UNITED STATES OF AMERICA
BEFORE THE NATIONAL LABOR RELATIONS BOARD
REGION 3

VERMONT INFORMATION PROCESSING, INC.	)	
	)	
v.	)	**CASE 03-CA-301055**
(b) (6), (b) (7)(C) [redacted]	)	
	)	
	)	
	)	
	)	

ANSWER TO COMPLAINT

Vermont Information Processing, Inc. ("Respondent") respectfully submits this Answer to the Complaint based on the charge filed by (b) (6), (b) (7)(C) [redacted] (b) (6), (b) (7)(C) ("Charging Parties"), and denies the charge as follows:

1. Admitted.

2. Admitted.

3. Admitted.

4. Admitted that the named individuals held the positions set forth opposite their respective names and have at certain times been "supervisors" and "agents" within the meaning of the Act.

5.

   a. Admitted that on or about (b) (6), (b) (7)(C) 2022, one or more of the Charging Parties created a spreadsheet and shared it on unsecured email and chat platforms with a group of colleagues including at least one individual who was not employed by Respondent, and that the Charging Parties, along with 26 other employees who were not subjected to any adverse employment action, entered information into the

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spreadsheet that purported to relate to salaries. Denied that any of the Charging Parties were engaged concerted protected activity within the meaning of the Act.

b. Admitted that Respondent terminated the employment of (b) (6), (b) (7)(C) on or about (b) (6), (b) (7)(C) 2022.

c. Admitted that Respondent terminated the employment of (b) (6), (b) (7)(C) on or about (b) (6), (b) (7)(C) 2022.

d. Denied.

6. Denied.

7. Denied.

ADDITIONAL DEFENSES

1. Charging Parties (b) (6), (b) (7)(C) were supervisors and were therefore not covered by the Act. 29 U.S.C. §§ 152(3) and (11).
2. Even if any of the Charging Parties' activities respecting the salary spreadsheet were concerted protected activity within the meaning of the Act, which is denied, each of the Charging Parties' employment was terminated because of other activities which are not concerted protected activity within the meaning of the Act.
3. Each of the Charging Parties engaged in insubordinate, disruptive and malicious misconduct and thereby forfeited any protections the Act might otherwise have afforded to their participation in the salary spreadsheet.

WHEREFORE, Respondent requests a Decision that Respondent has not engaged and is not engaging in the alleged unfair employment practices and disposing of the case accordingly.

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DATED at Burlington, Vermont, this 7th day of February, 2023.

VERMONT INFORMATION PROCESSING, INC.
("Respondent")

BY: PAUL FRANK + COLLINS P.C.

By: _____

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