| 1 | H.614 |
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| 2 | Introduced by Representative Ode of Burlington |
| 3 | Referred to Committee on |
| 4 | Date: |
| 5 | Subject: Labor; employment practices; earned sick time; holidays |
| 6 | Statement of purpose of bill as introduced: This bill proposes to require an |
| 7 | employer to provide a dedicated amount of earned sick time to its employees |
| 8 | that is separate from other paid time off that the employer provides to its |
| 9 | employees and to require an employer to provide eight hours of paid time off |
| 10 | on federal holidays or to compensate employees who work on a federal holiday |
| 11 | at one and one-half the employee's regular rate of pay. |
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| 12 | An act relating to time off for illness and for federal holidays |
| 12 | All act relating to time on for timess and for rederar hondays |
| 13 | It is hereby enacted by the General Assembly of the State of Vermont: |
| 14 | Sec. 1. 21 V.S.A. § 484 is amended to read: |
| 15 | § 484. COMPLIANCE WITH EARNED SICK TIME REQUIREMENT |
| 16 | (a) An employer shall be in compliance with this subchapter if either of the |
| 17 | following occurs: the employer satisfies the requirements of subdivisions (1) |
| 18 | and (2) of this subsection. |
| 19 | (1) The employer offers a paid time off policy or is a party to a |
| 20 | collective bargaining agreement that provides the employee with paid time off |
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| 1 | from work that An employer shall offer a paid time off policy or be a party to a |
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| 2 | collective bargaining agreement that provides the employer's employees with |
| 3 | either of the following: |
| 4 | (A) he or she may use for all of the reasons set forth in subsection |
| 5 | 483(a) of this subchapter; and |
| 6 | (B) Earned sick time that accrues and may be used at a rate that is |
| 7 | equal to or greater than the rate set forth in sections 482 and 483 of this |
| 8 | subchapter. |
| 9 | (2)(B) The employer offers a paid time off policy or is a party to a |
| 10 | collective bargaining agreement that provides the employee with At the |
| 11 | beginning of each annual period, a bank of earned sick time equal to at least |
| 12 | the full amount of paid time off from work earned sick time required pursuant |
| 13 | to sections 482 and 483 of this subchapter at the beginning of each annual |
| 14 | period and that the employee may use it at any time during the annual period |
| 15 | for the reasons set forth in subsection 483(a) of this subchapter. If |
| 16 | Notwithstanding subdivision 483(d)(1) of this subchapter, if the employer |
| 17 | provides an employee with at least the full amount of paid time off required |
| 18 | earned sick time at the beginning of each annual period, the paid time off |
| 19 | earned sick time shall not be required to carry over from one annual period to |
| 20 | the next as provided in subdivision 483(d)(1) of this subchapter. |

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| 1 | (2) The earned sick time used to meet the requirements of subdivision |
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| 2 | (1) of this subsection shall not be combined time off and shall be separate from |
| 3 | any annual leave, vacation leave, personal leave, combined time off, or other |
| 4 | similar type of paid leave provided by the employer. |
| 5 | (b) Nothing in this subchapter shall be construed to require an employer |
| 6 | that satisfies the requirements of subsection (a) of this section to provide |
| 7 | additional earned sick time to an employee that chooses to use paid time off |
| 8 | that could be used for the reasons set forth in subdivisions 483(a)(1) (5) of this |
| 9 | subchapter for a different purpose subdivision (a)(2) of this section shall be |
| 10 | construed to prevent an employer who has satisfied the requirements of |
| 11 | subsection (a) of this section from also providing combined time off or other |
| 12 | additional paid leave that can be used for the reasons set forth in subdivisions |
| 13 | 483(a)(1)–(5) of this subchapter and other reasons specified by the employer's |
| 14 | paid time off policy or an applicable collective bargaining agreement. |
| 15 | (c) Nothing in this subchapter shall be construed to prevent an employer |
| 16 | from providing a paid time off policy or agreeing to a collective bargaining |
| 17 | agreement that provides a paid time off policy that is provides a more generous |
| 18 | than the amount of earned sick time provided than required by this subchapter. |
| 19 | * * * |
| 20 | Sec. 2. 21 V.S.A. § 310 is added to read: |
| 21 | § 310. PAID HOLIDAYS |

| 1 | (a) An employer shall either: |
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| 2 | (1) provide each of its employees with eight hours of paid time off on |
| 3 | the following federal holidays: |
| 4 | (A) New Year's Day, January 1; |
| 5 | (B) Birthday of Martin Luther King, Jr., the third Monday in January; |
| 6 | (C) Washington's Birthday, the third Monday in February; |
| 7 | (D) Memorial Day, the last Monday in May; |
| 8 | (E) Juneteenth National Independence Day, June 19; |
| 9 | (F) Independence Day, July 4; |
| 10 | (G) Labor Day, the first Monday in September; |
| 11 | (H) Columbus Day, the second Monday in October; |
| 12 | (I) Veterans Day, November 11; |
| 13 | (J) Thanksgiving Day, the fourth Thursday in November; and |
| 14 | (K) Christmas Day, December 25; or |
| 15 | (2) pay each of its employees who works on a federal holiday listed in |
| 16 | subdivision (1) of this subsection not less than one and one-half times the |
| 17 | employee's regular wage rate for each hour worked. |
| 18 | (b) With respect to New Year's Day, Juneteenth National Independence |
| 19 | Day, Independence Day, Veterans Day, and Christmas Day, if the holiday falls |
| 20 | on a day on which the employee does not normally work, the employer shall |
| 21 | meet the requirements of subsection (a) of this section on the employee's |

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- 1 workday that is either immediately before or next following the date of the
- 2 <u>holiday.</u>
- 3 Sec. 3. EFFECTIVE DATE
- 4 <u>This act shall take effect on July 1, 2022.</u>