

1 S.213

2 Introduced by Senator Baruth

3 Referred to Committee on

4 Date:

5 Subject: Labor; employment practices; unlawful employment practice

6 Statement of purpose of bill as introduced: This bill proposes to prohibit
7 employers from penalizing employees who use sick leave or any other
8 benefits.

9 An act relating to an employee's use of benefits

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

11 Sec. 1. PURPOSE

12 The purpose of this act is to promote a healthy work environment by
13 ensuring that employers do not penalize employees who use sick leave or
14 other benefits.

15 Sec. 2. 21 V.S.A. § 496b is added to read:

16 § 496b. EMPLOYEE USE OF BENEFITS

17 (a) It shall be an unlawful employment practice for an employer,
18 employment agency, or labor organization to take negative employment action
19 against an employee because the employee has used sick leave or any other
20 employment benefit provided by law or the employer.

1 (b) As used in this section, “negative employment action” includes
2 discharge, threat, suspension, demotion, denial of promotion, or other adverse
3 employment action regarding the employee’s compensation, terms, conditions,
4 location, or privileges of employment. It also includes the use of assessing
5 points or demerits to the employee’s record or other methods that could lead to
6 a negative employment action as a result of the employee’s using his or
7 her benefits.

8 (c) The penalty enforcement provisions of section 495b of this title and the
9 provision against retaliation in subdivision 495(a)(8) of this title shall apply to
10 this section.

11 Sec. 3. EFFECTIVE DATE

12 This act shall take effect on July 1, 2014.