

Merger of Department of Labor and Industry and Department of Employment and Training

January 14, 2005

WHEREAS, the Governor, pursuant to 3 V.S.A. Section 2001, may make such changes in the organization of the executive branch or in the assignment of functions among its units as he considers necessary for efficient administration; and

WHEREAS, it is desirable to reorganize the departments and divisions of government by better coordinating certain activities and improve the coordination and effectiveness of services to the public; and

WHEREAS, the missions of both the Department of Labor and Industry and the Department of Employment and Training involve ensuring and providing employment security, employment related services, labor market information, compensation, safety and training for Vermont workers and their employers, as well as providing for the public safety and welfare; and

WHEREAS, the State could improve and enhance services to the public through the merger of the Department of Labor & Industry and the Department of Employment and Training into a single Department.

NOW THEREFORE, by virtue of the authority vested in me by 3 V.S.A. chapter 41 as Governor, I, James H. Douglas, do hereby create a Department of Labor by merging the Department of Labor and Industry and the Department of Employment and Training. The Department of Labor shall be successor to the Department of Labor and Industry and the Department of Employment and Training.

1. All duties, responsibilities and authority of the Department of Labor and Industry and the Department of Employment and Training are hereby transferred to the Department of Labor.
2. The positions of Commissioner of Labor and Industry and Commissioner of Employment and Training are abolished and all the duties, responsibilities, and authority of those Commissioners are hereby transferred to the Commissioner of the Department of Labor.
3. All other authorized positions and equipment of the Department of Labor and Industry and the Department of Employment and Training are transferred to the Department of Labor.
4. The following Boards, Commissions, and Councils are attached to the Department of Labor for administrative purposes: Electricians' Licensing Board, Plumbers' Examining Board, Apprenticeship Council, the Passenger Tramway Board, Workers' Compensation Advisory

Council, Human Resources Investment Council (HRIC), Employment Security Board, Unemployment Advisory Council, and Displaced Homemaker Policy Council.

5. Effective July 1, 2005, the Department of Labor shall administer all programs formerly administered by the Department of Labor and Industry and the Department of Employment and Training, including, but not limited to:

§ Workers' Compensation program (21 V.S.A. §§ 601-1023);

§ V.O.S.H.A. and Project WorkSAFE programs (21 V.S.A. §§ 201-232 and 18 V.S.A. §§ 1415–1418 (transferred to Labor & Industry by Executive Order No. 21-7 dated 12/21/2001));

§ Passenger Tramway program (31 V.S.A. §§ 701-712);

§ Apprenticeship law (21 V.S.A. §§1101-1105);

§ State and Federal job training and employment services programs, including those authorized by 21 V.S.A. §§ 1201-1206 and 21 V.S.A. §§ 1231–1232 and 10 V.S.A. §§ 531, 541, 542;

§ Youth in Agriculture (21 V.S.A. §§ 1151–1153);

§ Electrician Licensing (26 V.S.A. §§ 881-915 and 9 V.S.A. §§ 3201-3206), Plumbing Inspection and Licensing (26 V.S.A. §§ 2171-2199), and Elevator Inspection and Licensing programs (21 V.S.A. §§ 141-157);

§ Unemployment Compensation law (21 V.S.A §§ 1301–1461);

§ Employee Leasing (21 V.S.A. §§ 1031-1043);

§ Wage/Hour and Child Labor program (21 V.S.A. §§ 301-519).

6. Effective July 1, 2005, the Department shall consist of three divisions: the Division of Workers' Compensation and Safety, the Division of Workforce Development, and the Division of Unemployment Insurance and Wages.

7. The Department of Labor shall be headed by a Commissioner appointed by the Governor, with advice and consent of the Senate. The Commissioner of Labor may appoint the following exempt positions: an executive assistant, a director to head each division, a deputy, and a general counsel.

8. The Commissioner of Labor shall further study the effectiveness, priority and delivery of services and shall report to the governor by November 15, 2005, any further recommendation for restructuring and/or statutory changes.

This Executive Order shall take effect on July 1, 2005, unless disapproved by the General Assembly pursuant to 3 V.S.A. § 2002. This Executive Order shall be submitted to the General

Assembly pursuant to 3 V.S.A. § 2002(b). Witness my name hereunto subscribed and the Great Seal of the State of Vermont hereunto affixed at Montpelier this 14th day of January, 2005.

James H. Douglas, Governor

By the Governor: Michael S. Bertrand, Secretary of Civil and Military Affairs

EXECUTIVE ORDER NO. 01-05