

Title 3: Executive

Chapter 028: Judiciary Employees Labor Relations Act

Subchapter 001: General Provisions

(Cite as: 3 V.S.A. § 1011)

§ 1011. Definitions

As used in this chapter:

(7) "Confidential employee," means an employee, as determined by the Board, who has responsibility, knowledge, or access to information relating to collective bargaining, personnel administration, or budgetary matters that is incompatible with that employee's membership in or representation by an employee organization.

(8) "Employee," means any individual employed and compensated on a permanent or limited status basis by the Judiciary Department, including permanent part-time employees and any individual whose employment has ceased as a consequence of, or in connection with, any current labor dispute or because of an unfair labor practice. "Employee" does not include any of the following:

- (A) a Justice, judge, assistant judge, magistrate, or hearing officer;
- (B) the Court Administrator;
- (C) a managerial, supervisory, or confidential employee;
- (D) a law clerk, attorney, or administrative assistant or private secretary to a judge, Justice, or Court Administrator;
- (E) an individual employed on a temporary, contractual, seasonal, or on-call basis, including an intern;
- (F) an employee during the initial or extended probationary period;
- (G) the head of a department or division;
- (H) [Repealed.]
- (I) an attorney for the Supreme Court, for the Court Administrator, or for any board or commission created by the Supreme Court;
- (J) an employee paid by the State who is appointed part-time as county clerk pursuant to 4 V.S.A. § 651 or 691;
- (K) an employee who, after hearing by the Board upon petition of any individual, the employer, or a collective bargaining unit, is determined to be in a position that is sufficiently inconsistent with the spirit and intent of this chapter to warrant exclusion.