JYNX RECRUITING

PEOPLE MAKE GREAT HOSPITALITY.

WORKER RIGHTS · VERMONT

Know Your Rights in Vermont

What every hospitality worker should know, in plain language. No legal jargon.

This guide is general information about Vermont employment law as of October 2026. It is not legal advice, and not a substitute for talking to a licensed attorney about your situation.

WORKER RIGHTS · VERMONT

A Solid Wage, One Rate Statewide

Vermont pays a solid wage and gives tipped hospitality workers a half-wage basic rate, but its state OVERTIME law exempts hotels, motels, and restaurants outright, so for most hospitality workers the overtime right is a federal one. Its paid-leave picture is the most confusing in New England: three different things share similar names: a voluntary insurance plan you or your employer can buy, a mandatory UNPAID leave law, and a payroll tax that funds child care and has nothing to do with leave at all. Section 7 keeps them separate. Read it carefully.

- Minimum wage: $14.42 an hour from January 1, 2026, adjusted each January 1 by the smaller of 5% or the CPI-U increase, never downward.
- One rate statewide: Vermont law has NO small-employer wage tier. The wage law covers employers with two or more employees. No 2027 rate has been announced yet.

Tips: A Hospitality-Only Basic Wage

- The tipped basic wage exists ONLY in hospitality: hotels, motels, tourist places, and restaurants may pay service and tipped employees, those customarily receiving over $120 a month in tips, a basic wage of half the minimum wage: $7.21 in 2026.
- If your tips in a WORKWEEK do not bring you to the full $14.42, your employer must pay the difference. The measure is the workweek, not the shift.

General information only — not legal advice.

- Your total pay, tips and lawful board and lodging credits included, can never fall below the minimum wage. And no deduction may be taken for the care or cleaning of a uniform your employer requires.

Your Paycheck and Final Pay

- Pay is WEEKLY by default, covering work up to 6 days before payday. After notice to employees, an employer may pay biweekly or semimonthly (§ 342).
- QUIT: by the last regular pay day, or the following Friday if there is no regular pay day. DISCHARGED: within 72 HOURS. Absent on payday? Your pay is due on demand.

Overtime: Hospitality Is Exempt at the State Level

- READ THIS if you work in hospitality: Vermont's state overtime law (time and a half over 40, § 384(b)) does NOT APPLY to employees of a hotel, motel, or restaurant, nor to retail or service establishments as defined there, nor to health-care facilities running the elected 8-and-80 system.
- For most hospitality workers, overtime protection comes from the FEDERAL Fair Labor Standards Act: time and a half over 40 for covered, nonexempt employees. The state right is real for workers outside the exempted establishments.

General information only — not legal advice.
As of October 2026 · Prepared by JYNX Recruiting · jynxrecruiting.com

Meal and Rest Breaks

- Vermont law requires "reasonable opportunities during work periods to eat and to use toilet facilities" (§ 304). The statute sets no duration, and it does not say whether the time is paid. That is exactly what the law says, and this guide characterizes nothing further.
- Nursing mothers get reasonable break time to express milk for three years after birth, in private space that is not a bathroom stall. Whether that time is paid is the employer's choice unless a contract says otherwise.

Earned Sick Time

- Accrue at least 1 hour for every 52 hours worked, up to 40 hours a year (§§ 481–486). There is NO employer-size exemption.
- But coverage has edges: you must average 18 or more hours a week to be covered, jobs of 20 weeks or fewer are excluded (a real cut for seasonal work), and an employer may make you wait up to a year before using accrued time.
- Uses run wide: your own care, care for a broad list of family, domestic-violence, sexual-assault, and stalking matters, and health-or-safety closures. Time carries over. There is no payout at separation unless your employer agreed to it.

General information only — not legal advice.
As of October 2026 · Prepared by JYNX Recruiting · jynxrecruiting.com

Three Different Things Called Leave

- ONE: VT-FMLI is VOLUNTARY INSURANCE the state arranged through The Hartford. Employers with 2 or more employees may offer it, and since July 1, 2025 individuals, including the self-employed and one-employee shops, can buy it directly. Plans replace 60 to 70% of wages for 6 to 26 weeks depending on the plan bought. Nobody is required to have it.
- TWO: the Vermont Parental and Family Leave Act is MANDATORY but UNPAID: up to 12 weeks in 12 months at employers with 10 or more employees (parental, bereavement, and safe leave) or 15 or more (family leave), after a year of service averaging 30 or more hours a week, with your job, or an equivalent, protected on return.
- THREE: the 0.44% Child Care Contribution employers pay is a child-care TAX. It funds child care programs. It is NOT paid leave, and it gives you no leave benefit.
- Three programs, three different animals. Do not let the similar names merge them in your head, or in a manager's pitch.

General information only — not legal advice.

Non-Competes

- Vermont has NO general non-compete law. There are no statewide earnings thresholds and no garden-leave rule in Vermont law.
- The one enacted restriction is sector-specific: health-care provider agreements, for contracts on or after July 1, 2026, restrictions on practicing after separation, patient-notice limits, and disparagement clauses are void there (§ 495q).
- A general ban has been proposed in the legislature and NOT enacted. A proposed bill is not law.

Job Postings Must Show the Pay

- Employers with 5 or more employees must include the compensation or a compensation range in any advertisement of a Vermont job opening: a job physically in Vermont OR a remote job predominantly for a Vermont office (§ 495p).
- Commission jobs must say so. TIPPED openings must say the job is tipped AND state the base wage or base-wage range.
- Salary history: an employer may not ask about, seek, or screen by your past pay, and may confirm pay you volunteered only after making you an offer with compensation (§ 495m).

General information only — not legal advice.

Wage Claims

- Claims go to the VT DOL Wage and Hour Unit: file the online claim form at labor.vermont.gov, call (802) 951-4083, or email Labor.WageHour@vermont.gov. Claims cannot be filed more than TWO YEARS after the wages were due.

Discrimination

- For private employers, the Attorney General's Civil Rights Unit enforces the Fair Employment Practices Act: 888-745-9195 or (802) 828-3657, AGO.CivilRights@vermont.gov.
- Vermont-law claims: file within ONE YEAR. Federal-law claims: within 300 DAYS. File early. The Human Rights Commission handles state-agency employment, housing, and public accommodations instead.

General information only — not legal advice.