

Workers' Compensation Reinstatement Rights Notice

21 V.S.A. § 643b Reinstatement

An employer who regularly employs 10 or more people (at least 10 of whom work more than 15 hours a week), has an obligation to rehire a worker who has suffered a work-related injury, provided that the following conditions are met:

1. The worker recovers from the injury within two (2) years of the onset of disability;
2. The worker keeps the employer informed of his or her interest in reinstatement and his or her current mailing address;
3. The worker had an expectation of continuing work had injury not occurred; and
4. The worker is physically capable of performing either their prior job, if available, or an alternative suitable position.

Reinstatement must be with all benefits earned up to the date of injury, including both seniority and accrued leave time. Such benefits need not accrue **during** the period of actual disability.

Please note that the right to reinstatement applies only to the first **available** suitable job. Thus, the employer is not obligated either to create an “extra” position for a returning worker or to layoff a current employee in order to comply with this law.

Questions regarding the above should be referred to the Vermont Department of Labor, Workers' Compensation and Safety Division at 802-828-2286 or our website: www.labor.vermont.gov.

THIS IS A MANDATORY POSTER

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