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H.261

Introduced by Representatives Priestley of Bradford, Hooper of Burlington,

McCann of Montpelier, and McGill of Bridport

Referred to Committee on

Date:

Subject: Labor; employment practices; unemployment insurance; 32-hour

workweek

Statement of purpose of bill as introduced: This bill proposes to establish a 32-

hour workweek by requiring employers to pay overtime for hours worked in

excess of 32 and making corresponding amendments to other employment

statutes.

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An act relating to establishing a 32-hour workweek

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

* * * Overtime * * *

Sec. 1. 21 V.S.A. § 384 is amended to read:

§ 384. EMPLOYMENT; WAGES

* * *

(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

1 work done by the employee in excess of ~~40~~ 32 hours during a workweek.

2 However, this subsection shall not apply to:

3 * * *

4 (4) Employees of hospitals, public health centers, nursing homes,
5 maternity homes, therapeutic community residences, and residential care
6 homes as those terms are defined in Title 18, provided:

7 (A) the employer pays the employee on a biweekly basis; and

8 (B) the employer files an election to be governed by this section with
9 the Commissioner; and

10 (C) the employee receives not less than one and one-half times the
11 regular wage rate for any work done by the employee:

12 (i) in excess of eight hours for any workday; or

13 (ii) in excess of ~~80~~ 64 hours for any biweekly period.

14 * * *

15 * * * Employment of Children * * *

16 Sec. 2. 21 V.S.A. § 437 is amended to read:

17 § 437. EMPLOYMENT OF CHILDREN; SPECIAL RESTRICTIONS;

18 HOURS FOR CHILDREN UNDER 16 YEARS OF AGE

19 * * *

20 (b) A child under 16 years of age shall not be employed more than eight
21 hours in any one day or more than ~~40~~ 32 hours in any one week.

1 * * * Earned Sick Time * * *

2 Sec. 3. 21 V.S.A. § 482 is amended to read:

3 § 482. EARNED SICK TIME

4 (a) An employee shall accrue not less than one hour of earned sick time for
5 every ~~52~~ 41 hours worked.

6 * * *

7 (c) An employer may:

8 (1) limit the amount of earned sick time accrued pursuant to this section
9 to a maximum of 40 hours in a 12-month period; or

10 (2) limit to ~~40~~ 32 hours the number of hours in each workweek for
11 which full-time employees not subject to the overtime provisions of the
12 Federal Fair Labor Standards Act, 29 U.S.C. § 213(a)(1), may accrue earned
13 sick time pursuant to this section.

14 * * *

15 * * * Short-Time Compensation Program * * *

16 Sec. 4. 21 V.S.A. § 1451 is amended to read:

17 § 1451. DEFINITIONS

18 As used in this subchapter:

19 * * *

20 (7) “Usual weekly hours of work” means the normal hours of work for
21 full-time or part-time employees in the affected unit when that unit is operating

1 on its regular basis not to exceed ~~40~~ 32 hours and not including hours of
2 overtime work.

3 * * *

4 * * * Effective Date * * *

5 Sec. 5. EFFECTIVE DATE

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