



VERMONT STATE LABOR COUNCIL, AFL-CIO

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Vermont Department of Labor and Agency of Commerce and Community Development Merger

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The Vermont Department of Labor and the Agency of Commerce and Community Development have worked collaboratively and cooperatively for many years on issues and areas where joint work is appropriate, such as in workforce grants and assisting a business facing closure of layoffs.

However, the mission and goals of VDOL and the Agency of Commerce are not always in line with one another. The VDOL here in Vermont, just like the US Department of Labor, was formed to promote and protect the interest of working men and women. As such, both at the national and state level, there are times when the VDOL perspectives and advocacy do not agree with the Agency of Commerce.

For example, the Vermont Department of Labor initiated several legislative changes that were not supported by the Agency of Commerce. Vermont's state WARN Act, known as the Notice of Potential Layoff Act, whereby a business must provide notice to the Commissioner of Labor and Secretary of Commerce 45 days in advance of a layoff or closing, and 30 days in advance to the local officials and the workforce. In 2013, VDOL initiated a bill that held corporate officers liable for unpaid wages to workers when wages are due and the officer has willfully violated Vermont's wage and hour laws by failure to pay wages. The Agency of Commerce did not agree with VDOL's proposed legislation - but the Vermont legislature did, and amended Title 21 to include the wage protections for workers.

The VDOL is primarily funded by USDOL, and must cooperate with initiatives and/or directives from the USDOL relating to labor issues, such as major changes to the federal Workforce Innovation and Opportunity Act, changes in wage and hour laws, cooperative agreements relating to employee classification, overtime and minimum wage initiatives, paid sick leave, paid family leave, and other programs that are not always supported by the Employer community.

The Vermont Department of Labor - in its entire structure - should be **kept intact** and protected from a piece-meal dismantling. If you move Workforce Development (which includes registered apprenticeship), Economic and Labor Market (which does the State Prevailing Wage survey and assists with enforcement), Unemployment, Wage and Hour, VOSHA, WorkSAFE, Tramway, and IT to other departments --- all of which is on the table even though all of that is **NOT** in the Executive Order -- you will **NOT HAVE** a Department of Labor in a few years. It will have been parceled out to other Departments, and will eventually be nothing more than a side show housed up at Commerce. There will be no real voice or advocate for Vermont's workers.

Vermont workers need VDOL, and the legislature needs to vote this merger down in its entirety and demand that the Vermont Department of Labor remain an independent department.