



**HUMAN RESOURCES  
DEPARTMENT  
City of Burlington**

---

179 South Winooski Avenue, Burlington, VT 05401

Voice (802) 865-7145  
Fax (802) 864-1777  
Vermont Relay: call 711  
or 800-253-0191

To: Board of Finance

From: Susan Leonard, Human Resources Director

Date: July 16, 2012

Re: Step Placement – Eileen Blackwood, Appointee for Attorney and Corporation Counsel

---

Mayor Weinberger has requested that Eileen Blackwood, appointee for the position of Attorney and Corporation Counsel, be considered for placement at step 7 of the non-classified pay scale for Attorney & Corporation Counsel. This request is pursuant to Burlington Comprehensive Personnel Policy, section 5.4 Compensation Plan, subsection A. Placement, which states: “To the extent that previous relevant experience equals or exceeds the necessary knowledge and skills, job duties and responsibilities of the position being sought, those specific and relevant years of experience (less the minimum number of years of experience required in the position description) may be converted to additional steps at a 2:1 ratio, up to a maximum of step seven (7)”.

The qualifications for the position require a minimum of seven years of extensive experience in legal practice, a Juris Doctorate degree and admission to the Vermont State Bar. Ms. Blackwood holds a Juris Doctorate degree, has been admitted to the Vermont State Bar, and has twenty six years of extensive experience in legal practice. Given Ms. Blackwood’s wealth of experience beyond the minimum qualifications for the position, I respectfully recommend support of Mayor Weinberger’s request for placement at a step 7 of the pay scale, equaling an annual salary of \$109,713.

This step placement for Ms. Blackwood will be effective following Board of Finance approval and City Council confirmation of the appointment.

Thank you.

## City of Burlington Job Description

**Position Title:** Attorney & Corporation Counsel

**Department:** City Attorney

**Reports to:** Mayor

**Pay Grade:** N/C

**Job Code:** 1103

**Exempt/Non-Exempt:** Exempt

**Union:** N/A

**General Purpose:** This position is responsible for the principal function of the City Attorney to serve as chief counsel for the City of Burlington. The City Attorney provides legal advice to the Mayor, City Council and City Staff on a wide range of issues. Responsibilities also include frequent consultation with municipal officials and preparation of legal opinions, ordinances, resolutions, and representation of the City in litigation. The City Attorney provides administrative oversight to all operations and activities of the City Attorney Office.

**Essential Job Functions:** (This section outlines the fundamental job functions that must be performed in this position. The "Qualifications/Basic Job Requirements" and the "Physical and Mental/Reasoning Requirements and Work Environment" state the underlying requirements that an employee must meet in order to perform these essential functions. In accordance with the Americans with Disabilities Act, reasonable accommodations may be made to qualified individuals with disabilities to perform the essential functions of the position.)

**Essential Functions:**

- Serves as the chief spokesperson for the City on all legal issues.
- Plans, organizes, directs and evaluates the work of legal staff in implementing the expressed goals, policies and directives of the City Attorney Office.
- Supervises work of all employees within the City Attorney Office, in coordination with the Senior Assistant Attorney
- Oversees all legal functions within the City of Burlington, including training legal staff, providing advice on specific cases of a more difficult nature and addressing needed areas within the community.
- Develops policies and procedures designed to increase the efficiency and effectiveness of Departmental operations and address legal services within the City of Burlington.
- Develops and administers the Departmental budget.
- Provides legal services and represents the City of Burlington in related legal matters, including civil and criminal litigation before courts and administrative agencies.
- Prepares written and oral opinions on questions of law submitted by the Mayor, City Council and Department Heads.
- Prepares legal contracts, forms and other writings required for use by the City.

