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## ESTABLISHMENT OF NEW EMPLOYER TAX RATE FOR UNEMPLOYMENT INSURANCE

(RATE YEAR JULY 1, 2023 – JUNE 30, 2024)

21 V.S.A. § 1324 provides, in part:

(b) For contribution rate years beginning July 1, 1987 and subsequent thereto:

(1) the standard rate of contributions shall be five and four-tenths percent;

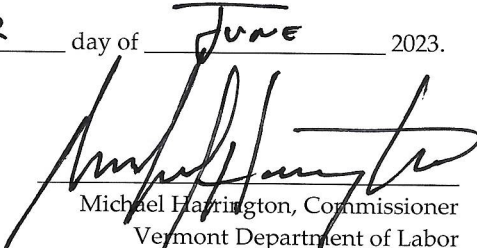
(2) each employer who has not been subject to this chapter for a sufficient period of time to have the rate computed under section 1326 of this title shall pay contributions at the rate of one percent, except that foreign corporations classified in the three-digit North American Industry Classification System Code as 236, 237, or 238 shall pay contributions at a rate equal to the average rate as of the most recent computation date paid by all employers so classified.

### DETERMINATION:

In accordance with 21 V.S.A. § 1324, the Commissioner determines that the following tax rates shall be effective for unrated taxpaying employers for the rate year beginning July 1, 2023:

<u>Industry Title</u>	<u>NAICS Code</u>	<u>Tax Rate</u>
Construction of buildings	236	2.0%
Heavy & civil engineering construction	237	4.1%
Specialty trade contractors	238	2.8%

Dated at Montpelier, County of Washington, State of Vermont this 12 day of June 2023.



Michael Harrington, Commissioner  
Vermont Department of Labor



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## ESTABLISHMENT OF UNEMPLOYMENT INSURANCE MAXIMUM WEEKLY BENEFIT AMOUNT

(Effective the benefit week beginning July 2, 2023)

21 V.S.A. § 1338 provides in part:

(f)(1) The maximum weekly benefit amount shall be annually adjusted on the first day of the first calendar week in July to an amount equal to the sum of \$60.00 plus 57 percent of the State annual average weekly wage as determined by subsection (g) of this section.

(2) Notwithstanding any provision of subdivision (1) of this subsection to the contrary:

(A) The maximum weekly benefit amount shall not increase in any year that advances made to the State Unemployment Compensation Fund pursuant to Title XII of the Social Security Act, as amended, remain unpaid.

(B) The maximum weekly benefit amount shall not decrease.

(g) On or before the first day of June of each year, the total wages reported on contribution reports for the preceding calendar year shall be divided by the average monthly number of covered workers (determined by dividing the total covered employment reported on contribution reports pursuant to this chapter for the preceding year by 12). The State average annual wage thus obtained shall be divided by 52 and the State average weekly wage thus determined shall be rounded down to the nearest dollar.

### FINDINGS:

1.	Title XII Loans made on or after April 1, 1982 outstanding as of December 31, 2022.....	\$0.00
2.	Total Wages Reported CY 2022.....	\$ 17,338,459,419
3.	Sum of Covered Employment CY 2022 .....	3,531,889
4.	Annual Average Covered Employment CY 2022 (3,531,889 divided by 12) .....	294,324
5.	Annual Average Wage CY 2022 (\$ 17,338,459,419 divided by 294,324) .....	\$ 58,909.43

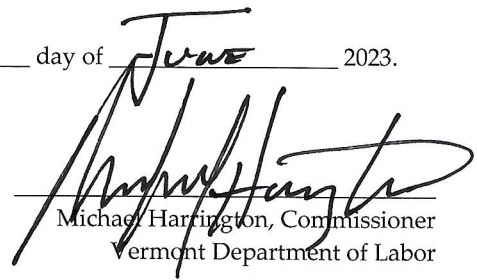


6.	Average Weekly Wage CY 2022 (\$ 58,909.43 divided by 52).....	\$ 1,132.87
	Rounded Down .....	\$ 1,132.00
7.	Statutorily Set Adjustment Amount .....	57%
8.	Maximum Weekly Benefit (\$ 1,132.00 x 0.57).....	\$ 645.24
	Rounded Down .....	\$ 645.00
9.	Add Sixty Dollars .....	+ \$ 60.00
10.	Maximum Weekly Benefit (\$ 645.00 + 60.00).....	\$ 705.00

**DETERMINATION:**

Therefore, the Commissioner determines the maximum weekly benefit amount as computed in accordance with 21 V.S.A. § 1338 is \$ 705.00 effective on or after July 2, 2023 and prior to July 7, 2024.

