

S.213

An act relating to an employee's use of benefits

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

Sec. 1. PURPOSE

The purpose of this act is to promote a healthy work environment by ensuring that employers do not penalize employees who use employer-provided sick leave or any other employer-provided benefit.

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

§ 496b. EMPLOYEE USE OF BENEFITS

(a) An employer, employment agency, or labor organization shall not discharge or in any other manner discriminate against or penalize an employee because the employee has used, or attempted to use, accrued employer-provided sick leave or other employer-provided benefits.

(b) This section shall not:

(1) diminish any rights under this chapter or pursuant to a collective bargaining agreement;

(2) require an employer to provide sick leave or other benefits to employees; or

(3) prohibit the establishment and enforcement of other reasonable workplace policies that relate to an employee's use of benefits, such as policies

addressing attendance incentives, tardiness or unexcused absences, procedures for using sick leave or other benefits, or seniority calculations.

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

Sec. 3. EFFECTIVE DATE

This act shall take effect on July 1, 2014.