

## Comparison of Existing Parental and Family Leave Act to H.66 (as introduced)

Prepared by Damien Leonard, Office of Legislative Counsel

February 3, 2023

	Existing Law	H.66 (as introduced)
Employer	For Parental Leave: Employs 10 or more employees who work average of at least 30 hours/week For Family Care and Medical Leave: Employs 15 or more employees who work average of at least 30 hours/week	A person who employs one or more individuals in Vermont
Employee	Continuously employed by same employer for at least one year and works average of 30 hours/week	<ul style="list-style-type: none"> <li>• Continuously employed by same employer for at least one year and works average of 30 hours/week; or</li> <li>• Employed by employer and earned wages subject to VT income tax in 2 of last 4 completed calendar quarters</li> </ul>
Family Member	Child, stepchild or ward who lives with employee, foster child, parent, spouse, or parent of employee's spouse	<ul style="list-style-type: none"> <li>• Child, regardless of age and whether relationship to employee is biological, adopted, foster, step, or in loco parentis</li> <li>• Parent or parent-in-law, includes legal guardians and in loco parentis</li> <li>• Spouse or civil union/domestic partner</li> <li>• Grandparent or grandparent-in-law</li> <li>• Grandchild or grandchild-in-law</li> <li>• Sibling or sibling-in-law</li> <li>• Significant personal bond that is like a family relationship</li> </ul>
Reasons for Leave	<ul style="list-style-type: none"> <li>• Serious illness of employee</li> <li>• Care for family member with serious illness</li> <li>• Birth of employee's child</li> <li>• Adoption of child 16yrs of age or younger</li> </ul>	<ul style="list-style-type: none"> <li>• Serious illness or injury of employee</li> <li>• Care for family member with serious illness or injury</li> <li>• Employee's pregnancy</li> <li>• Birth of employee's child</li> <li>• Adoption of child 18yrs of age or younger</li> </ul>
Length of Leave	Up to 12 weeks in a 12 month period	Same
Continuation of Benefits During Leave	Yes, at same conditions and contributions as if employee was working	Same

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Job Protection	Yes, unless: <ul style="list-style-type: none"> <li>• Employee gave notice prior to request for leave</li> <li>• Employer gave notice prior to request for leave</li> <li>• Employees job would have been terminated/laid off during leave for reasons other than leave</li> <li>• Employee performed unique service and hiring permanent replacement was only option available to employer</li> </ul>	Same
Safe Leave	No	Added as new statute 21 V.S.A. § 472d