

1

S.153

2

Introduced by Senators Flory, Snelling, and Campbell

3

Referred to Committee on

4

Date:

5

Subject: Labor; unemployment compensation; newspaper carriers

6

Statement of purpose of bill as introduced: This bill proposes to exempt

7

newspaper carriers from the unemployment compensation statutes.

8

An act relating to unemployment compensation and newspaper carriers

9

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

10

Sec. 1. 21 V.S.A. § 1301 is amended to read:

11

§ 1301. DEFINITIONS

12

The following words and phrases, as used in this chapter, shall have the

13

following meanings unless the context clearly requires otherwise:

14

\* \* \*

15

(6)(A)(i) "Employment," subject to the other provisions of this

16

subdivision (6), means service within the jurisdiction of this ~~state~~ State,

17

performed prior to January 1, 1978, which was employment as defined in this

18

subdivision prior to such date and, subject to the other provisions of this

19

subdivision, service performed after December 31, 1977, by an employee, as

20

defined in subsections 3306(i) and (o) of the Federal Unemployment Tax Act,

1 including service in interstate commerce, performed for wages or under any  
2 contract of hire, written or oral, expressed or implied. Services partly within  
3 and partly without this ~~state~~ State may by election as hereinbefore provided be  
4 treated as if wholly within the jurisdiction of this ~~state~~ State. And whenever an  
5 employing unit shall have elected to come under the provisions of a similar act  
6 of a state where a part of the services of an employee are performed, the  
7 ~~commissioner~~ Commissioner, upon his or her approval of said election as to  
8 any such employee, may treat the services covered by said approved election  
9 as having been performed wholly without the jurisdiction of this ~~state~~ State.

10 \* \* \*

11 (C) The term "employment" shall not include:

12 \* \* \*

13 (xxi) Service performed by a direct seller if the individual is in  
14 compliance with all the following:

15 (I) The individual is engaged in:

16 (aa) the trade or business of selling or soliciting the sale of  
17 consumer products, including services or other intangibles, in the home or a  
18 location other than in a permanent retail establishment, including whether the  
19 sale or solicitation of a sale is to any buyer on a buy-sell basis, a  
20 deposit-commission basis, or any similar basis for resale by the buyer or any  
21 other person.

