

1 H.522

2 Introduced by Representatives Wizowaty of Burlington, Ancel of Calais,
3 Clarkson of Woodstock, Davis of Washington, Fisher of
4 Lincoln, Lorber of Burlington, Masland of Thetford, Mook of
5 Bennington, Poirier of Barre City, Ram of Burlington and
6 Webb of Shelburne

7 Referred to Committee on

8 Date:

9 Subject: Labor; employment practices; credit information; prohibition

10 Statement of purpose: This bill proposes to generally prohibit employers from
11 making employment decisions based on an applicant's credit report.

12 An act relating to employment decisions based on credit information

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

14 Sec. 1. 21 V.S.A. § 495i is added to read:

15 § 495i. EMPLOYMENT BASED ON CREDIT INFORMATION;

16 PROHIBITIONS

17 No employer shall require that an employee or an applicant for employment
18 provide or consent to provide a credit report that contains information about
19 the employee's or applicant's credit score, credit account balances, payment
20 history, savings or checking account balances, or savings or checking account

1 numbers as a condition of obtaining or continuing employment except if one or
2 more of the following conditions are met:

3 (1) The information is required by law.

4 (2) The employer reasonably believes that the employee has engaged in
5 specific activity that constitutes a violation of a fiduciary responsibility or any
6 law relating to financial matters.

7 (3) The information is substantially related to present or proposed job
8 duties of the employee or applicant for employment because the job is one or
9 more of the following:

10 (A) It is a managerial position that involves setting the direction or
11 control of the business.

12 (B) It involves access to financial or personal information of a
13 customer, employee, or the employer, other than information that is
14 customarily provided in a retail transaction.

15 (C) It requires fiduciary responsibility to the employer, including the
16 authority to issue payments, transfer money, or enter into contracts.

17 (D) It provides an expense account.