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H.688

Introduced by Representatives Deen of Westminster, Carr of Brandon,  
Chesnut-Tangerman of Middletown Springs, Connor of  
Fairfield, Davis of Washington, Donovan of Burlington, Fields  
of Bennington, Gonzalez of Winooski, Jewett of Ripton, Lenes  
of Shelburne, Macaig of Williston, O’Sullivan of Burlington,  
Pearson of Burlington, Poirier of Barre City, and Sullivan of  
Burlington

Referred to Committee on

Date:

Subject: Labor; employment practices; good cause employment

Statement of purpose of bill as introduced: This bill proposes to establish a  
good cause standard for termination of employment in Vermont.

An act relating to good cause employment

It is hereby enacted by the General Assembly of the State of Vermont:

Sec. 1. FINDINGS

The General Assembly finds:

(1) The Vermont statutes offer workers protection from many forms of  
arbitrary or discriminatory treatment in the workplace.

1           (2) Some Vermont workers enjoy protections from termination for no  
2           reason or termination for an arbitrary, capricious, trivial, or pretextual reason  
3           pursuant to a collective bargaining agreement or contract.

4           (3) Other Vermont workers, however, do not enjoy such protections.  
5           Those workers are known as “at will” employees. An “at will” employee may  
6           be discharged for any reason that is not prohibited by law or public policy, or  
7           for no reason at all.

8           (4) Currently, absent an agreement between an employer and an  
9           employee to the contrary, an employee is presumed to be an “at-will”  
10          employee in 49 out of 50 U.S. states.

11          (5) However, Montana and most industrialized countries provide  
12          workers with legal protections against arbitrary dismissal. Among other  
13          things, Montana’s law makes it illegal to discharge an employee for other than  
14          “good cause” after the employee has completed his or her probationary period.  
15          “Good cause” can include a variety of legitimate business reasons, including  
16          an employee’s failure to perform his or her job duties satisfactorily, disruption  
17          to the employer’s operations, or other economic factors.

18          (6) The additional job security that a “good cause” standard for  
19          dismissal provides will distinguish Vermont from other states and make it a  
20          more attractive place for workers and families to relocate, live, and raise a  
21          family.

