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H.139

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

1 Unless the context otherwise requires, words and phrases used in this
2 chapter shall be construed as follows:

3 * * *

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

11 * * *

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

13 § 710. UNLAWFUL DISCRIMINATION

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

19 (b)(1) ~~No~~ A person shall not discriminate against an employee or discharge
20 ~~or discriminate against~~ an employee from employment because the employee

