-empty District 5 Board seat. All that's needed is for interested member(s) to submit a petition. The District 5 Trustee serves as the voice for **Rutland & Bennington's** VSEA members on the Board.

Two years remain on retiring Vets' Home employee Barbara King's current term, meaning whoever is appointed to the position will serve out her term and then have to run for official election in the next campaign cycle.

To be eligible for election to the District 5 seat, a member must reside or have an assigned workstation--and continue to reside or have an assigned workstation--in District 5.

If interested, you must be a member in good standing, and you must collect the signatures of 25 or more full, dues-paying VSEA members.

[For A Petition Visit VSEA.org](http://VSEA.org)

If you are unable to access a petition online, please contact VSEA headquarters at 223-5247 to request to have a hard copy petition mailed to your home.

## **VSEA Boston Bruins Bus Trip**

Boston Bruins vs. Toronto Maple Leafs  
Saturday, February 3, 2018  
7:00 p.m.  
TD Garden ([Section: Balcony 321](#))  
Boston

Based on the popularity of the first few member bus trips sponsored by VSEA, your union's Membership Recruitment Committee (a small group of rank-and-file state employees who coordinate and host VSEA's outings) recently polled members to find out what kinds of bus trips members want the Committee to pursue in the future. Coming up number one was a trip to Boston for a Bruins game, so the Committee has scheduled this trip.

\$170 Per Person - Includes a bus ride to and from the park, as well as a ticket to the game.

To reserve a seat(s) on the bus, contact VSEA Union Representative Bob South. You can reach Bob by email at [bsouth@vsea.org](mailto:bsouth@vsea.org) or by phone at 223-5247.

*Important! VSEA will be taking the names down of those interested, as members contact VSEA, but you will not be officially on the bus until full payment is received at headquarters. Please make checks payable to VSEA.*

## **More Time Contributions Needed Now To The Non-Management Unit's Sick Leave Bank!**

### ***Donations Being Accepted October 1 To December 31***

VSEA member Dawn Carrillo staffs the Non-Management Unit Sick Leave Bank, and she is again asking WIA to sound the alarm that the bank really needs your donated hours. NMU members can donate a few hours to your Unit's sick leave bank from **now until December 31, 2017**.

"Just donating an hour of your time can mean the world to a fellow employee," reads a new flyer DHR is circulating. It also informs state employees that they can **donate any amount of annual- or personal-leave time** to the NMU Sick Leave Bank. "Know that you are performing a wonderful service by helping your friends and fellow employees, who, along with their families, are struggling due to serious health issues," the flyer concludes.

[VSEA members interested in donating some much-needed time to the NMU, Corrections and Supervisory Sick Leave Banks can find a donation form here.](#)

"I want to thank every member for considering a donation to your Unit sick leave bank," says VSEA President Dave Bellini. "Even if you only donate one hour to the bank, these one-hour donations add up. It's so worthwhile because your donation is going to help a fellow state employee who is battling a serious illness."

## **Strike Settled! Fairbanks Scales Workers' Action Brings Management Back To Table And Leads To New Agreement**

With their backs to the wall, encountering a hostile employer, workers at Fairbanks Scales in St. Johnsbury went on strike, walking a picket line for more than a week to try to convince management to return to the bargaining table with palatable contract proposals. The UE-represented workers' strategy worked, and this week management did return the table with proposals that differed greatly from the draconian language and measures previously proposed. In the end, the two sides were able to reach agreement and the workers' picket line ended.

"Workers received significant wage increases," [\[UE representative and employee Chad\] McGinnis tells the Caledonian Record.](#) "The employer acceded to most of the union's demands; we feel like we've accomplished a fair three-year contract." McGinnis also praised the support the workers received from the community.

A total of 67 workers are represented by UE Local 234 at Fairbanks.

## **Union Rep Holding Vet's Home Meetings**

VSEA Union Representative Rachael Fields has scheduled a series of meetings to talk with Vet's Home employees about their issues and concerns.

If you work at the Vet's Home, please mark one of these dates and times down to stop by and talk with Rachael:

November 29 (Crispe Room)

December 27 (Crispe Room)

Available Times: 6:30 a.m., 1:00 p.m., 2:30 p.m., 3:30 p.m. and 4:30 p.m.

## **Quote Of The Week!**

*"In sum, we conclude that the State violated Article 31 of the Contract by requiring Grievant to use five days of annual leave for one of the seven weeks he was absent from work due to his serious injury."*

Line from a [pro-VSEA, VLRB ruling](#) this week that forces the State of Vermont to stop directing employees to use annual leave after six weeks of sick leave to cover their own injuries or illnesses, even when they have accrued sick leave.

## **Are Required Emergency Drills Happening Where You Work?**

With the recent bomb threat at the State Office Building in St. Albans, VSEA wants to find out if the State of Vermont is following BGS emergency-situation protocol where you work.

The protocol on BGS' website reads:

"All owned and leased State Office Buildings occupied by State employees will practice a minimum of (1) evacuation fire drill every year and (1) Active Shooter and hostile intruder drill at least every two years. A record of these emergency drills should be recorded in the EML by the designated ECM on the day of the drill. The Safety Committees will coordinate drills with their respective sites. The Safety Committees shall meet within (14) days after the drills to discuss, critique, and analyze the drill."

VSEA wants to know if the proper training is occurring at your workplace and when it occurred last. Also, if you are unaware of this protocol, that's not good and VSEA wants to know this as well and also where you work.

Please send an email with your input to VSEA at [vsea@vsea.org](mailto:vsea@vsea.org). Write "Protocol Status" in the subject line.

## **Upcoming Meetings/Events/Holidays:**

### **November 10**

Veterans' Day 2018 Observed

Most State Offices & VSEA Closed

### **November 11**

Celebrate The Old Labor Hall's Anniversary

Old Labor Hall

Barre

5:30 p.m.



**November 14**

ERN Committee Emailing Electronic Ballots  
VSEA Treasurer's Election

**November 15**

Child & Elder Care Committee Meeting  
VSEA HQ  
155 State Street  
Montpelier  
9:30 a.m.

**November 16**

Board Of Trustees' Meeting  
VSEA HQ  
155 State Street  
Montpelier  
9:00 a.m.

**November 16**

Supervisory Unit Bargaining Team Meeting  
VSEA HQ  
155 State Street  
Montpelier  
8:00 a.m.

**November 16**

Lamoille Valley Chapter Meeting  
State Office Building  
63 Professional Drive  
Morrisville  
12:00 p.m.

**November 17**

Chapter Presidents' Committee Meeting  
VSEA HQ  
155 State Street  
Montpelier  
9:00 a.m.

**November 17**

Inaugural Meeting – VDH Labor/Management Committee  
108 Cherry Street  
Burlington  
1:00 p.m.