

1 S.82

2 Introduced by Senators Bray, Balint, Campion, Clarkson, Hardy, McCormack,
3 Pollina, Rodgers, Sirotkin and White

4 Referred to Committee on

5 Date:

6 Subject: Labor; employment practices; workforce education and training;
7 equal pay

8 Statement of purpose of bill as introduced: This bill proposes to create record-
9 keeping and reporting requirements in relation to the equal pay provisions of
10 Vermont's Fair Employment Practices Act and to require the Commissioner of
11 Labor to analyze and address the presence of gender and other bias in State-
12 supported training programs.

13 An act relating to equal pay

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

15 Sec. 1. 21 V.S.A. § 495o is added to read:

16 § 495o. EQUAL PAY RECORD KEEPING; REPORTING

17 (a)(1) An employer shall keep and maintain for a period of not less than
18 five years a record of the name, gender, address, and occupation of each
19 employee, of the wages paid to him or her, and of any other information the

1 Commissioner may deem necessary for the enforcement of subdivision
2 495(a)(7) of this subchapter.

3 (2) Notwithstanding subdivision (1) of this subsection, an employer
4 shall keep records related to an ongoing investigation or enforcement action
5 under subdivision 495(a)(7) of this subchapter until the destruction of the
6 records is authorized by the Commissioner or by a court order.

7 (b)(1) An employer shall make the records kept pursuant to subsection (a)
8 of this section available to the Commissioner upon notice, for inspection and
9 copying at reasonable times.

10 (2) An employer shall make reports to the Department regarding
11 information in the records kept pursuant to subsection (a) of this section as
12 required by rules adopted by the Commissioner.

13 (c) The Commissioner shall adopt rules necessary to implement this
14 section.

15 (d) On or before January 15 of each year, the Commissioner shall submit a
16 report to the General Assembly that shall document the State's progress in
17 achieving full compliance with the equal pay provisions of
18 subdivision 495(a)(7) of this title and shall make recommendations for
19 legislative action necessary to improve compliance with the equal pay
20 provisions of subdivision 495(a)(7). The provisions of 2 V.S.A. § 20(d),

1 expiration of required reports, shall not apply to the report to be made under
2 this subsection.

3 Sec. 2. 10 V.S.A. § 540 is amended to read:

4 § 540. WORKFORCE EDUCATION AND TRAINING LEADER

5 The Commissioner of Labor shall be the leader of workforce education and
6 training in the State, and shall have the authority and responsibility for the
7 coordination of workforce education and training within State government,
8 including the following duties:

9 * * *

10 (9) In cooperation with the Secretary of Commerce and Community
11 Development, the Secretary of Human Services, the Vermont Human Rights
12 Commission, and the Vermont Commission on Women, collect and analyze
13 data that measure the presence of gender and other systemic bias in State-
14 supported training programs and work with the appropriate agency or program
15 to address any instances of bias that are found.

16 Sec. 3. EFFECTIVE DATE

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