Introduced by Representatives Cordes of Lincoln, Anthony of Barre City, Burrows of West Windsor, Christie of Hartford, Cina of Burlington, Elder of Starksboro, Masland of Thetford, Mulvaney-Stanak of Burlington, Small of Winooski, Surprenant of Barnard, and Yantachka of Charlotte

Referred to Committee on

Date:

Subject: Labor; workers’ compensation; wages; prevention of retaliation

Statement of purpose of bill as introduced: This bill proposes to include employer contributions to health insurance in the amount of wages used to determine an injured worker’s weekly benefit and to prohibit an employer from terminating an employee because the employee is absent from work while the employee is receiving temporary total disability benefits

An act relating to workers’ compensation benefits and protections against retaliation

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

Sec. 1. 21 V.S.A. § 601 is amended to read:

§ 601. DEFINITIONS
Unless the context otherwise requires, words and phrases used in this chapter shall be construed as follows:

* * *

(13) “Wages” includes bonuses, employer contributions to the employee’s health insurance premium costs, and the market value of board, lodging, fuel, and other advantages that can be estimated in money and that the employee receives from the employer as a part of his or her remuneration; but, The term “wages” does not include any sum paid by the employer to his or her an employee to cover any special expenses entailed on the employee by the nature of his or her employment.

* * *

Sec. 2. 21 V.S.A. § 710 is amended to read:

§ 710. UNLAWFUL DISCRIMINATION

(a) No A person, firm, or corporation shall not refuse to employ any applicant for employment because the applicant asserted a claim for workers’ compensation benefits under this chapter or under the law of any state or of the United States. Nothing in this section shall require a person to employ an applicant who does not meet the qualifications of the position sought.

(b)(1) No A person shall not discriminate against an employee or discharge or discriminate against an employee from employment because the employee
asserted or attempted to assert a claim for benefits under this chapter or under the law of any state or of the United States.

(2) An employer that employs 15 or more employees shall not discharge an employee from employment because of his or her absence from work during his or her period of temporary total disability.

* * *

Sec. 3. EFFECTIVE DATE

This act shall take effect on July 1, 2021.