

H.726

Introduced by Representative Hooper of Burlington

Referred to Committee on

Date:

Subject: Labor; employment practices; flexible working arrangements

Statement of purpose of bill as introduced: This bill proposes to require employers to grant requests for flexible working arrangements that are not inconsistent with business operations.

An act relating to flexible working arrangements

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

Sec. 1. 21 V.S.A. § 309 is amended to read:

§ 309. FLEXIBLE WORKING ARRANGEMENTS

(a)(1) An employee may request a flexible working arrangement that meets the needs of the employer and employee. The employer shall consider a request using the procedures in subsections (b) and (c) of this section at least twice per calendar year.

(2) As used in this section, “flexible working arrangement” means intermediate or long-term changes in the employee’s regular working arrangements, including changes in the number of days or hours worked, changes in the time the employee arrives at or departs from work, work from

1 home, or job-sharing. “Flexible working arrangement” does not include
2 vacation, routine scheduling of shifts, or another form of employee leave.

3 (b)(1) The employer shall discuss the request for a flexible working
4 arrangement with the employee in good faith. The employer and employee
5 may propose alternative arrangements during the discussion.

6 (2) The employer shall consider the employee’s request for a flexible
7 working arrangement and ~~whether shall grant the request could be granted in a~~
8 ~~manner that~~ in the event the request is not inconsistent with its business
9 operations or its legal or contractual obligations.

10 (3) As used in this section, “inconsistent with business operations”
11 includes:

- 12 (A) the burden on an employer of additional costs;
- 13 (B) a detrimental effect on aggregate employee morale unrelated to
14 discrimination or other unlawful employment practices;
- 15 (C) a detrimental effect on the ability of an employer to meet
16 consumer demand;
- 17 (D) an inability to reorganize work among existing staff;
- 18 (E) an inability to recruit additional staff;
- 19 (F) a detrimental impact on business quality or business performance;
- 20 (G) an insufficiency of work during the periods the employee
21 proposes to work; and

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4 This act shall take effect on July 1, 2026.