

1 TO THE HOUSE OF REPRESENTATIVES:

2 The Committee on Agriculture, Food Resiliency, and Forestry to which was
3 referred House Bill No. 403 entitled “An act relating to fair labor standards and
4 housing standards for agricultural workers” respectfully reports that it has
5 considered the same and recommends that the bill be amended by striking out
6 all after the enacting clause and inserting in lieu thereof the following:

7 Sec. 1. 21 V.S.A. § 383 is amended to read:

8 § 383. DEFINITIONS

9 As used in this subchapter:

10 (1) “Commissioner” means the Commissioner of Labor or designee.

11 (2) “Employee” means any individual employed or permitted to work by
12 an employer except:

13 (A) any individual employed in agriculture, provided the individual is
14 the agricultural employer’s parent, spouse, or child;

15 (B) any individual employed in domestic service in or about a private
16 home;

17 (C) any individual employed by the United States;

18 (D) any individual employed in the activities of a public supported
19 nonprofit organization, except laundry employees, nurses’ aides, or practical
20 nurses;

1 (E) any individual employed in a bona fide executive, administrative,
2 or professional capacity;

3 (F) any individual making home deliveries of newspapers or
4 advertising;

5 (G) taxi-cab drivers;

6 (H) outside salespersons; and

7 (I) students working during all or any part of the school year or
8 regular vacation periods.

9 (3) “Employer” means any person that employs two or more employees.

10 (4) “Occupation” means an industry, trade, or business or branch thereof
11 or class of work in which workers are gainfully employed.

12 Sec. 2. 21 V.S.A. § 384 is amended to read:

13 § 384. EMPLOYMENT; WAGES

14 (a)(1) Beginning on January 1, 2022, an employer shall not employ any
15 employee at a rate of less than \$12.55, and on each subsequent January 1, the
16 minimum wage rate shall be increased by five percent or the percentage
17 increase of the Consumer Price Index, CPI-U, U.S. city average, not seasonally
18 adjusted, or successor index, as calculated by the U.S. Department of Labor or
19 successor agency for the 12 months preceding the previous September 1,
20 whichever is smaller, but in no event shall the minimum wage be decreased.

21 The minimum wage shall be rounded off to the nearest \$0.01.

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(b) Notwithstanding subsection (a) of this section, an employer shall not pay an employee less than one and one-half times the regular wage rate for any work done by the employee in excess of 40 hours during a workweek.

However, this subsection shall not apply to:

* * *

(9) Any individual employed in agriculture.

Sec. 3. EFFECTIVE DATE

This act shall take effect on January 1, 2027.

and that after passage the title of the bill be amended to read: “An act relating to payment of minimum wage to agricultural workers”

(Committee vote: _____)

Representative _____
FOR THE COMMITTEE