1	H.239
2	Introduced by Representatives McCann of Montpelier, Casey of Montpelier,
3	Cordes of Bristol, Hooper of Burlington, Logan of Burlington,
4	McGill of Bridport, Pouech of Hinesburg, and Priestley of
5	Bradford
6	Referred to Committee on
7	Date:
8	Subject: Executive; classification of State personnel; State Employees Labor
9	Relations Act; Judiciary Employees Labor Relations Act; temporary
10	State employees
11	Statement of purpose of bill as introduced: This bill proposes to establish
12	certain rights for temporary State employees and to permit long-term
13	temporary State employees to collectively bargain.
14	An act relating to temporary State employees
15	It is hereby enacted by the General Assembly of the State of Vermont:
16	Sec. 1. 3 V.S.A. § 331 is amended to read:
17	§ 331. TEMPORARY EMPLOYEES
18	* * *
19	(f)(1) An individual employed in a temporary or seasonal capacity shall

21

1	(A) be entitled to the whistleblower protections, rights, and remedies
2	provided to State employees pursuant to sections 971-978 of this title;
3	(B) be paid in accordance with the job classification and pay plan for
4	classified State employees that is most closely applicable to the work
5	performed by the individual; and
6	(C) receive paid and unpaid leave, including sick and annual leave,
7	parental and family leave, holidays, and other leave benefits provided to
8	comparable classified State employees.
9	(2) An individual employed in a temporary or seasonal capacity shall
10	not be terminated without good cause.
11	(3) The State shall provide an individual who has been employed in a
12	temporary capacity for a period of six months with health insurance benefits
13	that, at a minimum, satisfy the affordable minimum essential coverage
14	standards of the Affordable Care Act and provide coverage for the individual's
15	dependents.
16	Sec. 2. 3 V.S.A. § 902 is amended to read:
17	§ 902. DEFINITIONS
18	As used in this chapter:
19	* * *
20	(5) "State employee" means any individual employed on a permanent or

limited-status basis by the State of Vermont, the Vermont State Colleges, the

1	University of Vermont, the State's Attorneys' offices, or as a full-time deputy
2	sheriff paid by the State pursuant to 24 V.S.A. § 290(b), including permanent
3	part-time employees, and an individual whose work has ceased as a
4	consequence of, or in connection with, any current labor dispute or because of
5	any unfair labor practice, but excluding an individual:
6	(A) exempt or excluded from the State classified service under the
7	provisions of section 311 of this title, except that the following types of
8	employees are included within the meaning of "State employee":
9	(i) State Police in the Department of Public Safety;
10	(ii) employees of the Defender General, excluding attorneys
11	employed directly by the Defender General and attorneys contracted to provide
12	legal services;
13	(iii) deputy State's Attorneys;
14	(iv) employees of State's Attorneys' offices; and
15	(v) full-time deputy sheriffs paid by the State pursuant to 24
16	V.S.A. § 290(b) are included within the meaning of "State employee"; and
17	(vi) individuals employed in temporary or intermittent positions
18	who work more than 1,280 hours per year in one or more such positions for a
19	period of two years, or who are designated as temporary employees but whose
20	employment does not comply with the requirements of subsection 331(b) of
21	this title;

1	* * *
2	Sec. 3. 3 V.S.A. § 1011 is amended to read:
3	§ 1011. DEFINITIONS
4	As used in this chapter:
5	* * *
6	(8) "Employee," means any individual employed and compensated on a
7	permanent or limited status basis by the Judiciary Department, including
8	permanent part-time employees and any individual whose employment has
9	ceased as a consequence of, or in connection with, any current labor dispute or
10	because of an unfair labor practice. "Employee" does not include any of the
11	following:
12	***
13	(E) an individual employed on a temporary, contractual, seasonal, or
14	on-call basis, including an intern, provided that:
15	(i) the individual was hired to:
16	(I) temporarily replace an employee on vacation, medical leave,
17	or another leave of absence;
18	(II) accommodate peak or increased workloads; or
19	(III) replace or supplement permanent employees working on
20	special assignments or projects not normally included in the duties of
21	permanent employees; and

1	(ii) the individual has not worked more than 1,280 hours per year
2	in one or more such positions for a period of two years;
3	* * *
4	Sec. 4. EFFECTIVE DATE
5	This act shall take effect on July 1, 2025.