- Prepares resolutions and related communications to the City Council for action on specific items for consideration and action.
- Prepares ordinances, rules and regulations as requested by the City Council, Mayor and Department Heads.
- Reviews legal processes of Departmental staff to ensure appropriate pre-trial and trial strategies involving complex litigation, controversial claims and large tort and non-tort claims.
- Procures outside legal counsel on behalf of the City to address specific or specialized legal concerns and issues.
- Participates in various aspects of personnel administration within the Department, including hiring, termination, grievance procedures and coordinating employee training.
- Performs special projects for the Mayor and City Council as requested.
- Keeps Mayor and designated others fully and accurately informed concerning work progress, including present and potential work problems and suggestions for new or improved ways of addressing such problems.
- Attends City Council meetings to provide legal, technical and administrative assistance on policy initiatives to City Council, Mayor and City Departments.
- Represents the City in legislative activities.

**Non-Essential Job Functions:**

- Performs other duties as required.

**Qualifications/Basic Job Requirements:**

- A Juris Doctorate Degree and Admission to the Vermont State Bar including seven (7) years of extensive experience in legal practice is required. Public law practice experience preferred.
- Knowledge of civil and criminal law and current principles and practices of public administration.
- Knowledge of municipal law, torts, contracts, civil rights, administrative processes and property law.
- Knowledge of State and Federal statutes and regulations pertaining to municipal governments.
- Knowledge of collective bargaining practice and law.
- Knowledge of the principles, practices, methods, and procedures, materials and references utilized in legal research.
- Knowledge of legal office practices and procedures and of the duties and responsibilities of the City Attorney's Office.
- Knowledge of budgetary principles within a municipality.
- Ability to work under the supervision and direction of the Mayor and City Council with extensive leeway for the exercise of independent judgment and initiative.
- Skills in negotiation and persuasion in individuals and group settings.
- Ability to perform requires that an employee in this class establish and maintain effective working relationships with other City employees, the Mayor and the City Council,

business and community groups, court representatives, State and Federal officials, representatives of the media and the public.

- Ability to provide administrative direction within a municipal department and supervise, train, evaluate and lead the work of others.
- Ability to communicate effectively with others, both orally and in writing, using both technical and non-technical language.
- Ability to prepare and present accurate and reliable reports containing findings and recommendations.
- Ability to perform a wide variety of duties and responsibilities with accuracy and speed under the pressure of time-sensitive deadlines.
- Ability to maintain integrity, ingenuity and inventiveness in the performance of assigned tasks.

**Physical & Mental/Reasoning Requirements; Work Environment:**

These are the physical and mental/reasoning requirements of the position as it is typically performed. Inability to meet one or more of these physical or mental/reasoning requirements will not automatically disqualify a candidate or employee from the position.

- |   |  |  |
|---|--|--|
| <input checked="" type="checkbox"/> seeing                                  | <input type="checkbox"/> ability to move distances                       | <input type="checkbox"/> lifting (specify)   |
| <input checked="" type="checkbox"/> color perception<br>(red, green, amber) | <input type="checkbox"/> within and between<br>warehouses/offices        | <input type="checkbox"/> 10-25 pounds<br><input type="checkbox"/> carrying (specify) |
| <input checked="" type="checkbox"/> hearing/listening                       | <input type="checkbox"/> climbing  | <input type="checkbox"/> 10-25 pounds  |
| <input checked="" type="checkbox"/> clear speech                            | <input type="checkbox"/> ability to mount and<br>dismount forklift/truck | <input checked="" type="checkbox"/> driving (local/over<br>the road)                 |
| <input checked="" type="checkbox"/> touching                                | <input type="checkbox"/> pushing/pulling                                 |  |
| <input type="checkbox"/> dexterity  |  |  |
| <input checked="" type="checkbox"/> hand                                    |  |  |
| <input checked="" type="checkbox"/> finger                                  |  |  |
| <input type="checkbox"/> reading - basic                                    | <input type="checkbox"/> math skills - basic                             | <input checked="" type="checkbox"/> analysis/comprehension                           |
| <input checked="" type="checkbox"/> reading - complex                       | <input checked="" type="checkbox"/> math skills - complex                | <input checked="" type="checkbox"/> judgment/decision<br>making                      |
| <input type="checkbox"/> writing - basic                                    | <input checked="" type="checkbox"/> clerical                             |  |
| <input checked="" type="checkbox"/> writing - complex                       |  |  |
| <input type="checkbox"/> shift work   | <input type="checkbox"/> outside   | <input type="checkbox"/> pressurized equipment                                       |
| <input checked="" type="checkbox"/> works alone                             | <input type="checkbox"/> extreme heat                                    | <input type="checkbox"/> moving objects  |
| <input checked="" type="checkbox"/> works with others                       | <input type="checkbox"/> extreme cold                                    | <input type="checkbox"/> high places   |
| <input checked="" type="checkbox"/> verbal contact w/others                 | <input type="checkbox"/> noise   | <input type="checkbox"/> fumes/odors   |
| <input checked="" type="checkbox"/> face-to-face contact                    | <input type="checkbox"/> mechanical equipment                            | <input type="checkbox"/> hazardous materials   |
| <input checked="" type="checkbox"/> inside                                  | <input type="checkbox"/> electrical equipment                            | <input type="checkbox"/> dirt/dust   |

