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H.338

Introduced by Representatives Logan of Burlington, Casey of Montpelier,
Cina of Burlington, Cole of Hartford, Cordes of Bristol,
Headrick of Burlington, Hooper of Burlington, McCann of
Montpelier, McGill of Bridport, Priestley of Bradford, and
Tomlinson of Winooski

Referred to Committee on

Date:

Subject: Labor; unemployment compensation; disqualifications

Statement of purpose of bill as introduced: This bill proposes to allow striking
workers to receive unemployment compensation.

An act relating to unemployment compensation

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

Sec. 1. 21 V.S.A. § 1344 is amended to read:

§ 1344. DISQUALIFICATIONS

(a) An individual shall be disqualified for benefits:

* * *

(4) For any week with respect to which the Commissioner finds that the
individual's total or partial unemployment is due to a stoppage of work that
exists because of a labor dispute at the factory, establishment, or other

1 premises at which the individual is or was last employed, ~~provided that this~~
2 ~~subdivision shall not apply if:~~ except as otherwise provided by this subdivision
3 (4).

4 (A) No disqualification shall apply if the individual is not
5 participating in, ~~or~~ financing, or directly interested in the labor dispute that
6 caused the stoppage of work; ~~or.~~

7 (B) No disqualification shall apply if the stoppage of work was due
8 solely to a lockout, effected by the employer in order to gain some concession
9 from employees. A lockout does not include a temporary suspension of work
10 in response to:

11 (i) actual or imminent damage to property of the employer; or

12 (ii) a purposeful effort by employees to reduce productivity.

13 (C) No disqualification shall apply after the first 14 days following
14 the commencement of unemployment due to a stoppage of work that exists
15 because of a labor dispute at the factory, establishment, or other premises at
16 which the individual is or was last employed. This waiting period shall not
17 apply for any part of the 14-day period during which the individual's employer
18 engages the services of a temporary or permanent replacement worker for the
19 individual's position.

20 * * *

- 1 Sec. 2. EFFECTIVE DATE
- 2 This act shall take effect on passage.