Dated at Montpelier, County of Washington, State of Vermont this 12 day of June 2023.

  
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Michael Harrington, Commissioner  
Vermont Department of Labor



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**ESTABLISHMENT OF MINIMUM WAGE AMOUNT  
ESTABLISHMENT OF BASIC TIPPED WAGE RATE FOR SERVICE OR TIPPED EMPLOYEES AMOUNT  
CALENDAR YEAR 2024**

21 V.S.A. § 384 provides in part:

Subsection (a) effective July 1, 2020

- (a) (1) An employer shall not employ any employee at a rate of less than \$10.96. Beginning on January 1, 2021, an employer shall not employ any employee at a rate of less than \$11.75. Beginning on January 1, 2022, an employer shall not employ any employee at a rate of less than \$12.55, and on each subsequent January 1, the minimum wage rate shall be increased by five percent or the percentage increase of the Consumer Price Index, CPI-U, U.S. city average, not seasonally adjusted, or successor index, as calculated by the U.S. Department of Labor or successor agency for the 12 months preceding the previous September 1, whichever is smaller, but in no event shall the minimum wage be decreased. The minimum wage shall be rounded off to the nearest \$0.01. (2) An employer in the hotel, motel, tourist place, and restaurant industry shall not employ a service or tipped employee at a basic wage rate less than one-half the minimum wage. As used in this subsection, “a service or tipped employee” means an employee of a hotel, motel, tourist place, or restaurant who customarily and regularly receives more than \$120.00 per month in tips for direct and personal customer service. (3) If the minimum wage rate established by the U.S. government is greater than the rate established for Vermont for any year, the minimum wage rate for that year shall be the rate established by the U.S. government.

**I. MINIMUM WAGE FINDINGS:**

1. Minimum Wage on or after January 1, 2023..... \$13.18
2. Total 12-month increase in CPI-U, August 2023 (not seasonally adjusted) ..... 3.7%
3. Rate of Increase - 5.0% or 12-month increase of CPI-U, 3.7%, whichever is smaller..... 3.7%
4. Minimum Wage increase (13.18 times 3.7%) ..... \$0.4877
5. Minimum Wage as of January 1, 2024 (\$13.18 plus 0.4877) ..... \$13.6677
6. Minimum Wage rounded to the nearest \$0.01..... \$13.67

**II. BASIC TIPPED WAGE RATE FINDINGS:**

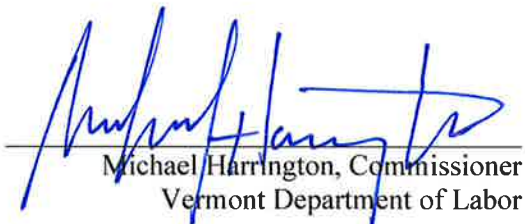
1. Basic Tipped Wage Rate for service or tipped employees (\$13.67 x 0.5) ..... \$6.84



**DETERMINATION:**

Therefore, the Commissioner determines the Minimum Wage amount as computed in accordance with 21 V.S.A. § 384 is \$13.67 effective on or after January 1, 2024 and the Basic Tipped Wage Rate for service or tipped employees amount as computed in accordance with 21 V.S.A. § 384 is \$6.84 effective on or after January 1, 2024.

Dated at Montpelier, County of Washington, State of Vermont, this 21 day of SEPTEMBER 2023.

  
Michael Harrington, Commissioner  
Vermont Department of Labor



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**DETERMINATION OF AVERAGE BENEFIT COST RATE FOR NONPROFIT ORGANIZATIONS**  
(CALENDAR YEAR 2023)

21 V.S.A. § 1321(c)(3) provides, in part:

- (3) Reimbursement payments. Payments in lieu of contributions shall be made in accordance with the provisions of this subdivision, including either subdivision (A) or subdivision (B).

\*\*\*

- (B)(i) Each nonprofit organization that has elected payments in lieu of contributions may request permission to make such payments as provided in this subdivision. Such method of payment shall become effective upon approval of the Commissioner.
- (ii) At the end of each calendar quarter, the Commissioner shall bill each nonprofit organization for an amount representing one of the following:
- (I) For 1972, two-tenths of one percent of its total payroll for 1971.
- (II) For years after 1972, such percentage of its total payroll for the immediately preceding calendar year as the Commissioner shall determine. The determination shall be based each year on the average benefit costs attributable to service in the employ of nonprofit organizations during the preceding calendar year.

