

From: Damien Leonard [dleonard@leg.state.vt.us]
Sent: Tuesday, February 02, 2016 3:17 PM
To: Pepper, James
CC: kjmbjm@aol.com
Subject: RE: H.187 proposal of amendment

Categories: (none)

Hi James,
Thank you for forwarding Stuart's proposed language to me. I will reach out to him with any questions that I have.
I have copied Sen. Mullin on this email.
Best,
Damien

From: Pepper, James [mailto:James.Pepper@vermont.gov]
Sent: Tuesday, February 02, 2016 2:44 PM
To: Damien Leonard
Subject: Fwd: H.187 proposal of amendment

Hi Damien,
I'm not sure if DAIL has reached out to you directly, but please see below for the suggested language they believe exempts the specific class Sen. Mullen requested.
Please let me know if you have any questions.
Thanks!
James
Sent from my iPhone

Begin forwarded message:

From: "Schurr, Stuart" <Stuart.Schurr@vermont.gov>
Date: February 2, 2016 at 12:25:51 PM EST
To: "Pepper, James" <James.Pepper@vermont.gov>
Cc: "Cohen, Hal" <Hal.Cohen@vermont.gov>, "Dragon, Paul" <Paul.Dragon@vermont.gov>, "Hutt, Monica" <Monica.Hutt@vermont.gov>
Subject: H.187 proposal of amendment

James,
Thank you for your call and for your assistance. At your request, I have drafted below what I believe to be a narrowly-tailored exemption to the definition of "employee." As workforce benefits are a mandatory subject of collective bargaining, pursuant to 21 V.S.A. §1634(b), there remains a mechanism for providing earned sick time to these workers.
Sec. 4.21 V.S.A chapter 5, subchapter 4B is amended to read:
§ 481. DEFINITIONS
As used in this subchapter:

(5)“Employee”means a person who, in consideration of direct or indirect gain or profit, is employed by an employer for an average of noless than 18 hours per week during a year.However, the term“employee”shall not include:

- (l) “Independent direct support providers”as defined in 21 V.S.A. §1631(6), whose right to bargain collectively with the State their workforce benefits is set forthin 21 V.S.A. §1634.

Please let me know if you have any questions, comments or concerns.

Sincerely,

Stuart G. Schurr

General Counsel

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