

In this month's newsletter I am excited to bring you information regarding Employment issues the Commission has worked on, and recently passed employment legislation

Please be sure to take a look at the reminder on page three about the HRC sponsored ADA training. Title I, Employment will be covered. - Karen Richards

“Education is important, because first of all, people need to know that discrimination still exists. It is still real in the workplace, and we should not take that for granted.”

- Alexis Herman

In This Issue

- [From the Executive Director](#)
- [HRC Reasonable Grounds Employment case](#)
- [REMINDER! ADA Titles I, II & III Training](#)
- [Vermont's Paid Sick Leave Legislation](#)





HRC Reasonable Grounds Case

On January 28, 2016, on a four to one vote, the Vermont Human Rights Commissioners found reasonable grounds to believe that the Vermont Department of Corrections interfered with a State Employee's rights under the Vermont Parental Family Leave Act in violation of Title 21 V.S.A. §470 et seq. The Complainant had requested that the employer exempt him from mandatory order-ins (overtime) for a period of time while he arranged for in-home care for a foster child with a disability). This request was improperly denied.

Title 21 V.S.A. §470 Purpose:

“(a) Strong families are the foundation for a productive and competitive state. There are growing number of single-parent families where the sole parent works and two-parent families where both parents work. Most people who work while raising families do so out of economic necessity.

(b) Leave from employment for the birth or adoption of a child or to care for a seriously ill family member addresses one of the important needs of changing family structures. The support of families is a principle recognized and valued by the state of Vermont. When employees have security about their employment and the well-being of their children,, parents and other family members, business benefit economically from in creased worker productivity and stability.

(c) The provisions of this subchapter are enacted in recognition of the fact that both employers and employees benefit from the establishment of parental and family leave as a condition of employment. (Added 1991, No. 260 (Adj. Sess), § 2..)”

The Family and Medical Leave Act (FMLA) is a United States federal law that was first introduced in the House by William D. Ford (D-MI) on January 5, 1993 and was signed into law by President Bill Clinton on February 5, 1993. Both state and federal law allow eligible employees to take up to 12 weeks of unpaid leave during a one-year period.

To view this Subchapter 004A: Parental and Family Leave you can visit The Vermont Statutes Online at [Vermont Statutes Online](#)

To view more on Federal vs. Vermont Family and Medical Leave Laws you can visit the U.S. Department of Labor (DOL) Wager and Hour Division (WHD) at [U.S. Department of Labor](#)

Please note that space is limited so please sign up by April 15, 2016!

If you have not yet received a registration form and would like to register for this training, please contact our office

By telephone:
(802) 828-1625

By email:

[Hu-
man.rights@verm
ont.gov](mailto:human.rights@vermont.gov)

Or visit our web-
site to complete
and submit a reg-
istration form:

[www.hrc.vermont
.gov](http://www.hrc.vermont.gov)



Reminder!

ADA Titles I, II & III Training

The Human Rights Commission is pleased to have Kathy Gips, Director of Training at the New England ADA Center on **Wednesday, May 11, 2016** to provide an all day training for advocates, municipal employees, attorneys, etc. and will offer CLE credits for attorneys. The morning session will cover public accommodations and the afternoon will cover employment.

About the Trainer: Kathy provides trainings and technical assistance on the principles of universal design, the Americans with Disabilities Act, Section 504 of the Rehabilitation Act, the federal Fair Housing Act and related federal and state laws to architects, designers, businesses, non-profit organizations, public and private schools, people with disabilities, advocates for people with disabilities, and state and local governments. She has over twenty years experience in the disability field. After college Kathy worked at mental health facilities in Vermont where she encouraged patients to express themselves through dance and dramatics. Prior to working for Adaptive Environments, she was assistant director for community services at the Massachusetts Office on Disability where she assisted municipalities in establishing commissions on disability and helped develop the Community Access Monitor Project.

Please contact the Vermont Human Rights Commission with questions about this training by telephone at (802)828-1625 or email at [hu-
man.rights@vermont.gov](mailto:human.rights@vermont.gov)

SICK LEAVE

HIGHLIGHTS OF VERMONT'S PAID SICK LEAVE LEGISLATION-ACT 69

It is estimated that more than 60,000 working Vermonters lack access to paid leave. The purpose of Act 69 (H.187) is to promote healthier environments at work, school and in public by ensuring that employees are provided with paid leave time for purposes of health and safety. Key provisions include:

- Not all employees are covered. There are a number of exemptions.
- Leave accrues at not less than one hour per 52 hours worked. Between 1/1/2017 and 12/31/17, employees can accrue a maximum of 24 hours. After 1/1/18, employees can accrue a maximum of 40 hours in a 12-month period.
- Employers cannot force an employee to find someone to cover their shift as a condition of taking sick leave.
- A private sector employer may require a waiting period for newly hired employees of up to one year. During the waiting period earned sick time shall accrue but will not be permitted for use until the waiting period is completed.
- An employee may use earned sick time due to an illness or injury; to care for a sick or injured parent, grandparent, spouse, child, sibling, parent-in-law, grandchild, or foster child; to arrange for social or legal services or obtaining medical care or counseling for the employee or family members (as above) among other reasons.

Contact Us

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NEWS

Governor Shumlin Signs Paid Sick Leave Bill

On March 9, 2016 Vermont became the fifth state requiring paid sick leave. The new law will affect approximately 60,000 workers.

Employees working a minimum of 18 hours weekly will accrue three days of paid sick leave beginning in 2017 which increases to five days the third year. Read the full story here <http://vdigger.org/2016/03/09/shumlin-signs-paid-sick-leave-bill/>

Image: Governor Shumlin signing the Paid Sick Leave Bill



Go [here](#) to read the bill in its entirety.