**DETERMINATION:**

21 V.S.A. § 1321(c)(3)(B)(iii) states: "At the end of each calendar year, the Commissioner may modify the quarterly percentage of payroll thereafter payable by the nonprofit organization in order to minimize excess or insufficient payments."

Since no employer currently elects this option, the Commissioner determines that the quarterly rate for calendar year 2023 shall approximately equal the most recent benefit cost rate for all nonprofit organizations, three-tenths of one percent.

Dated at Montpelier, County of Washington, State of Vermont this 12 day of June 2023.

  
Michael Harrington, Commissioner  
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**QUARTERLY QUALIFYING WAGE FOR UNEMPLOYMENT INSURANCE**  
(Effective the benefit week beginning July 2, 2023)

21 V.S.A. § 1338 provides, in part:

- (h) Effective with the first calendar week of July, 1990, and with the first full calendar weeks of each July thereafter, the minimum quarterly wage requirement of subdivision (d)(1) of this section shall be adjusted by a percentage increase equal to the percentage increase, if any, in the State minimum wage effective during the prior calendar year. This adjusted minimum quarterly wage requirement shall be applicable to new claims for benefits with effective dates during or after the first full calendar week of July 1990, and the first full calendar weeks of each July thereafter.

**FINDINGS:**

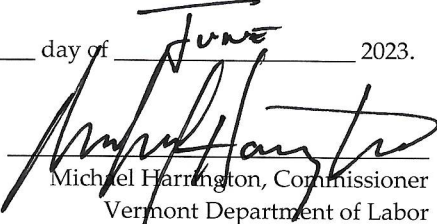
- 1. Vermont Minimum Wage December 31, 2021 .....\$ 11.75
- 2. Vermont Minimum Wage December 31, 2022.....\$ 12.55
- 3. Percentage Increase for Prior Calendar Year (( $\$ 12.55 - \$ 11.75$ ) divided by  $\$ 11.75$ ) .....6.8%
- 4. Prior Year Quarterly Qualifying Wage .....\$ 3,215
- 5. Quarterly Qualifying Wage ( $\$ 3,215 \times 1.068$ ).....\$ 3,434

**DETERMINATION:**

Therefore, the Commissioner determines that:

To qualify for benefits for new claims with effective dates during or after the first full week of July 2023, an individual must have been paid wages in employment with an employer or employers subject to the unemployment compensation statute that equal at least \$ 3,434.00 in a quarter of the base period, and satisfy additional relevant requirements of Section 1338.

Dated at Montpelier, County of Washington, State of Vermont this 12 day of June 2023.



Michael Harrington, Commissioner  
Vermont Department of Labor





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**UPDATE OF ROOM AND BOARD DEDUCTION RATES  
CALENDAR YEAR 2024**

Minimum Wage Rule, 24-090-003 Vt. Code R. §X (2022), Deductions Allowed states in part:

Effective January 1, 2009, and on each January 1 thereafter, the meals and lodging rates shall increase by five percent or the percentage increase of the Consumer Price Index, CPI-U, U.S. city average, not seasonally adjusted, or successor index, as calculated by the U.S. Department of Labor or successor agency for the 12 months preceding the previous September 1, whichever is smaller.

**FINDINGS:**

1. Total 12-month increase of CPI-U, August 2023 (not seasonally adjusted) .....3.7%
2. Rate of Increase - 5.0% or 12-month increase of CPI-U, 3.7%, whichever is smaller.....3.7%
3. Table of findings:

<b>Deduction Categories</b>	<b>Previous Year</b>	<b>Rate of Increase</b>	<b>Increase Amount</b>	<b>Updated (rounded)</b>
Breakfast	\$3.59	3.7%	\$0.13	\$3.72
Lunch	\$4.04	3.7%	\$0.15	\$4.19
Dinner	\$4.48	3.7%	\$0.17	\$4.65
Full Board :           Daily	\$12.11			\$12.56
Weekly	\$84.77			\$87.92
Nightly Lodging	\$4.95	3.7%	\$0.18	\$5.13
Full Room (weekly)	\$29.77	3.7%	\$1.10	\$30.87
Full Room and Board (weekly)	\$102.78	3.7%	\$3.80	\$106.58

