

1 H.187

2 Representative Browning of Arlington moves that the bill be amended as  
3 follows:

4 First: In Sec. 4, in 21 V.S.A. § 481, after subdivision (7), by adding a  
5 subdivision (8) to read as follows:

6 (8) “Insurance Program” means the Vermont Earned Sick Time  
7 Insurance Program.

8 Second: In Sec. 4, in 21 V.S.A. § 484, in subsection (a), by striking out  
9 “either” and inserting in lieu thereof “any” and after subdivision (a)(2), by  
10 adding a subdivision (3) to read as follows:

11 (3) The employer participates in the Vermont Earned Sick Time  
12 Insurance Program created pursuant to section 486 of this title.

13 Third: In Sec. 4, after 21 V.S.A. § 485, by adding two new sections to be  
14 sections 486 and 487 to read as follows:

15 § 486. VERMONT EARNED SICK TIME INSURANCE PROGRAM

16 (a) Beginning on January 1, 2017, an employer may elect to participate in  
17 the Vermont Earned Sick Time Insurance Program by notifying the  
18 Commissioner of its intent to do so on a form provided by the Commissioner.

19 (b)(1) An existing employee or a new hire of an employer that is  
20 participating in the Insurance Program may elect to obtain coverage for the

1 minimum number of earned sick days required pursuant to sections 482 and  
2 483 of this subchapter.

3 (2) An employee that elects to obtain coverage under the Insurance  
4 Program shall be permitted to accrue and use earned sick time as provided by  
5 this subchapter and the rules and regulations of the Insurance Program adopted  
6 by the Commissioner.

7 (c) For each employee that elects to participate in the program, the  
8 employer shall:

9 (1) notify the Commissioner that the employee has elected to participate  
10 in the program on a form provided by the Commissioner; and

11 (2) pay an Insurance Program participation fee equal to eight hours at  
12 the employee's normal hourly wage rate or the minimum wage rate for an  
13 employee pursuant to section 384 of this title, whichever is greater.

14 (d)(1) An employee that uses accrued earned sick time pursuant to the  
15 Insurance Program may file an application for benefits under this section with  
16 the Commissioner of Labor on a form provided by the Commissioner within  
17 10 days of using the earned sick time.

18 (2) Upon receiving a complete application for benefits from an  
19 employee, the Commissioner shall pay the employee an amount equal to the  
20 greater of the employee's normal hourly wage rate or the minimum wage rate  
21 for an employee pursuant to section 384 of this title for each hour of accrued

1 earned sick time used. Benefits paid pursuant to the Insurance Program shall  
2 be paid from the Earned Sick Time Insurance Fund established pursuant to  
3 section 487 of this subchapter.

4 (e) The Commissioner shall adopt rules as necessary to implement this  
5 section.

6 § 487. EARNED SICK TIME INSURANCE FUND

7 (a) An Earned Sick Time Insurance Fund is created pursuant to 32 V.S.A.  
8 chapter 7, subchapter 5 to be expended by the Commissioner of Labor for the  
9 earned sick time benefits awarded and administration of the Vermont Earned  
10 Sick Time Insurance Program provided pursuant to section 486 of this  
11 subchapter. The Fund shall consist of a premium to be deducted from  
12 employees' wages and the Insurance Program participation fee paid by  
13 employers. An employer shall submit the premiums and fees to the  
14 Commissioner of Labor in a form and at times determined by the  
15 Commissioner.

16 (b) Annually, the Commissioner of Labor shall determine the projected  
17 demands on the Fund and adjust the employee premium rate in subsection (a)  
18 of this section to ensure that the premium is the lowest rate necessary to fund  
19 fully the projected benefits and associated administrative costs of the Insurance  
20 Program.



1           (4) the requirements and resources necessary to ensure that the Earned  
2           Sick Time Insurance Fund has adequate reserve funding;

3           (5) provisions and procedures for auditing and enforcing the payment of  
4           participation fees and premiums, and the use of earned sick time under the  
5           statutes and regulations governing the Insurance Program;

6           (6) necessary waiting periods before an employee may begin to use  
7           accrued earned sick time pursuant to the Insurance Program; and

8           (7) procedures to permit an employee to carry over earned sick time that  
9           has accrued in the Insurance Program from one employer to another.

10          (b) On or before January 1, 2016, the Commissioner shall report to the  
11          General Assembly on the proposed rules developed pursuant to subsection (a)  
12          of this section, and any recommendations for legislation necessary to  
13          implement the Vermont Earned Sick Time Insurance Program by January 1,  
14          2017.

15          Fifth: In Sec. 7, Effective Date, by striking out the section in its entirety  
16          and inserting in lieu thereof a new Sec. 7 to read as follows:

17          Sec. 7. EFFECTIVE DATES

18          (a) This section and Sec. 4a of this act shall take effect on July 1, 2015.

19          (b) The remainder of this act shall take effect on January 1, 2017.