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H.263

Introduced by Representatives Priestley of Bradford, Hooper of Burlington,
McCann of Montpelier, McGill of Bridport, and Minier of
South Burlington

Referred to Committee on

Date:

Subject: Labor; employment practices; right to disconnect

Statement of purpose of bill as introduced: This bill proposes to establish a
right for employees to disconnect from communications from employers
during nonworking hours.

An act relating to creating a right for employees to disconnect from work

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

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

§ 495q. RIGHT TO DISCONNECT

(a) Definitions. As used in this section:

(1) “Emergency” means an unforeseen situation that:

(A) threatens an employee, customer, or the public;

(B) disrupts or shuts down operations; or

(C) causes physical or environmental damage.

1 (2) “Nonworking hours” means hours before and after an employee’s
2 assigned hours of work as established by written agreement between the
3 employer and the employee.

4 (3) “Pattern of violation” means three or more documented instances of
5 an employer violating an employee’s right to disconnect.

6 (4) “Right to disconnect” means, except as provided in subsection (b),
7 an employee has the right to ignore communications from the employer during
8 nonworking hours.

9 (5) “Scheduling” means changes to an employee’s schedule within 24
10 hours of the start of the employee’s next assigned hours of work.

11 (b) Exceptions. An employer may contact an employee during nonworking
12 hours for an emergency or for scheduling.

13 (c) Policy. An employer shall establish a workplace policy that provides
14 employees with the right to disconnect from communications from the
15 employer during nonworking hours. The policy shall not include any
16 provisions that reduce the rights of employees to be compensated for work
17 performed or to take time off work.

18 (d) Administrative penalty. An employee may file a complaint concerning
19 a pattern of violation of this section with the Commissioner of Labor. If the
20 Commissioner determines that the employer has violated this section, the

1 Commissioner is authorized to assess an administrative penalty of not less than
2 \$100.00.

3 Sec. 2. EFFECTIVE DATE

4 This act shall take effect on July 1, 2025.