

1 TO THE HONORABLE SENATE:

2 The Committee on Economic Development, Housing and General Affairs to
3 which was referred House Bill No. 758 entitled “An act relating to notice of
4 potential layoffs” respectfully reports that it has considered the same and
5 recommends that the Senate propose to the House that the bill be amended as
6 follows:

7 First: In Sec. 1, in subdivision (3), after the word “respected”, by inserting
8 the words and protected.

9 Second: In Sec. 2, in 21 V.S.A. § 411, in subdivision (2), after “not
10 scheduled to resume within”, by striking out “90” and inserting in lieu thereof
11 75.

12 Third: In Sec. 2, in 21 V.S.A. § 411, by striking out subdivision (5) in its
13 entirety and inserting in lieu thereof a new subdivision (5) to read:

14 (5) “Employer” means any business enterprise that employs:

15 (A) 50 or more full-time employees;

16 (B) 50 or more part-time employees who work at least 1,040 hours
17 per employee per year; or

18 (C) a combination of 50 or more:

19 (i) full-time employees; and

20 (ii) part-time employees who work at least 1,040 hours per
21 employee per year.

1 Fourth: In Sec. 2, in 21 V.S.A. § 411, in subdivision (7), after “50
2 employees over a”, by striking out 90-day and inserting in lieu thereof 75-day.

3 Fifth: In Sec. 2, in 21 V.S.A. § 413, by striking out subsection (b) in its
4 entirety and inserting in lieu thereof the following:

5 (b) Notwithstanding subsection (a) of this section, an employer who will
6 engage in a closing or mass layoff shall provide notice to the Secretary of
7 Commerce and Community Development and the Commissioner 45 days prior
8 to the effective date of the closing or layoffs, and shall provide 30-days’ notice
9 to the local chief elected official or administrative officer of the municipality,
10 affected employees, and bargaining agent, if any. If the employer is actively
11 attempting to secure capital or investments in order to avoid closing or mass
12 layoffs, the notice to the Secretary of Commerce and Community Development
13 and the Commissioner may be delayed to 30 days prior to the effective date of
14 closing or layoff and 15-days’ notice to the local chief elected official or
15 administrative officer of the municipality, affected employees, and bargaining
16 agent, if any.

17 Sixth: In Sec. 2, in 21 V.S.A. § 414, in subdivision (a)(4), by striking out
18 the subdivision in its entirety and inserting in lieu thereof a new subdivision
19 (4) to read:

1 (4) the business closing or mass layoff is caused by dramatic business
2 circumstances that were not reasonably foreseeable at the time the 45-day
3 notice would have been required.

4 Seventh: In Sec. 2, in 21 V.S.A. § 414, in subsection (b), in the second
5 sentence, after the words “certified mail or”, by inserting the word any

6 Eighth: In Sec. 2, in 21 V.S.A. § 417, in subdivision (2), after “liable under
7 section 415 of this title within”, by striking out “30” and inserting in lieu
8 thereof 15.

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14 (Committee vote: _____)

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Senator _____

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FOR THE COMMITTEE