**Supervision:**

Directly Supervises: 6

Indirectly Supervises:         

**Disclaimer:**

The above statements are intended to describe the general nature and level of work being performed by employees to this classification. They are not intended to be construed as an

Attorney & Corporation Counsel

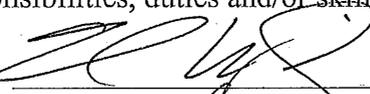
June 2012

Page 4 of 4

exhaustive list of all responsibilities, duties and/or skills required of all personnel so classified.

**Approvals:**

Department Head:



Date:

7/9/12

Human Resources:



Date:

6/11/12

ATY	CITY ATTORNEY - New FY08 (Previously Outsourced)		NON UNION					
STEP	% Between Steps	FY08	FY09	FY10	FY 10 .75% Increase	FY 11 2% Increase	FY 12 2.7% Inc	FY 13 2.90%
1		87,465.94	89,871.25	90769.97	91,450.74	93,279.76	95,798.31	98,576.46
2	0.018	89,040.32	91,488.93	92403.82	93,096.85	94,958.78	97,522.67	100,350.83
3	0.018	90,643.05	93,135.73	94067.09	94,772.59	96,668.05	99,278.08	102,157.15
4	0.018	92,274.63	94,812.18	95760.3	96,478.51	98,408.08	101,065.09	103,995.98
5	0.018	93,935.57	96,518.80	97483.99	98,215.12	100,179.42	102,884.26	105,867.91
6	0.018	95,626.41	98,256.14	99238.7	99,982.99	101,982.65	104,736.18	107,773.53
7	0.018	97,347.68	100,024.74	101025	101,782.68	103,818.33	106,621.42	109,713.45
8	0.018	99,099.94	101,825.19	102843.4	103,614.77	105,687.06	108,540.61	111,688.29
9	0.008	99,892.74	102,639.79	103666.2	104,443.68	106,532.56	109,408.94	112,581.80
10	0.008	100,691.68	103,460.70	104495.3	105,279.02	107,384.60	110,283.99	113,482.22
11	0.008	101,497.42	104,288.60	105331.5	106,121.47	108,243.90	111,166.49	114,390.31
12	0.008	102,309.40	105,122.91	106174.1	106,970.44	109,109.85	112,055.82	115,305.44
13	0.008	103,127.87	105,963.89	107023.5	107,826.20	109,982.73	112,952.26	116,227.87
14	0.008	103,952.90	106,811.60	107879.7	108,688.82	110,862.60	113,855.89	117,157.71
15	0.018	105,907.21	108,819.66	109907.9	110,732.16	112,946.81	115,996.37	119,360.27

## Curriculum Vita

Eileen M. Blackwood, Esq.  
Kohn Rath Blackwood & Danon, LLP  
P.O. Box 340  
Hinesburg, VT 05461

