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Strengthening
Vermont Local
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February 26, 2015

Senate Education Committee
State House
115 State Street
Montpelier, Vermont 05633-5301

Dear Committee Members:

I apologize for being unable to be with you in person today to offer testimony on S. 74. I plan to connect with you by phone on Friday at 2:00 PM and will be happy to respond to any questions you may have at that time.

The Vermont League of Cities and Towns opposes S. 74.

VLCT is opposed for two reasons. First, we strongly believe that the only outcome of expansion of compulsory binding arbitration to teachers and administrators will be bring higher state property taxes without voter or even elected representatives having to make that decision. S.74 is designed to make arbitration all but certain, changing the status quo to requiring arbitration unless the voters of the school district make an extremely difficult effort to reverse this. This shifting of the default to binding arbitration would be coming at exactly the time the legislature is debating all sorts of proposals that would curb the exorbitant rise in state property taxes, and would severely limit the options available to meet this challenge.

Second, there is no need to change the municipal employee relations laws as proposed by S. 74, as there have been virtually no problems since the referendum authority allowing the voters to choose to use binding arbitration as the final step for impasse resolution was granted in 1978.

Contract impasse arbitration for public sector employment is an abrogation of democracy and governing. You senators know this all too well that governing means making the hard decisions, including occasionally even saying no to one side or the other. It also means suffering the consequences of not being able to make everyone happy.

S. 74 would be taking the decisions for eighty percent of the school property taxes out of the hands of the governed and their elected representatives and turn it over to a "disinterested" individual. Arbitrators don't get paid for making the right decision or the hard decision. They only continue to get picked if they aren't crossed off the list by the employer for siding with the union too frequently or vice versa.

The arbitrators need to stay to the middle to continue to be employed, even when times require that the direction that union contracts are heading to be changed. The trajectory of salaries, benefits and other terms and conditions of employment that needs to be changed will be the status quo that is maintained if binding arbitration is imposed.

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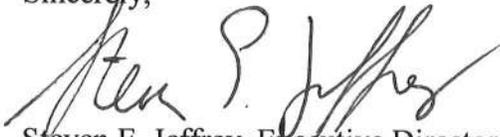
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You shouldn't enable this ceding of responsibility by making the electorate vote to affirmatively authorize striking. Requiring a vote to revert to the status quo when there is labor peace and when no one wants to offend their neighbor the teacher or snow plow driver is obviously a ploy to have arbitration replace democracy determining approximately three-quarters of people's property tax bills (eighty percent of school budgets and about seventy percent of municipal budgets). How are school boards, or for that matter the legislature, going to be able to do anything about rising property taxes when a disinterested individual is making all the decisions on how that much of local budgets will be spent?

VLCT is also concerned about language starting on page 7, line 20 and ending on page 8, line 2 of the bill. This language replaces the words "involving wages, hours and conditions of employment as defined by this chapter and any other mutually agreed upon matters not in conflict with law" with "between the parties". This appears to us to be a great expansion of the issues that an arbitrator can impose on a school district beyond issues on which they are required to bargain.

In summary, VLCT is opposed to S.74 or any other piece of legislation that would expand the use of compulsory binding arbitration for impasse resolution.

Sincerely,



Steven E. Jeffrey, Executive Director