**DETERMINATION:**

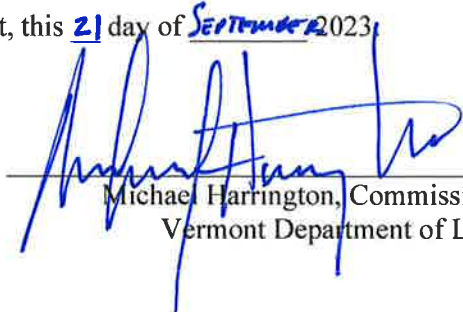
Effective January 1, 2024, an employer shall be entitled to deduct from the wages earned an allowance for meals and lodging actually furnished and accepted as follows:

Breakfast	\$3.72
Lunch	\$4.19
Dinner	\$4.65
Full Board	\$12.56 daily or \$87.92 weekly
Nightly Lodging	\$5.13
Full Room	\$30.87 weekly
Full Room and Board	\$106.58 weekly





Dated at Montpelier, County of Washington, State of Vermont, this 21 day of September 2023;

  
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Michael Harrington, Commissioner  
Vermont Department of Labor



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**DETERMINATION OF UNEMPLOYMENT INSURANCE TAXABLE WAGE BASE  
CALENDAR YEAR 2024**

21 V.S.A. § 1321 provides in part:

(b) Base of Contributions. Subsequent to December 31, 1982, the term "wages" shall not include that part of remuneration which, after remuneration equal to \$8,000.00 has been paid in a calendar year to an individual by an employer with respect to employment during a calendar year, unless that part of the remuneration is subject to a tax under a federal law imposing a tax against which credit may be taken for contributions required to be paid into a state unemployment fund. For the period January 1, 2010, through December 31, 2010, the term "wages" shall not include that part of remuneration which, after remuneration equal to \$10,000.00 has been paid in a calendar year to an individual by an employer with respect to employment during a calendar year, unless that part of the remuneration is subject to a tax under a federal law imposing a tax against which credit may be taken for contributions required to be paid into a state unemployment fund. The term "wages" shall not include that part of remuneration which, after remuneration equal to \$13,000.00 on January 1, 2011, and \$16,000.00 on January 1, 2012, has been paid in a calendar year to an individual by an employer with respect to employment during a calendar year, unless that part of the remuneration is subject to a tax under a federal law imposing a tax against which credit may be taken for contributions required to be paid into a state unemployment fund. After January 1, 2012, whenever the Unemployment Compensation Fund has a positive balance and all advances made to the State Unemployment Compensation Fund pursuant to Title XII of the Social Security Act have been repaid as of June 1, the base of contribution amount shall be adjusted on January 1 of the following year by the same percentage as any increase in the State annual average wage as calculated by subsection 1338(g) of this title. When the unemployment contribution rate schedule established by subsection 1326(e) of this title is reduced to schedule III, the base of contribution amount shall be reduced by \$2,000.00 on January 1 of the following year and shall be adjusted annually thereafter on January 1 of the following year by the same percentage as any increase in the State annual average wage as calculated by subsection 1338(g) of this title. When the unemployment contribution rate schedule established by subsection 1326(e) of this title is reduced to schedule I, the base of contribution amount shall be reduced by \$2,000.00 on January 1 of the following year and shall be adjusted annually thereafter on January 1 of the following year by the same percentage as any increase in the State annual average wage as calculated by subsection 1338(g) of this title.

21 V.S.A. § 1338 provides in part:

(g) On or before the first day of June of each year the total wages reported on contribution reports for the preceding calendar year shall be divided by the average monthly number of covered workers (determined by dividing the total covered employment reported on contribution reports pursuant to this chapter for the preceding year by 12). The State average annual wage thus obtained shall be divided by 52 and the State average weekly wage thus determined shall be rounded down to the nearest dollar.




**FINDINGS:**

1.	Unemployment Compensation Fund Balance as of week ending August 5, 2023 ...	\$281,814,988
2.	Title XII Loans made on or after April 1, 1982 outstanding as of June 1, 2023.....	\$0.00
3.	Unemployment Compensation Taxable Rate Schedule for all tax paying employers as of September 1, 2023 .....	Schedule I (1)
4.	Total Wages Reported CY 2022.....	\$17,338,459,419
5.	Sum of Covered Employment CY 2022 .....	3,531,889
6.	Annual Average Covered Employment CY 2022 (3,531,889 divided by 12) .....	294,324
7.	Annual Average Wage CY 2022 (\$17,338,459,419 divided by 294,324) .....	\$58,909.43
8.	Average Weekly Wage CY 2022 (\$58,909.43 divided by 52).....	\$1,132.87
	Rounded Down .....	\$1,132.00
9.	Average Weekly Wage CY 2021 .....	\$1,068.00
10.	Percent Change Average Weekly Wage [ $((\$1,132.00 - \$1,068.00) \div \$1,068.00) \times 100$ ] .....	6.0%
11.	Prior Year Taxable Wage Base.....	\$13,500.00
12.	Taxable Wage Base (\$13,500.00 x 1.060).....	\$14,310.00
	Rounded to Nearest One Hundred Dollars .....	\$14,300.00

