

1 H.704

2 Introduced by Representative Garofano of Essex

3 Referred to Committee on

4 Date:

5 Subject: Labor; employment practices; fair employment practices; job
6 openings; disclosure of compensation

7 Statement of purpose of bill as introduced: This bill proposes to require
8 employers to disclose compensation in advertisements of job openings.

9 An act relating to disclosure of compensation in job advertisements

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

11 ~~Sec. 1. 21 V.S.A. § 495a is added to read:~~

12 ~~§ 495a. DISCLOSURE OF COMPENSATION TO PROSPECTIVE
13 EMPLOYEES~~

14 ~~(a)(1) An employer shall ensure that any advertisement of a Vermont job
15 opening shall include the following information:~~

16 ~~(A) the compensation or range of compensation for the job opening;~~

17 ~~and~~

18 ~~(B) the job description, if any, for the job opening.~~

1 ~~(2) An advertisement for a job opening that is paid solely on a~~
2 ~~commission basis shall disclose that fact and is not required to disclose the~~
3 ~~compensation or range of compensation pursuant to subdivision (1)(A) of this~~
4 ~~subsection.~~

5 (b) ~~It shall be a violation of this section and subdivision 495(a)(8) of this~~
6 ~~subchapter for an employer to refuse to interview, hire, promote, or employ a~~
7 ~~current or prospective employee for asserting or exercising any rights provided~~
8 ~~pursuant to this section.~~

9 (c) ~~As used in this section:~~

10 (1) ~~“Advertisement” means written notice of a job opening that is made~~
11 ~~available to potential applicants.~~

12 (2) ~~“Potential applicants” includes both current employees of the~~
13 ~~employer and members of the general public.~~

14 (3) ~~“Range of compensation” means the minimum and maximum annual~~
15 ~~salary or hourly wage for a job opening.~~

16 (4) ~~“Vermont job opening” and “job opening” mean any position of~~
17 ~~employment that is:~~

18 (A) ~~either:~~

19 (i) ~~located in Vermont; or~~

20 (ii) ~~if it is located outside Vermont, reports to a supervisor, office,~~

21 ~~or work site in Vermont, and~~

- 1 ~~(B) a position for which an employer is hiring, including:~~
2 (i) positions that are open to internal candidates or external
3 candidates, or both; and
4 (ii) positions into which current employees of the employer can
5 transfer or be promoted.

6 Sec. 2. EFFECTIVE DATE

7 ~~This act shall take effect on July 1, 2024.~~

Sec. 1. 21 V.S.A. § 495o is added to read:

§ 495o. DISCLOSURE OF COMPENSATION TO PROSPECTIVE
EMPLOYEES

(a)(1) An employer shall ensure that any advertisement of a Vermont job
opening shall include the following information:

(A) the compensation or range of compensation for the job opening;
and

(B) the job description, if any, for the job opening.

(2) An advertisement for a job opening that is paid solely on a
commission basis shall disclose that fact and is not required to disclose the
compensation or range of compensation pursuant to subdivision (1)(A) of this
subsection.

(b) It shall be a violation of this section and subdivision 495(a)(8) of this
subchapter for an employer to refuse to interview, hire, promote, or employ a

current or prospective employee for asserting or exercising any rights provided pursuant to this section.

(c) As used in this section:

(1) “Advertisement” means written notice, in any format, of a specific job opening that is made available to potential applicants. “Advertisement” does not include:

(A) general announcements that notify potential applicants that employment opportunities may exist with the employer but do not identify any specific job openings; or

(B) verbal announcements of employment opportunities that are made in person or on the radio, television, or other digital or electronic mediums.

(2) “Employer” means an employer, as defined pursuant to section 495d of this subchapter, that employs five or more employees.

(3) “Potential applicants” includes both current employees of the employer and members of the general public.

(4) “Range of compensation” means the minimum and maximum annual salary or hourly wage for a job opening that the employer believes in good faith to be accurate at the time the employer creates the advertisement.

(5) “Vermont job opening” and “job opening” mean any position of employment that is:

(A) either:

(i) located in Vermont; or

(ii) if it is located outside Vermont, reports to a supervisor, office,

or work site in Vermont; and

(B) a position for which an employer is hiring, including:

(i) positions that are open to internal candidates or external candidates, or both; and

(ii) positions into which current employees of the employer can transfer or be promoted.

Sec. 2. EFFECTIVE DATE

This act shall take effect on January 1, 2025.