

CONFIDENTIAL
LEGISLATIVE BILL REVIEW FORM: 2016

Bill Number: H.805 Name of Bill: An act relating to employment rights for members of the National Guard Reserve

Agency/ Dept: DHR Author of Bill Review: Tom Cheney/Maribeth Spellman

Date of Bill Review: 5/23/16 Related Bills and Key Players: Vermont National Guard, Vermont Office of Veterans Affairs

Status of Bill: (check one): Upon Introduction As passed by 1st body As passed by both

Recommended Position:

Support Oppose Remain Neutral Support with modifications identified in #8 below

Analysis of Bill

1. **Summary of bill and issue it addresses.** *Describe what the bill is intended to accomplish and why.*
Extends the following rights to Vermont employees serving in the National Guard of another:
 - 1) To take leaves of absence, with or without pay as determined by their employer, for a total of 15 days in a calendar year for drill, training, or other temporary duties.
 - 2) To continue with civilian-employer sponsored insurance under the same terms and conditions, including employer cost-sharing, when ordered to active duty by the Governor of that state for up to 30 days.
 - 3) To remain on civilian-employer sponsored insurance for periods of active duty lasting more than 30 days. The employer may choose to discontinue regular contributions toward premiums and cost-sharing during this period. In those instances, the State of Vermont will pick up the employer's share.These rights are already extended to Vermonters serving in the Vermont National Guard.
2. **Is there a need for this bill?** *Please explain why or why not.*
It provides equity to all members of the National Guard who work in Vermont.
3. **What are likely to be the fiscal and programmatic implications of this bill for this Department?**
None.
4. **What might be the fiscal and programmatic implications of this bill for other departments in state government, and what is likely to be their perspective on it?**
It may have minimal impacts to the Vermont National Guard which does not oppose this bill. The Office of Veterans Affairs may also be interested but not sure of its position.
5. **What might be the fiscal and programmatic implications of this bill for others, and what is likely to be their perspective on it?** *(for example, public, municipalities, organizations, business, regulated entities, etc)*

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Employers may have costs associated with paying for employer-sponsored coverage while the employee is on active duty. With the limitation on the number of days an employer is obligated to continue to pay for the employer share for insurance benefits, it is unlikely to be an exceptionally large burden.

6. Other Stakeholders:

6.1 Who else is likely to support the proposal and why?

Groups that advocate for the rights of soldiers in the armed forces.

6.2 Who else is likely to oppose the proposal and why?

N/A

7. Rationale for recommendation: *Justify recommendation stated above.*

The bill will have virtually no impact on the State of Vermont from the employer perspective.

8. Specific modifications that would be needed to recommend support of this bill: *Not meant to rewrite bill, but rather, an opportunity to identify simple modifications that would change recommended position.*

None.

9. Will this bill create a new board or commission AND/OR add or remove appointees to an existing one? If so, which one and how many?

No.

Secretary/Commissioner has reviewed this document: _____ **Date:** _____