

1 H.630

2 Introduced by Representative Sullivan of Dorset

3 Referred to Committee on

4 Date:

5 Subject: Labor; employment practices; employers

6 Statement of purpose of bill as introduced: This bill proposes to amend the
7 definition of “employer” in certain employment statutes.

8 An act relating to amending the definition of employer

9 It is hereby enacted by the General Assembly of the State of Vermont:

10 Sec. 1. 21 V.S.A. § 302 is amended to read:

11 § 302. DEFINITIONS

12 For the purposes of As used in this subchapter:

13 (1)(A) “Employer” means any ~~individual, organization, or governmental~~
14 ~~body, including any partnership, association, trustee, estate, corporation, joint~~
15 ~~stock company, insurance company, or legal representative, whether domestic~~
16 ~~or foreign, or the receiver, trustee in bankruptcy, trustee or successor thereof,~~
17 ~~and any common carrier by mail, motor, water, air, or express company doing~~
18 ~~business in or operating within this State, and any agent of the employer, that~~
19 ~~has one or more individuals performing services for it within this State~~ of the
20 following who employ one or more individuals in Vermont:

- 1 (i) a person;
2 (ii) the receiver, trustee, trustee in bankruptcy, or successor of a
3 person; or
4 (iii) the administrator or executor of the estate of a deceased
5 individual.

6 (B) The term “employer” includes any agent of an employer.

7 * * *

8 Sec. 2. 21 V.S.A. § 471 is amended to read:

9 § 471. DEFINITIONS

10 As used in this subchapter:

11 (1) “Employer” means ~~an individual, organization, or governmental~~
12 ~~body, partnership, association, corporation, legal representative, trustee,~~
13 ~~receiver, trustee in bankruptcy, and any common carrier by rail, motor, water,~~
14 ~~air, or express company doing business in or operating within this State which~~
15 any of the following who for the purposes of parental leave ~~employs~~ employ
16 10 or more individuals in Vermont who are employed for an average of at least
17 30 hours per week during a year and for the purposes of family leave ~~employs~~
18 employ 15 or more individuals in Vermont for an average of at least 30 hours
19 per week during a year;

20 (A) a person;

1 ~~express company doing business in or operating within this State~~ any of the
2 following who employ one or more individuals in Vermont:

3 (A) a person;

4 (B) the receiver, trustee, trustee in bankruptcy, or successor of a
5 person; or

6 (C) the administrator or executor of the estate of a deceased individual.

7 * * *

8 Sec. 4. 21 V.S.A. § 481 is amended to read:

9 § 481. DEFINITIONS

10 As used in this subchapter:

11 (1) "Employer" means any ~~individual, organization, or governmental~~
12 ~~body, partnership, association, corporation, legal representative, trustee,~~
13 ~~receiver, trustee in bankruptcy, and any common carrier by rail, motor, water,~~
14 ~~air, or express company doing business in or operating within this State~~ of the
15 following who employ one or more individuals in Vermont:

16 (A) a person;

17 (B) the receiver, trustee, trustee in bankruptcy, or successor of a
18 person; or

19 (C) the administrator or executor of the estate of a deceased
20 individual.

21 * * *

1 Sec. 5. 21 V.S.A. § 494 is amended to read:

2 § 494. DEFINITIONS

3 As used in this subchapter:

4 (1) "Employer" means any ~~individual, organization, or governmental~~
5 ~~body, including partnership, association, trustee, estate, corporation, joint stock~~
6 ~~company, insurance company, or legal representative, whether domestic or~~
7 ~~foreign, or the receiver, trustee in bankruptcy, trustee or successor thereof, and~~
8 ~~any common carrier by mail, motor, water, air, or express company doing~~
9 ~~business in or operating within this State, which has one or more individuals~~
10 ~~performing services for it within this State~~ of the following who employ one or
11 more individuals in Vermont:

12 (A) a person;

13 (B) the receiver, trustee, trustee in bankruptcy, or successor of a
14 person; or

15 (C) the administrator or executor of the estate of a deceased
16 individual.

17 * * *

18 Sec. 6. 21 V.S.A. § 495d is amended to read:

19 § 495d. DEFINITIONS

20 As used in this subchapter:

1 (1)(A) “Employer” means any ~~individual, organization, or governmental~~
2 ~~body including any partnership, association, trustee, estate, corporation, joint~~
3 ~~stock company, insurance company, or legal representative, whether domestic~~
4 ~~or foreign, or the receiver, trustee in bankruptcy, trustee, or successor thereof,~~
5 ~~and any common carrier by mail, motor, water, air, or express company doing~~
6 ~~business in or operating within this State, and any agent of such employer,~~
7 ~~which has one or more individuals performing services for it within this State~~
8 of the following who employ one or more individuals in Vermont:

9 (i) a person;

10 (ii) the receiver, trustee, trustee in bankruptcy, or successor of a
11 person; or

12 (iii) the administrator or executor of the estate of a deceased
13 individual.

14 (B) The term “employer” includes any agent of an employer.

15 * * *

16 (3) “Employment agency” means every person, corporation, association,
17 or governmental body, or representative thereof, engaged in the business of
18 advertising for advising, classifying, training, or referral of persons for
19 employment within this State, or ~~which~~ that at the direction of any employer
20 advertises, locates, advises, classifies, trains, refers, or selects persons to
21 engage in any employment.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20

* * *

Sec. 7. 21 V.S.A. § 511 is amended to read:

§ 511. DEFINITIONS

As used in this subchapter:

* * *

(6) “Employer” means any ~~individual, organization, or governmental body, including partnership, association, trustee, estate, corporation, joint stock company, insurance company, or legal representative, whether domestic or foreign, or the receiver, trustee in bankruptcy, trustee, or successor thereof, and any common carrier by mail, motor, water, air, or express company doing business in or operating within this State, which has one or more individuals performing services for it within this State, or which~~ of the following who employ one or more individuals in Vermont or who has offered or may offer employment to one or more individuals:

(A) a person;

(B) the receiver, trustee, trustee in bankruptcy, or successor of a person; or

(C) the administrator or executor of the estate of a deceased individual.

* * *

1 Sec. 8. EFFECTIVE DATE

2 This act shall take effect on July 1, 2020.