

Supreme Court of Vermont
Office of State Court Administrator

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TO: Senator Jeanette K. White, Chair
Members of Senate Committee on Government Operations

FROM: Matt Riven, Chief of Finance and Administration
On behalf of:
Patricia Gabel, State Court Administrator
Hon. Brian Grearson, Chief Superior Judge

A handwritten signature in blue ink, appearing to read "Matt Riven", is written over the "FROM:" field.

RE: House Bill 111 re Vermont Labor Relations Board

DATE: April 20, 2016

The Judiciary does not intend to testify in person at today's hearing regarding H.111; however we offer the following written testimony.

House Bill 111, as passed the House, provides that the name of any grievant whom the Vermont Labor Relations Board exonerates of misconduct for which he or she was disciplined shall be redacted from the version of the Board's decision that is posted on the Board's website. From the perspective of its role as an employer subject to the VLRB processes, the Judiciary finds this preferable to the version as introduced in the House, which provided for broader requests for redaction. But it is unclear as to the burden on the employer – both at the time of the exonerated misconduct and as a future employer conducting background review – as to what the significance of this redaction is, given that other versions of the VLRB decision and related documents will not be redacted. In the House committee discussions, it was suggested that the bill be referred to summer study so that all the privacy and personnel issues can be fully addressed. As an employer, the Judiciary continues to recommend the summer study so that these issues can be more fully understood.

From the perspective of judicial process, it is unclear to the Judiciary what the impact of redaction will be relative to precedent, case management tracking, etc., which further supports summer study.

Thank you for the opportunity to express our concerns.