**DETERMINATION:**

Therefore, the Commissioner determines the Taxable Wage Base as computed in accordance with 21 V.S.A. § 1321 is \$14,300.00 effective on or after January 1, 2024 and prior to January 1, 2025.

Dated at Montpelier, County of Washington, State of Vermont, this 21 day of SEPTEMBER 2023.

  
 Michael Harrington, Commissioner  
 Vermont Department of Labor



**DETERMINATION OF EMPLOYER TAX RATE SCHEDULE FOR  
UNEMPLOYMENT INSURANCE  
(RATE YEAR JULY 1, 2023 – JUNE 30, 2024)**

21 V.S.A. § 1326 provides, in part:

- (d) The Commissioner shall compute a current fund ratio, and a highest benefit cost rate, as follows:
- (1) The current fund ratio shall be determined by dividing the available balance of the Unemployment Compensation Fund on December 31 of the preceding calendar year by the total wages paid for employment during that calendar year as reported by employers by the following March 31.
  - (2)(A) The highest benefit cost rate shall be determined by dividing the highest amount of benefit payments made during a consecutive 12-month period that ended within the 10-year period ending on the preceding December 31, by the total wages paid during the four calendar quarter periods that ended within that 12-month period.
  - (B) Notwithstanding any provision of subdivision (A) of this subdivision (d)(2) to the contrary, when computing the tax rate schedule to become effective on July 1, 2021 and on each subsequent July 1, the Commissioner shall calculate the highest benefit cost rate without consideration of benefit payments made in calendar year 2020.
- (e) The rate schedule shall be determined by dividing the current fund ratio by the highest benefit cost rate. The applicable rate schedule shall be that schedule below the resultant quotient that appears in column C of the following table (as shown below):

If the resulting quotient is:		% of Taxable Payrolls Rate Class
From	To	
2.50	and over	I.
2.00	to 2.49	II.
1.50	to 1.99	III.
1.00	to 1.49	IV.
under 1.00		V.



- (h) In the determination of a rate schedule, only the wages paid by employers liable for payment of contributions into the fund and benefit payments not reimbursable by employers liable for payments in lieu of contributions shall be considered in the computation of a current fund ratio and highest benefit cost rate.

**FINDINGS:**

1. Current fund ratio

- a. Available balance of Unemployment Compensation Fund, December 31, 2022: .....\$ 257,891,789
- b. Total wages for 2022 reported by taxpaying employers: ..... \$ 12,247,124,324
- c. Current fund ratio: \$ 257,891,789 divided by \$ 12,247,124,324 times 100..... 2.1057

2. Highest amount of benefit payments during 10-year period ending December 31, 2022, without considering calendar year 2020, is the 12-month period ending December 31, 2021, which is determined as follows:

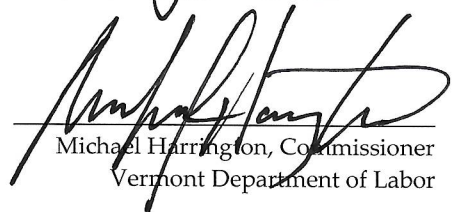
- a. Amount of benefit payments 12-month period ending December 31, 2021 regular benefits plus state portion of extended benefits, taxpaying employers ..... \$ 93,321,630
- b. Total wages paid by taxpaying employers during four quarters ending December 31, 2021..... \$ 11,156,641,678
- c. Benefit cost rate: \$ 93,321,630 divided by \$ 11,156,641,678 times 100 ..... 0.8365

3. Current fund ratio 2.1057 divided by highest benefit cost rate 0.8365 ..... 2.52

**DETERMINATION:**

Since the "resultant quotient" in item 3 is over 2.50, the Commissioner determines, in accordance with 21 V.S.A. § 1326, that rate schedule I shall be effective for all tax paying employers for the rate year beginning July 1, 2023.

Dated at Montpelier, County of Washington, State of Vermont this 12 day of JUNE 2023.

  
 Michael Harrington, Commissioner  
 Vermont Department of Labor

