**Voluntary Reduced Work Schedule Agreement**
**Between**
**The State of Vermont and**
**The Non-Management Unit of the**
**Vermont State Employees' Association**

In order to permit employees to have more flexible work schedules and to generate savings for Fiscal Year 2013 (FY13), the parties agree to implement a voluntary reduced work schedule agreement, subject to the following terms:

1. During FY13 (July 2012 - June 2013), full and part time classified employees may volunteer to work less than their regularly scheduled work hours by submitting an application to the appointing authority of the agency or department in which the employee works. There will be two enrollment periods. For the first enrollment period, an application must be submitted to the appointing authority by September 28, 2012. For the second enrollment period, an application must be submitted to the appointing authority by December 28, 2012. A copy of the application can be found on the Department of Human Resources website:
http://humanresources.vermont.gov/sites/dhr/files/pdf/labor_relations/DHR-Vol_Reduced_Work_Schedule_App.pdf
or can be obtained from a Human Resources administrator. The agency or department shall provide a copy of all completed applications to DHR. DHR shall provide copies of the applications to the Vermont State Employees' Association (VSEA).

2. The Department of Human Resources will provide a copy of the application form, and other similar documents intended for general distribution to employees, to the VSEA for review prior to dissemination.

3. Applications for a reduced work schedule must be for a minimum of 40 hours over the course of FY13. No participating employee may work less than 1040 hours per year. An approved application may take many forms, including a regular reduced weekly schedule or a specific period(s) of time off, such as a week or a month at a time. All applications that meet the basic prerequisites of this program shall be considered, on a case by case basis, unless an agency or department, following concurrence from the Secretary of Administration, has provided notice through DHR that no applications will be considered for a particular agency, department or subdivision thereof.

4. An agency or department head may, in his or her sole discretion, approve an application for a reduced work schedule. A decision to grant or deny a request for a reduced schedule shall not be grievable. If the appointing authority of an agency or department determines, following concurrence from the Secretary of Administration, that employees in a department or agency, or some sub-division of the agency or department, will not be granted a reduced work schedule under any conditions, the appointing authority shall notify the Commissioner of the Department of Human Resources. The DHR Commissioner will post this information on DHR's website and provide the information to the VSEA. Any decision to exempt any agency, department or subdivision shall not be grievable.

5. Once an agency or department head has approved an application, and provided notice to the Department of Human Resources, DHR will notify the Commissioner of Finance

and Management, who will adjust the agency or department's budget to reflect the cost savings generated by the reduction in working hours.

6. Workload requirements and expectations for employees on a reduced work schedule should be appropriately adjusted.

7. An employee on an approved reduced work schedule may be permitted to moonlight, subject to and in accordance with existing personnel policies.

8. Appointing authorities shall not use temporary or contractual workers to replace any employee's reduced work hours, and may not use overtime to replace those hours, except in the case of an emergency. Appointing authorities must notify the Commissioner of the Department of Human Resources and the Commissioner of the Department of Finance if an emergency requires a participating employee to work overtime hours.

9. In the case of personal or family hardship, such as a partner's loss of a job or large unexpected expense, an employee who has been approved for a reduced work schedule may be released from his or her agreement by the Commissioner of the Department of Human Resources. A request to be released from the program must be submitted to the Commissioner, and the appointing authority, in writing.

10. Approved reduced work schedules shall be considered alternate work schedules under the existing collective bargaining agreement and shall not be considered to be an existing shift or workweek. Reduced work schedules shall not be considered established work shifts or workweeks that could be involuntarily imposed on other employees. Overtime, if required by emergency, will be paid in accordance with the terms of the applicable collective bargaining agreement.

11. Holidays will be paid in the same manner as the current part-time schedule practices set forth in the existing collective bargaining agreement. An employee will not benefit when a holiday falls on, or during, an off-payroll period.

12. Employees on approved reduced work schedules will continue to accrue sick leave, annual leave and personal leave as if they continued to work full-time schedules, or as previously accrued if further reducing a part-time work schedule. Employees taking unpaid time off under this program shall not be required to exhaust all other accrued leave before going on unpaid leave.

13. Employees on approved reduced work schedules will retain all applicable RIF rights, based on the work schedule prior to participation in the program.

14. Employees must acknowledge, in writing, that their Average Final Compensation (AFC) for pension purposes may be adversely affected by participation in this program if the resulting annual salary is used as part of the AFC calculation. The employee must also acknowledge that if the employee receives any salary during a payroll period, he or she will receive retirement service credit for the entire pay period, but would not receive retirement service credit if the employee does not receive pay for an entire pay period.

15. When a participating employee is off payroll for an entire pay period or more, the state will continue to pay 80% of the share of a health care premium and the employee will

continue to be responsible to pay 20% of the premium at the time it would normally be due, as specified in the unpaid leave provision of the State Employee Health Plan articles of the contracts. If the employee does not pay the 20% owed for the premium, he or she may lose coverage and be held liable for payments of the unpaid premiums. Participating employees may be authorized to schedule the use of accrued annual, compensatory or personal leave to cover payroll deductions if off payroll for an entire pay period.

16. Workers' compensation benefits are based upon average wages for a period of time so participation in this program could reduce a workers' compensation award to an employee. The employee shall be required to acknowledge this potential in writing.

17. No employee will be retaliated against for volunteering or failing to volunteer for a reduction in work schedule.

18. This agreement will terminate on June 30, 2013, unless extended by written agreement of the parties. Reduced work schedules shall no longer be in force or in effect on or after July 1, 2013, except as may be expressly permitted in a mutually agreed upon program extension.

For the Vermont State Employees' Association
Non Management Bargaining Unit:

Mark Mitchell, Director
Vermont State Employees' Association
Date:

Kathi Partlow
VSEA Staff Negotiator
Date: 8/24/12

Robert N. Stone, Chair
VSEA Non-Management Unit
Date: 8/24/2012
Robert N. Stone.

For the State of Vermont:

Christin Hale
for - Kate Duffy, Commissioner
Department of Human Resources:
Date: 8/29/12

Thomas D. Ball, Director
Labor Relations Division
Department of Human Resources:
Date: 8/29/12.