

STATE OF VERMONT
EXECUTIVE DEPARTMENT
EXECUTIVE ORDER NO. 04-12

[Protection of Vermont State Hospital Employees Subject To A Reduction In Force Due
to Tropical Storm Irene]

WHEREAS, the Department of Human Resources has provided official notice to the Vermont State Employees Association (“VSEA”) and affected employees that 80 state employees who worked at the Vermont State Hospital (“VSH”) in Waterbury will be separated from state service effective April 13, 2012;

WHEREAS, the Secretary of Administration and the Department of Human Resources have worked with the VSEA over the last few months to mitigate the impact of the reduction in force; and

WHEREAS, The Governor, the House, and the Senate have all worked diligently to support and protect these employees and will work to provide as many opportunities for state employment as is mutually possible.

NOW THEREFORE BE IT RESOLVED THAT I, Peter Shumlin, by virtue of the power vested in me as Governor, do hereby establish and order as follows:

- I. Mitigation of the impact of the reduction in force to affected employees**
 - A. The Job Offer Program:** The Department of Human Resources and VSEA negotiated a pre-RIF jobs program that permits Vermont State Hospital employees to receive mandatory offers of employment to other positions in the Agency of Human Services prior to any actual reduction in force (the Job Offer Program). As part of the Job Offer Program, the Department of Human Resources hosted several informational meetings and a day-long event where employees could meet with recruitment counselors to get additional information about the program and the potential jobs available. (To date, 41 employees elected to participate in the program and 11 found new employment in the Agency of Human Services.)
 - B. Reemployment Rights, Benefits, and Trainings for Vermont State Hospital Employees Subject to the Reduction in Force:**
 - a. The Department of Human Resources will hold a number of meetings at which information concerning reemployment rights, retirement options, benefits continuation, the employees’ assistance program, unemployment

insurance and job training opportunities will be addressed. The Department of Human Resources will hold job fair meetings for impacted employees to provide information about existing job openings and assist employees with applying for these jobs.

- b. The Vermont Department of Labor will assist the Department of Human Resources by identifying available federal and state training funds and grant opportunities to assist with skill assessment, job retraining, job development, on-the-job and apprenticeship programs, and other reemployment assistance to the affected employees.
- c. The Departments of Human Resources and Labor will coordinate to hold job fair meetings for impacted employees to provide information about existing job openings and assist employees with applying for those jobs.
- d. The Administration is committed to working diligently with the VSEA to place VSH employees subject to the RIF in jobs within state government in accordance with the terms of the applicable collective bargaining agreements.

C. Mandatory Job Offers to Employees Who Continue to Work for State Government: The Department of Human Resources also worked with the VSEA to address the rights that Vermont State Hospital employees may have for reemployment at any successor State Hospital. The Department and VSEA negotiated language that is included in H.630 to give any VSH employee subject to the RIF, but later rehired by state government, the opportunity to return to their prior job when the new state hospital opens, subject to seniority and other contract rights and obligations.

D. Mandatory Job Offers to Employees Who Leave State Government and Wish to Return: In addition, for displaced employees who take jobs outside state government, the proposed language extends reemployment rights under the collective bargaining agreements until one year after the opening of the successor facility. In this way, VSH employees who are no longer employed by state government will have reemployment possibilities at any successor hospital.

E. Posting of Job Openings: The Department of Human Resources shall post all open positions that involve providing care to individuals with mental health conditions that are provided to the Department by participating hospitals developing inpatient, secure residential, and intensive residential recovery services.

II. Effective Date

This Order shall take effect upon signing.

Dated February 29, 2012.

Peter Shumlin
Governor

Executive Order No. 04-12