



Vermont School Boards Association

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LEGISLATIVE ALERT

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On Wednesday, January 11, the House General, Housing and Military Affairs Committee began taking testimony on H.239, a bill that would mandate that organized school district employees, other public employees, and a limited number of private employees pay an “agency fee” to a labor union even if they do not choose to join the union.

VSBA opposes the bill and urges you to contact your House members immediately and tell them to oppose H 239.

Under current collective bargaining law, teachers are covered under Title 16 which makes agency fees a mandatory subject of bargaining. VSBA data indicates that approximately 10% of teacher contracts include agency service fees. Non-instructional staff are covered by the municipal employees law which allows, but does not require agency fees to be bargained. VSBA has no data on current non-instructional contracts.

H.239 would not permit this negotiation and would instead mandate these fees on all employees who do not join the union. The payment of the agency fee would become a condition of employment for all employees in that bargaining unit, meaning that districts could be forced to fire employees who refuse to pay the union fee. The bill is silent as to whether the district would be mandated to withhold the fee and pay the union and so incur an additional expense and potential liability, or how much the fee should be.

The bill refers to employees who currently do not belong to the union as “free riders”. It is a term used to vilify employees who do not decide to join the union for any reason, including those who disagree with the union’s tactics or values.

The VSBA position is driven primarily by opposition to the legislature becoming the forum for negotiations and tilting the negotiations table in favor of the union with nothing coming in return. If the Vermont NEA cannot get something at the bargaining table, they should not be coming to the legislature to pre-empt the process.

The Vermont NEA is a strong union. It has a number of staff who spend full time on negotiations. It has a large national organization backing it up. It does not need the legislature to further strengthen its bargaining position.

Please call, email, or speak with your House members over the next few days, particularly members of the General, Housing and Military Affairs Committee:

(Helen Head of South Burlington, *Chair*, John Moran of Wardsboro, *Vice Chair*, Brian Savage of Swanton, Margaret Andrews of Rutland City, Robert Bouchard of Colchester, Jean O’Sullivan of Burlington, Harvey Smith of New Haven, and Thomas Stevens of Waterbury). Tell them to oppose H.239 and leave the issue of agency fees to be negotiated, not mandated.

Find your legislators’ email addresses at www.leg.state.vt.us/legdir/legdirmain.cfm or call the State House at 800-322-5616 and leave a message with the Sergeant at Arms.

Please copy VSBA on any correspondence you generate in this matter