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H.617

Introduced by Representative Kimbell of Woodstock

Referred to Committee on

Date:

Subject: Labor; notice of employment laws

Statement of purpose of bill as introduced: This bill proposes to permit employers to provide employees with an electronic or physical copy of the notice of employment laws in lieu of posting that notice in the workplace.

An act relating to notice of employment laws

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

Sec. 1. 21 V.S.A. § 393 is amended to read:

§ 393. EMPLOYERS' RECORDS

(a) Every employer, ~~subject to the provisions of this subchapter or of any regulation or order issued thereunder,~~ shall keep a true and accurate record of the hours worked by each employee and of the wages paid to ~~him or her~~ the employee and shall furnish to the Commissioner upon demand a sworn statement of the same. ~~Such~~ The records shall be open to inspection by the Commissioner, ~~his or her deputy,~~ or any authorized agent of the Department at any reasonable time.

1 (b) Every employer subject to the provisions of this subchapter or of any
2 regulation or order issued under the provisions thereof shall keep a copy of
3 them posted shall provide its employees with notice of the provisions of this
4 subchapter by either:

5 (1) posting the notice in a conspicuous place in the area where
6 employees are employed. ~~The Commissioner shall furnish copies of such~~
7 ~~orders and regulations to employers without charge; or~~

8 (2) annually providing the employees with a physical or electronic copy
9 of the notice.

10 Sec. 2. 21 V.S.A. § 442 is amended to read:

11 § 442. POSTING NOTICES OF HOURS OF LABOR

12 (a)(1) An employer shall post in a conspicuous place in the, for any place
13 in which a child is employed a printed, provide the employees working in that
14 place with notice describing permitted and prohibited operations, occupations,
15 and machines at which a child may be employed; stating the number of hours'
16 work permitted on each day of the week, the hours of commencing and
17 stopping work, and the hours when the time allowed for meals begins and
18 ends.

19 (2) The employer shall provide the notice required pursuant to this
20 subsection by either:

1 (e) The employer shall ~~post and maintain in a conspicuous place in and~~
2 ~~about each of its places of business printed notices~~ provide employees with
3 notice of the provisions of this section on forms in a form provided by the
4 Commissioner of Labor by either:

5 (A) posting the notice in a conspicuous place where it can be viewed
6 by employees in and about each of its places of business; or

7 (B) annually providing employees with a physical or electronic copy
8 of the notice.

9 * * *

10 Sec. 5. 21 V.S.A. § 483 is amended to read:

11 § 483. USE OF EARNED SICK TIME

12 * * *

13 (j)(1) An employer shall ~~post~~ provide employees with notice of the
14 provisions of this section in a form provided by the Commissioner ~~in a place~~
15 ~~conspicuous to employees at the employer's place of business~~ by either:

16 (A) posting the notice in a conspicuous place where it can be viewed
17 by employees in and about each of its places of business; or

18 (B) annually providing employees with a physical or electronic copy
19 of the notice.

20 (2) An employer shall also notify an employee of the provisions of this
21 section at the time of the employee's hiring.

1 * * *

2 Sec. 6. 21 V.S.A. § 495h is amended to read:

3 § 495h. SEXUAL HARASSMENT

4 * * *

5 (b) Every employer shall:

6 * * *

7 (2) ~~Post in a prominent and accessible location in the workplace, a~~
8 ~~poster providing~~ Provide its employees with, at a minimum, notice of the
9 elements of the employer's sexual harassment policy required by subdivision
10 (1) of this subsection by either:

11 (A) posting that information in a prominent and accessible location in
12 the workplace; or

13 (B) annually providing the employees with a physical or electronic
14 copy of that information.

15 (3) Provide to all employees an individual written copy of the
16 employer's policy against sexual harassment.

17 * * *

18 Sec. 7. 21 V.S.A. § 495k is amended to read:

19 § 495k. ACCOMMODATIONS FOR PREGNANCY-RELATED

20 CONDITIONS

21 * * *

1 (c) An employer shall ~~post~~ provide employees with notice of the provisions
2 of this section in a form provided by the Commissioner ~~in a place conspicuous~~
3 ~~to employees at the employer's place of business~~ by either:

4 (1) posting the notice in a conspicuous place where it can be viewed by
5 employees in and about each of its places of business; or

6 (2) annually providing employees with a physical or electronic copy of
7 the notice.

8 * * *

9 Sec. 8. 21 V.S.A. § 509 is amended to read:

10 § 509. NOTICE

11 (a) ~~No later than December 1, 2004, the~~ The Commissioner of Labor shall
12 develop and distribute to each employer a standard notice as provided in this
13 section. Each notice shall be in clear and understandable language and shall
14 include:

15 (1) a summary of this subchapter;

16 (2) that an employee, in order to receive the protections of this
17 subchapter, must report, pursuant to subsection 507(c) of this title, to the
18 employer, to the supervisor, or to the person designated to receive
19 notifications; and

20 (3) a space for the name, title, and contact information of the person to
21 whom the employee must make a report under subsection 507(c) of this title.

1 (b)(1) ~~No later than January 1, 2005, each~~ Each employer shall ~~post the~~
2 ~~notice in the employer's place of business to inform the~~ its employees of their
3 protections and obligations under this subchapter. ~~The employer shall post the~~
4 by either:

5 (A) posting notice in a prominent and accessible location in the
6 workplace; or

7 (B) annually providing employees with a physical or electronic copy
8 of the notice.

9 (2) The employer shall indicate on the notice the name or title of the
10 individual the employer has designated to receive notifications pursuant to
11 subsection 507(c) of this title.

12 (c) An employer who violates this section by not ~~posting the~~ providing
13 notice as required pursuant to subsection (b) of this section is liable for a civil
14 fine of \$100.00 for each day of willful violation.

15 Sec. 9. 21 V.S.A. § 691 is amended to read:

16 § 691. POSTING OF NOTICE OF COMPLIANCE

17 An employer who has complied with the provisions of this chapter relating
18 to securing the payment of compensation to ~~his or her~~ its employees and their
19 dependents shall ~~post and maintain, in a conspicuous place in and about each~~
20 ~~of his or her places of business, typewritten or printed~~ provide employees with

1 written notices in form prescribed by the Commissioner stating that fact by
2 either:

3 (1) posting the notice in a conspicuous place where it can be viewed by
4 employees in and about each of its places of business; or

5 (2) annually providing employees with a physical or electronic copy of
6 the notice.

7 Sec. 10. 21 V.S.A. § 691a is amended to read:

8 § 691a. POSTING OF SAFETY RECORDS

9 * * *

10 (b)(1) An employer subject to the provisions of this chapter shall ~~post a~~
11 ~~notice in the employer's place of business to~~ advise employees of where they
12 may review the employer's record of workplace safety, including workplace
13 injury and illness data, in accordance with rules adopted by the Commissioner
14 by either:

15 (A) posting the notice in a conspicuous place where it can be viewed
16 by employees in its place of business; or

17 (B) annually providing employees with a physical or electronic copy
18 of the notice.

19 (2) The notice shall be provided in a format approved by the
20 Commissioner and may be provided in format provided by the Commissioner
21 as a template.

1 Sec. 12. EFFECTIVE DATE

2 This act shall take effect on July 1, 2022.