

Supporting Working Vermonters

H.116, H.218, H.219 and H.196 Bill Introductions by Rep. Emma Mulvaney-Stanak
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The Larger Context of Working People

Low wages increased to respond to workforce shortage, BUT **real wages falling** behind due to inflation.

Pandemic recovery economic policy was **temporary** and now facing high inflation + cost of goods/services.

Decline in workforce participation rate. In 2021 lowest rate since 1996. Slowly gaining.

Housing crisis. More Vermonters are homeless today than before the pandemic. Half of rental households pay more than 30% of their household income.

10% of workers earned **less** than the livable wage of \$13.39 in 2021. Most workers made **less** than \$26.43, the wage needed for a single parent with one child in rural VT.

Identity compounds economic inequality and wage gap.

Job loss hit women more than men in 2020 and slower to return to workforce.



Rebuilding our Economy: Strategies to Support Pandemic Recovery


Address challenges for working parents.

Acknowledge and redress systemic issues of bias against women, people of global majority, immigrants, LGBTQIA in workforce.


Support worker recruitment and retention - in and out of state to grow our workforce and fill critical occupations.

Be strategic on current infrastructure and construction growth underway and leveraging public dollars.

Strengthen workers rights and protections: reliable work schedules, easier access to unions and leverage the prevailing wage.



H.116: Improving Wage Transparency
and Strengthening the Equal Pay Act,
and Requiring Reliable Work Schedules
and Reimbursement for Work Expenses





The Need:

- ★ Vermont women are paid 84 cents to every dollar paid to a man (full time).
- ★ 39% of Vermont women working full time do not make a livable wage.
- ★ Black women are paid 64 cents and Latinx women are paid 57 cents to every dollar paid to a white man (full time).
- ★ Nationally, 17% of the workforce experience irregular shift schedules. Most of these workers earn less than \$40,000.00 per year.
- ★ Expansion of remote work and cost shift of expenses to complete work to workers.



1 - Wage Transparency: Prospective Employees

Current Vermont law: “Salary History Law” (2005, 2018): Employer cannot discipline or retaliate against an employee for disclosing wage information. Employer cannot seek wage history from a prospective employee. If employee volunteers wage information, employer not precluded from using information in making a job offer.

Proposed Change:

- Require employers to disclose the wage/salary for all jobs for prospective and current employees
- Prohibit an employer from disclosing a current or former employee’s compensation history without employee’s permission (except for cases where compensation is publicly available).
- Prohibit an employer from using known compensation information in a negative way when setting hiring wage/salary.

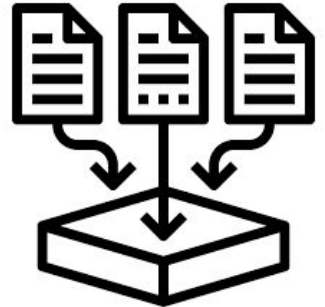




2 - Wage Transparency: Data Collection

Current practice: Limited data collection on wage/salary data by Department of Labor. Only limited wage information based on gender (female-male) data collected.

Proposed change: Require employers with 10 or more employees to annually submit compensation information, including by gender and race, to the Department of Labor information. Provide information in an accessible manner to the public.





3 - Wage Discrimination / Equal Pay

Current Vermont law: “Equal Pay” (2002): Employers prohibited from discriminating against employees on the basis of sex. Employers must pay equal wages to all employees, regardless of their sex, who are performing equal work under similar working conditions.

Proposed Change: Add race and gender identity as protected categories for equal pay wage discrimination. Consider other categories such as disability.

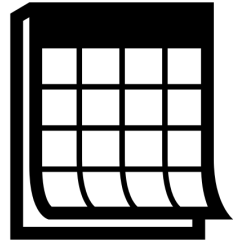




4 - Reliable work schedules

Current Vermont Law: No requirement to provide work schedules to workers within any minimum notice.

Proposed Change: Require employers to post a “reliable work schedule” meaning a worker’s schedule will be posted not later than 14 days before the first day they are scheduled to work. Prohibit changes to schedules except for limited circumstances (unforeseen circumstance, voluntary agreement with worker, payment for canceled hours).





Reimburse for Work Expenses

Current Law: Limited reimbursements depending on presence of union or workplace policy.

Proposed Change: Require an employer to reimburse a worker for necessary expenditures incurred by the worker within their scope of employment that are directly related to services performed for the employer. Ex: remote work set-up or uniforms/equipment.





H.219: Vermont PRO Act





The Need

- Domestic and agriculture workers do not have the legal ability to organize a union under federal or state law and are exempt from many workplace protections such as minimum wage, workers' compensation, and unemployment.
- 60M workers would join a union if they could but only 14.3M workers are in unions (In These Times, 2023). 13.4% of Vermonters are represented by a union (BLS, 2022). Being represented by a labor union increases wages and workplace protections and democracy for workers.
- Current union process includes two-steps which creates vulnerable timeline for workers waiting for the union organizing process to finish to be intimidated or retaliated against.
- Workers without a union can be fired at-will with very little recourse unless able to prove job discrimination.



The Vermont PRO Act

Current Law: Exempts domestic and agriculture workers from collective bargaining and workplace protection laws. Requires a two-step process to organize a union. Allows employers to fire or reprimand workers without due process. Requires workers to attend employer-mandated meetings.

Proposed Changes:

- Simplifying the process for forming a union in the public sector;
- Making it more difficult for employers to retaliate against workers for organizing activity by ending at-will employment;
- Preventing workers from being disciplined for exercising their free speech rights in not attending anti-union, political or religious meetings(captive audience meetings).
- Expanding collective bargaining rights to farm and domestic workers.





H.218: Good Cause Employment Rights for Workers





Detailed Good Cause Termination

- Establishes a good cause standard for termination of employment (definition ranging from fair and objective investigation to clear rules/policies that are reasonably applied).
- Requires progressive discipline modeled after collective bargaining contracts.
- Defines “economic reasons” for an employer to terminate a worker.
- Requires employers to provide severance pay (earned compensation) to terminated worker
- Includes explicit protections for workers’ actions including refusal to work in unsafe conditions, concerted activity to address wages, benefits and/or discrepancies based on identity.



H.196: Fair Prevailing Wage Rate for Public Construction Projects





Prevailing Wages

Current Law: Prevailing wage calculated using data collection system on wages and employee benefits by sector using Bureau of Labor Statistics data and formula.

Proposed Changes:

Changes the calculation of Vermont's prevailing wage for state construction projects from a Bureau of Labor Statistics figure to a calculation that matches the collective bargaining unit in the area in which the job occurs.

Provide a new enforcement mechanisms to allow a worker to enforce the payment of the correct wage through the Attorney General's Office.

Thank you. Questions?

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