

1 TO THE HONORABLE SENATE:

2 The Committee on Economic Development, Housing and General Affairs to  
3 which was referred House Bill No. 704 entitled “An act relating to disclosure  
4 of compensation in job advertisements” respectfully reports that it has  
5 considered the same and recommends that the Senate propose to the House that  
6 the bill be amended by striking out all after the enacting clause and inserting in  
7 lieu thereof the following:

8 Sec. 1. 21 V.S.A. § 495o is added to read:

9 § 495o. DISCLOSURE OF COMPENSATION TO PROSPECTIVE

10 EMPLOYEES

11 (a)(1) An employer shall ensure that any advertisement of a Vermont job  
12 opening shall include the compensation or range of compensation for the job  
13 opening.

14 (2) An advertisement for a job opening that is paid solely on a  
15 commission basis shall disclose that fact and is not required to disclose the  
16 compensation or range of compensation pursuant to subdivision (1)(A) of this  
17 subsection.

18 (b) It shall be a violation of this section and subdivision 495(a)(8) of this  
19 subchapter for an employer to refuse to interview, hire, promote, or employ a  
20 current or prospective employee for asserting or exercising any rights provided  
21 pursuant to this section.

1       (c) As used in this section:

2           (1) “Advertisement” means written notice, in any format, of a specific  
3 job opening that is made available to potential applicants. “Advertisement”  
4 does not include:

5           (A) general announcements that notify potential applicants that  
6 employment opportunities may exist with the employer but do not identify any  
7 specific job openings; or

8           (B) verbal announcements of employment opportunities that are  
9 made in person or on the radio, television, or other electronic mediums.

10          (2) “Employer” means an employer, as defined pursuant to section 495d  
11 of this subchapter, that employs five or more employees.

12          (3) “Potential applicants” includes both current employees of the  
13 employer and members of the general public.

14          (4)(A) “Range of compensation” means the minimum and maximum  
15 annual salary or hourly wage for a job opening that the employer expects in  
16 good faith to pay for the advertised job at the time the employer creates the  
17 advertisement.

18          (B) Nothing in this section shall be construed to prevent an employer  
19 from hiring an employee for more or less than the range of compensation  
20 contained in a job advertisement based on circumstances outside of the

1 employer’s control, such as an applicant’s qualifications or labor market  
2 factors.

3 (5) “Vermont job opening” and “job opening” mean any position of  
4 employment that is:

5 (A) either:

6 (i) located in Vermont; or

7 (ii) if it is located outside Vermont, reports to a supervisor, office,  
8 or work site in Vermont; and

9 (B) a position for which an employer is hiring, including:

10 (i) positions that are open to internal candidates or external  
11 candidates, or both; and

12 (ii) positions into which current employees of the employer can  
13 transfer or be promoted.

14 Sec. 2. EFFECTIVE DATE

15 This act shall take effect on January 1, 2025.

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18 (Committee vote: \_\_\_\_\_)

19 \_\_\_\_\_

20 Senator \_\_\_\_\_

21 FOR THE COMMITTEE