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H.107

Senate Proposal Regarding STATE/VSEA PFML Plan Equivalency

By striking out Sec. 21, Effective Dates, in its entirety and inserting in lieu thereof new Secs. 21 and 22 to read:

Sec. 21. STATE PLAN FOR FAMILY AND MEDICAL LEAVE  
INSURANCE

(a) Notwithstanding any provision of 21 V.S.A. § 577 to the contrary, the paid family and medical leave program agreed to by the State and its collective bargaining units that takes effect on July 1, 2020 shall be deemed to provide benefits that are equivalent to the benefits provided pursuant to 21 V.S.A. chapter 5, subchapter 13.

(b) Notwithstanding any provision of 3 V.S.A. § 638(b) to the contrary, the State and its collective bargaining units shall not be required to conduct negotiations pursuant to 3 V.S.A. § 638(b) for purposes of the collective bargaining agreements that take effect on July 1, 2020.

Sec. 22. EFFECTIVE DATES

(a) This section and Secs. 1, 2, 4, 5, 6, 12, 13, 14, 15, 16, 17, 18, 19, 20, and 21 shall take effect on passage.

(b) Secs. 3 and 7 shall not take effect until December 1, 2020, and shall not take effect at all if the Commissioner of Financial Regulation secures a suitable

1 insurance carrier to provide paid family and medical leave insurance pursuant  
2 to the provisions of 21 V.S.A. § 572(b).

3 (c) Secs. 8, 9, 10, and 11 shall take effect on October 1, 2021.

4 (d)(1)(A) If the Commissioner of Financial Regulation secures a private  
5 insurance carrier pursuant to 21 V.S.A. § 572, contributions shall begin being  
6 paid pursuant to 21 V.S.A. §§ 573 and 574 on April 1, 2021, and, beginning on  
7 October 1, 2021, employees may begin to receive benefits pursuant to  
8 21 V.S.A. chapter 5, subchapter 13.

9 (B) If the Commissioner of Financial Regulation is unable to secure a  
10 private insurance carrier pursuant to 21 V.S.A. § 572, contributions shall begin  
11 being paid pursuant to 21 V.S.A. §§ 573 and 574 on July 1, 2021, and,  
12 beginning on July 1, 2022, employees may begin to receive benefits pursuant  
13 to 21 V.S.A. chapter 5, subchapter 13.

14 (2) An employer that is subject to a collective bargaining agreement  
15 shall not be required to pay contributions or be subject to the provisions of  
16 21 V.S.A. chapter 5, subchapter 13 until either the effective date of the next  
17 collective bargaining agreement after April 1, 2021 or the effective date of a  
18 supplement to or provision of an existing collective bargaining agreement that  
19 specifically addresses the provisions of 21 V.S.A. chapter 5, subchapter 13 in  
20 order to permit the employer and the collective bargaining representative to  
21 negotiate regarding the employer's and employees' shares of the contribution

1 rate and whether the employer will provide benefits through an alternative plan  
2 established pursuant to 21 V.S.A. § 577.

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