

1 S.35

2 Introduced by Senator Baruth

3 Referred to Committee on

4 Date:

5 Subject: Labor; employment practices; fair employment practices

6 Statement of purpose of bill as introduced: This bill proposes to prohibit  
7 employers from penalizing employees for the use of employer-provided  
8 accrued paid leave or other benefits.

9 An act relating to the use of employer-provided benefits

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

11 Sec. 1. PURPOSE

12 The purpose of this act is to promote a healthy work environment by  
13 ensuring that employers do not penalize employees for the use of  
14 employer-provided accrued paid leave or other employer-provided benefits.

15 Sec. 2. 21 V.S.A. § 495o is added to read:

16 § 495o. EMPLOYEE USE OF BENEFITS

17 (a) An employer, employment agency, or labor organization shall not  
18 discharge, penalize, or in any other manner discriminate against an employee  
19 because the employee has used, or attempted to use, employer-provided  
20 accrued paid leave or any other employer-provided benefit.

1        (b) This section shall not be construed to:

2            (1) diminish any rights provided to an employee pursuant to this chapter  
3        or a collective bargaining agreement;

4            (2) require an employer to provide to an employee any leave or other  
5        benefits that are not otherwise required by law; or

6            (3) prohibit the establishment and enforcement of other reasonable  
7        workplace policies that relate to an employee's use of benefits, including  
8        policies addressing attendance incentives, tardiness or unexcused absences,  
9        procedures for using accrued paid leave or other benefits, or seniority  
10       calculations.

11        Sec. 3. EFFECTIVE DATE

12        This act shall take effect on July 1, 2019.