### **Formal Education**

September 1983 to June 1986 Cornell Law School	<i>J.D. cum laude</i> Ithaca, New York
September 1976 to June 1980 Dartmouth College Special Major in Women and Education	<i>A.B.</i> Hanover, New Hampshire

### **Licensing**

Licensed by Vermont Supreme Court as attorney through June 30, 2012. License #1953

### **Legal Employment**

January 2009 to present Kohn Rath Blackwood & Danon, LLP <i>General practice concentrating in employment, education, LGBT, non-profit, and civil rights law, estate and disability planning, and mediation.</i>	<i>Attorney (Partner)</i>
May 1992 to present Blackwood & Danon, P.C. formerly Blackwood Associates, P.C. and Blackwood and Kraynak, P.C. <i>general practice concentrating in employment, education, LGBT, non-profit, and civil rights law and mediation; litigation practice involves primarily state and federal civil courts and probate courts; administrative practice involves primarily Vermont Dept. of Education special education hearings.</i>	<i>Attorney (Shareholder/Owner)</i> Burlington, Vermont
June 1997 to present State of Vermont Occupational Safety and Health Review Board	<i>Hearing Officer</i>
October 1987 to May 1992 Paul, Frank & Collins, Inc. <i>general practice concentrating in employment and education law</i>	<i>Attorney (Associate)</i> Burlington, Vermont
August 1986 to August 1987 The Hon. Franklin S. Billings, Jr. U.S. District Court, District of Vermont <i>researched and helped prepare opinions in many areas of federal law</i>	<i>Judicial Law Clerk</i> Rutland, Vermont

June 1985 to August 1985  
Perkins, Coie  
*primarily legal research in areas ranging from antitrust to employment to probate*

*Summer Associate*  
Seattle, Washington

June 1984 to August 1984  
Cornell Law School  
Dean of Admissions Office

*Student Assistant*  
Ithaca, New York

## **Other Employment**

summers, 1999-2008  
University of Vermont  
*taught Special Education Law as Continuing Education class*

*Adjunct Professor/Lecturer*  
Burlington, Vermont

fall 2004  
Union University  
*Taught legal issues for child care directors*

*Adjunct Professor*

April 1993 to June 2007  
*officiated high school girls' and college women's lacrosse games in Vermont and New Hampshire as a USWLA/USL rated official.*

*Women's Lacrosse Official*

February 1993 to June 2000  
St. Michael's College  
*Assistant coach for 5 years; became co-head coach in 1997 of Division II program.*

*Women's Lacrosse Coach*  
Colchester, Vermont

September 1980 to November 1996  
*officiated high school and college field hockey games in New England and NY as USFHA rated official.*

*Field Hockey Official*

August 1981 to June 1983  
Randolph Center Elementary School  
*Taught fourth and fifth grades.*

*Elementary School Teacher*  
Randolph Center, Vermont

January 1981 to June 1981  
Georgia Elementary School  
*Taught fifth grade.*

*Elementary School Teacher*  
Georgia, Vermont

September 1980 to January 1981  
Georgia Elementary School  
*Tutored children of migrant farm workers.*

*Title I-Migrant Tutor*  
Georgia, Vermont

summer jobs included chambermaid, farm laborer, and running a summer drug and alcohol recreation program.

## **Organizational Activities**

*Member, Access to Justice Committee, fall 2010 to present*

*Member, United States Court of Appeals for the Second Circuit Committee on Admissions and Grievances, 2007 – present*

*Member, Vermont Commission on Judicial Operations, fall 2008 to summer 2010*

*Town of Williston Planning Commission member (including terms as Vice Chair and Chair), 1990 - 2002*

*Member, Judicial Nominating Board, February 1997-2003*

*Member, Plain English Civil Jury Instructions Committee, 2004-2008*

*Member, Early Neutral Evaluator Panel, U.S. District Court, 1994 - present*

*Member, Vermont Professional Responsibility Board Hearing Panel, 2002 - 2008*

*Member, Northern Lake Champlain Advisory Committee, 2004-05*

### *Vermont Bar Association*

*President, Sept. 2009 – Sept. 2010 (also served one year as President-Elect and one year as Past President)*

