

Side-by-Side Comparison – H.107 as Passed by the Vermont Legislature and H.66 as Drafted 2/14/23

	<u>H.107 - 2019</u>	H.66
Administration	<ul style="list-style-type: none"> • The Vermont Department of Financial Regulation (DFR) will issue a Request for Proposals to select an insurance carrier to run a program that meets the goals of the legislation in a more cost-effective manner than a State-run program; DFR will also write rules regarding the employer opt-out option • The Vermont Department of Labor will write rules regarding the appeals process, carry out marketing, and handle appeals that come to the State • The Vermont Department of Taxes will collect the FMLI payroll contributions from employers on a quarterly basis and remit them to the FMLI Special Fund <ul style="list-style-type: none"> o Insurance premiums will be paid to the insurance carrier from the Special Fund o The Special Fund earns and retains interest on any balances 	<ul style="list-style-type: none"> • The Vermont Treasurer’s Office will be appropriated between \$20 and \$80 million to double its size to start a new Division of Family and Medical Leave. • DFR will evaluate employers plans to decide if they are of equal benefit to the state plan to provide an avenue to leave the state plan • The Department of Taxes will collect and remit to a special fund
Benefit Design	<ul style="list-style-type: none"> • Up to 12 weeks of parental/bonding leave with a maximum of 12 weeks per newborn; no waiting period • Up to 6 weeks of family care leave following a 1-week waiting period • Maximum leave is 12 weeks in a 12-month period if parental/bonding leave is taken 	Up to 12 weeks (2 of which can be bereavement) for own health, maternity/parental, family care, safe, and bereavement
Benefit Amount	<ul style="list-style-type: none"> • 90% of an employee’s average weekly wage up to 55% of the Vermont Average Weekly Wage (\$13.26 per hour, \$530.42 per week, or \$27,582 per year) and 55% of an employee’s average weekly wage in excess of that amount • Maximum weekly benefit amount is the Vermont Average Weekly Wage (\$964 per week; a worker earning at or above \$73,580 receives the maximum benefit) 	100% of employee’s weekly average wage up to a maximum of the Statewide Average Weekly Wage (\$1,001 according to BLS)
Eligibility	Have earned the dollar equivalent 675 hours at minimum wage	Employed with the same employer for period of six months for an average of 20 hours per week or is employed by an employer and during at least two of the last four completed calendar quarters has received payments with respect to services performed for the employer which the employer is required to withhold Vermont income tax
Employer Size 21 V.S.A. § 471	Number of employees to be considered a covered employer was reduced from 15 to 10	Number of employees to be considered a covered employer was reduced to “any person employing one or more individuals in Vermont”

This side-by-side does not encompass the entirety of the differences between the two pieces of legislation.