

UNDERSTANDING SEASONAL WORKFORCE SOLUTIONS & SHARED EMPLOYEES

Certain types of CDL-dependent businesses, such as construction contractors and fuel dealers, are seasonal in nature. When a driver on layoff from one seasonal hauler works for another in the off-season, all parties benefit. The driver earns more in wages than they would in unemployment benefits, the hiring employer has access to hard-to-find skilled labor, and the layoff employer may see a reduction in its unemployment contribution rate.

FREQUENTLY ASKED QUESTIONS

Q: Can the Department of Labor help me find licensed drivers?

A: Yes. The Department has a network of local Career Resource Centers throughout the state that track both employer layoffs and CDL drivers who are looking for work.

Find and contact your nearest Career Resource Center here:

<http://labor.vermont.gov/workforce-development/career-resource-centers/>

Q: Can I ask my laid-off driver to work for another hauler in the off-season?

A: Yes. Employees who are on a layoff of more than ten weeks are required to search and apply for suitable employment as a condition of receiving unemployment benefits.

Q: Can the Department of Labor make my laid-off driver take a job that I know is available?

A: No. The Department cannot force an individual to take a particular job. However, if you are aware that a laid-off employee has turned down suitable employment (i.e., similar pay, same class of CDL with the same endorsements) during a week for which they file an unemployment claim, the Department may discontinue their unemployment benefits. To report a suspected refusal of suitable work by an individual filing for unemployment visit the Department of Labor Website:

<https://uipublic.labor.vermont.gov/Misclassification/ClaimantReport.aspx>

Q: Can I partner with another employer to share employees?

A: Yes, and there two ways this can be done. 1. You can simply have an informal agreement with another employer to offer employment to your employees when they are on layoff. 2. You may also contract with another employer to have your employees perform work for that employer while remaining on your payroll. **In this instance you will still be responsible for unemployment insurance and workers' compensation coverage.**