*Board of Managers member, 2004 - 2011*

*Pro Bono Committee Co-Chair, 2007 - present*

*Women's Division member, 1987 – present*

*Former Vice Chair, Chair & CLE Committee Chair*

*Employment Law Committee, 1996 - present*

*Alternative Dispute Resolution Committee, 2001 – present*

*Disability Law Committee member, 2001 – present*

*Roundtable on the Profession, 2007- present*

*Continuing Legal Education Committee member, 1990-2000*

*Ad Hoc Committee on Gender Bias in the Legal Profession, 1994-95*

*Ad Hoc Committee on Professionalism, 2008*

*Samara Foundation of Vermont, Board member (including Secretary), 1998-2003*

*U. S. Lacrosse, Inc., various positions, 2001-2007*

*Women's Division Executive Committee At-Large member*

*Women's Division Safety Education Committee Chair*

*Upper New England Region, Officials Council Chair*

*Vermont Chapter, Local Rules Interpreter*

*American Civil Liberties Union of Vermont*

*Cooperating Attorney, 1987 - present*

*Formerly Board member, including Vice President*

*Child Care Resource & Referral Center, Williston, Vermont*  
*Board member, approx. 1988-1992*

**Bar and professional associations:**

*Vermont Bar Association (see above)*

*American Bar Association*  
*Member, 1988 to present*

*Chittenden County Bar Association*  
*Member, fall 1987 – present*

*Rutland County Bar Association*  
*Honorary Member, fall 2009*

*Vermont Employment Lawyers Association*  
*Member 1993 – present*

*Vermont Volunteer Lawyers Project*  
*Member (unsure of starting date) to present*

*Education Law Association*  
*Member, 2005 - present*

*Vermont Association for Justice*  
*Member, (unsure of starting date) to present*

*National Employment Lawyers Association*  
*Member until 2007*

*Vermont School Board Attorney's Association*  
*Member, (including President), 1987-92*

*Vermont Businesses for Social Responsibility*  
*Member, (unsure of starting date) to present*

*Lake Champlain Regional Chamber of Commerce*  
*Member, (unsure of starting date) to present*

**Other Activities**

U.S. District Court for the District of Vermont Early Neutral Evaluation Panel  
*serve as early neutral evaluator for cases filed in federal court*

Vermont Superior Courts mediation panels  
*serve as mediator for civil cases*

Private mediator  
*provide private mediation services, particularly in employment-related disputes*

Licensed auctioneer  
*volunteer as auctioneer for charity auctions*

## **Publications**

Revised fall 2010, Primary Author, *Employment Law Section, Vermont Guide to Health Care Law*, project of Vermont Medical Society, <http://www.vtmd.org/employment-law>.

Summer 2006, Author, “*Special Education: Will the “Improvements” Decrease Protections for Parents and Students?*” Vol. 32, No. 2, Vermont Bar Journal 52.

June 2002, Author, “*Discipline for Students with Disabilities: Ensuring Both School Safety and Access to Education*,” Vol. 28, No. 2, Vermont Bar Journal 44.

July 1995, Co-Editor, “*Gender and the Legal Profession: Report of the Ad Hoc Committee on Gender Bias in the Legal Profession*”, A Project of the Women’s Section of the Vermont Bar Association and the Vermont Bar Association.

Spring 1992, Author, “*The Reasonable Woman in Sexual Harassment Law and the Case for Subjectivity*,” 16 Vermont Law Review 1005 (1992).

1991, Co-Author, “*Disabilities and Employment in Vermont: A Guide to State and Federal Laws Affecting Employers and Employees*,” pamphlet published by the Vermont Bar Association Young Lawyers Section and The Vermont Chapter, National Multiple Sclerosis Society.

November 1985, Author, “*Race as a Factor in Child Custody and Adoption Disputes: Palmore v. Sidoti*,” 71 Cornell Law Review 209 (1985).