

1 TO THE HONORABLE SENATE:

2 The Committee on Economic Development, Housing and General Affairs to
3 which was referred Senate Bill No. 213 entitled “An act relating to an
4 employee’s use of benefits” respectfully reports that it has considered the same
5 and recommends that the bill be amended by striking out all after the enacting
6 clause and inserting in lieu thereof the following:

7 Sec. 1. PURPOSE

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

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

12 § 496b. EMPLOYEE USE OF BENEFITS

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

17 (b) This section shall not:

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

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

1 (3) prohibit the establishment and enforcement of other reasonable
2 workplace policies that relate to an employee’s use of benefits, such as policies
3 addressing attendance incentives, tardiness or unexcused absences, procedures
4 for using sick leave or other benefits, or seniority calculations.

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

8 Sec. 3. EFFECTIVE DATE

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

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12 (Committee vote: _____)

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Senator Baruth

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FOR THE COMMITTEE