



March 13, 2025

RE: Reaction to miscellaneous labor bills

The Associated Builders and Contractors is a national trade association for commercial construction with 67 chapters across the United States. The New Hampshire/Vermont chapter has 290 members and the growing chapters membership spans multiple states in New England. ABC members hold themselves to the highest standards as employers and seek to create winning outcomes for their staff.

ABC NH/VT has reviewed the bill drafts 25-0652 and 25-0653 having some concerns with the policies laid out and opposes the bills as written.

25-0652 has a large section proposing significant changes to the state prevailing wage for construction. The existing system that categorizes positions on projects and considers different regional Vermont rates currently works and is fair. An employer knows in advance what the rates will be and an employee is paid a fair rate based on position and location. The proposal seeks to tie the prevailing wage with union negotiated wages. ABC NH/VT opposes this because rates for Vermont workers would almost solely be based on wages paid in Massachusetts or southern New Hampshire where market conditions are significantly different. With less than 2% employee participation in construction labor unions in Vermont there is limited to no information on union wages and those that may arise would be considered “outliers”.

25-0653 has several policies ABC NH/VT opposes that would negatively impact businesses and employees alike.

- “Good Cause” termination is unnecessary and those terminations are considered already in Vermonts burgeoning unemployment system. If an employee is terminated for any reason other than a provable business reason or violation they are entitled to unemployment compensation. “Good Cause” would be changing that standard and long standing rules related to the unemployment insurance trust fund which is targeted to rise to one billion in the next 10 years. In many industries that are reliant upon safety, deliverables and hospitality “Good Cause” can create a toxic environment for “Good Workers” impacted by an individual (s) taking advantage of the policy.
- Non-Compete agreements, although rare can be necessary to protecting businesses and the employees who remain within the company. The exemptions outlined in the draft seem to address concerns about proprietary information but much damage can be done while an employer would be required to stop working, commence suit and await the courts.
- “Right to Sit” would create unnecessary disruption to businesses and employees who would have to set policies. Vermont law recognizes that employers must provide a reasonable opportunity for people to take breaks and OSHA (VOSHA)s General Duty Clause, 5A, requires an employer to keep workplaces free of any hazards including standing too long, heat, cold, and/or anything known that would compromise worker safety.