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2 Representative O’Sullivan of Burlington moves that the bill be amended in
3 Sec. 3, 3 V.S.A. § 2222d, by striking out subsection (e) in its entirety and
4 inserting in lieu thereof a new subsection (e) to read as follows:

5 (e) Reports.

6 (1) The Task Force shall report annually on or before January 15 of each
7 year to the House Committee on Commerce and Economic Development and
8 the Senate Committee on Finance regarding the activities that it has undertaken
9 pursuant to this section, the progress of the Task Force’s ongoing education
10 and outreach programs, the number and results of the employer audits
11 conducted during the previous calendar year, and any barriers or impediments
12 to the proper classification of employees and independent contractors that the
13 Task Force has identified. The report may recommend legislative, regulatory,
14 and administrative measures to reduce the frequency of employee
15 misclassification. The provisions of 2 V.S.A. § 20(d) (expiration of required
16 reports) shall not apply to the report to be made under this subsection.

17 (2) The Task Force shall examine the issue of comprehensive
18 enforcement of employee misclassification within Vermont’s workers’
19 compensation system and potential measures to improve the efficacy of the
20 State’s misclassification enforcement mechanisms, including by transferring
21 the responsibility for the investigation of misclassification to the Office of the

1 Attorney General. The Task Force shall develop and establish performance
2 measures to evaluate the efficacy of efforts to enforce the requirements for
3 classification of employees and independent contractors, and any improvement
4 in the outcomes of the enforcement efforts over time. On or before January 1,
5 2017, the Task Force shall report to the House Committee on Commerce and
6 Economic Development and the Senate Committee on Finance with a
7 recommendation for a comprehensive plan to improve the State’s
8 misclassification enforcement mechanisms and any legislative, regulatory, or
9 administrative measures necessary to implement the plan.

10 (3) The Task Force shall examine instances in which a person hires
11 multiple sole proprietors, partnerships, or single member corporations or
12 L.L.C.s to perform the same work on a project or jobsite to determine how
13 often employee misclassification occurs in such situations and whether a
14 certain number of sole proprietors, partnerships, or single member corporations
15 or L.L.C.s performing the same work on a project or jobsite is a reliable
16 indicator of misclassification. On or before January 1, 2017, the Task Force
17 shall submit a written report to the General Assembly with its findings and any
18 recommendations for legislative action.

19 (4) The task force shall examine the issue of whether all workers in
20 certain industries should be required to be covered by workers’ compensation
21 insurance. On or before January 1, 2018, the Task Force shall submit a written

- 1 report to the General Assembly with its findings and any recommendations for
- 2 legislative action.

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