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H.484

First: After Sec. ____, by adding a Sec. ____ to read as follows:

Sec. ____. 2022 Acts and Resolves No. 51a is amended to read:

Sec. 51a. COVID-19-RELATED PAID LEAVE GRANT PROGRAM

(a) Establishment and appropriation.

(1) There is established in the Department of Financial Regulation the COVID-19-Related Paid Leave Grant Program to administer and award grants to employers to reimburse ~~[to reimburse for]~~ the cost of providing COVID-19-related paid leave to employees as provided in subsection (e) of this section.

(2) The sum of ~~\$15,180,000.00~~ \$5,000,000.00 is appropriated from the American Rescue Plan Act (ARPA) – Coronavirus State Fiscal Recovery Funds to the Department of Financial Regulation for fiscal years 2023 and 2024 for the provision of grants to reimburse employers for the cost of providing COVID-19-related paid leave. ~~Not more than seven percent of the amount appropriated pursuant to this subdivision may be used for expenses related to Program administration and outreach.~~

* * *

(c) Grant program.

* * *

(3)(A) Employers may submit applications for grants during the period beginning on October 1, 2022 and ending on September 30, 2023 and may

1 submit an application not more than once each calendar quarter during that
2 period. Grant applications shall be submitted for paid leave provided during
3 the preceding calendar quarter and, subject to subdivision (B) of this
4 subdivision (3), for calendar quarters in the program period prior to the
5 preceding calendar quarter.

6 (B) An employer shall be permitted to request grant funds for costs
7 related to COVID-19-related paid leave described in subsection (e) of this
8 section in a calendar quarter prior to the preceding calendar quarter if:

9 (i) the employer has not already received grant funds in relation to
10 the COVID-19-related leave; and

11 (ii) the costs of the COVID-19-related leave are eligible for a
12 grant pursuant to the provisions of this section and any applicable federal
13 requirements.

14 (4) An employer may combine grant funds with funding from other
15 sources but shall not use grant funds from multiple sources for the same
16 instance of paid leave provided to its employees for COVID-19-related
17 reasons. As used in this subdivision, an “instance” means a calendar day in
18 which the employee was absent from work for a COVID-19-related reason.

19 * * *

20 (6) Grants shall be awarded to eligible employers on a first-come, first-
21 served basis, subject to available funding.

1 (d) Commissioner’s powers and duties.

2 (1) The Commissioner shall:

3 (A) adopt procedures for implementing the Program, which shall
4 include a simple grant application process, a process to allow employers to
5 certify the amount of paid leave provided for COVID-19-related reasons, and a
6 process to allow employers to report on their use of the grant funds awarded
7 pursuant to this section;

8 (B) establish deadlines for the submission of quarterly grant
9 applications;

10 (C) promote awareness of the Program to employers;

11 (D) provide information to employers regarding Program and
12 application requirements;

13 (E) award grants to employers on a first-come, first-served basis,
14 subject to available funding; and

15 (F) develop and implement an audit strategy to assess grant
16 utilization, the performance of the Program, and compliance with Program
17 requirements.

18 * * *

19 (e) Amount of grants.

20 (1) Employers may apply for grants to either reimburse the cost of
21 COVID-19-related paid leave provided to employees or to provide funds to be

1 used to pay the cost to retroactively provide paid leave to employees who took
2 unpaid leave for COVID-19-related reasons.

3 (A) For reimbursement of COVID-19-related paid leave that was
4 already provided, the employer may, subject to the limitations of
5 subdivision (2) of this subsection (e), apply for a grant in an amount equal to
6 the number of hours of COVID-19-related paid leave provided to each
7 employee multiplied by the greater of either the minimum wage established
8 pursuant to 21 V.S.A. § 384 or the employee’s regular hourly wage.

9 (B) For COVID-19-related paid leave that will be provided
10 retroactively to employees who took unpaid leave for COVID-19-related
11 reasons, the employer may, subject to the limitations of subdivision (2) of this
12 subsection (e), apply for a grant in an amount equal to the number of hours of
13 COVID-19-related paid leave to be provided to each employee multiplied by
14 the greater of either the minimum wage established pursuant to 21 V.S.A.
15 § 384 or the employee’s regular hourly wage.

16
17 **[ALTERNATIVE]**

18 (1) Employers may, subject to the limitations of subdivision (2) of this
19 subsection (e), apply for grants to either reimburse the cost of COVID-19-
20 related paid leave provided to employees or to provide funds to be used to pay

1 ~~the cost to retroactively provide paid leave to employees who took unpaid~~
2 ~~leave for COVID-19 related reasons.~~

3 ~~(A) For reimbursement of COVID-19 related paid leave that was~~
4 ~~already provided, the employer may, subject to the limitations of~~
5 ~~subdivision (2) of this subsection (e), apply for a grant in an amount equal to~~
6 ~~the number of hours of COVID-19-related paid leave provided to each~~
7 ~~employee multiplied by the greater of either the minimum wage established~~
8 ~~pursuant to 21 V.S.A. § 384 or the employee’s regular hourly wage.~~

9 ~~(B) For COVID-19 related paid leave that will be provided~~
10 ~~retroactively to employees who took unpaid leave for COVID-19 related~~
11 ~~reasons, the employer may, subject to the limitations of subdivision (2) of this~~
12 ~~subsection (e), apply for a grant in an amount equal to the number of hours of~~
13 ~~COVID-19 related paid leave to be provided to each employee multiplied by~~
14 ~~the greater of either the minimum wage established pursuant to 21 V.S.A.~~
15 ~~§ 384 or the employee’s regular hourly wage.~~

16
17 (2)(A) An employer may only apply for a grant in relation to COVID-
18 19-related leave that was taken by an employee during the Program period.

19 (B) The maximum number of hours of COVID-19-related leave for
20 each employee that an employer may seek grant funding for through the
21 Program shall equal the lesser of 40 hours or the employee’s average weekly

1 hours worked for the employer during the six months preceding the date on
2 which the employee first took COVID-19-related leave during the Program
3 period.

4 (C) The maximum amount that an employer shall be eligible to
5 receive for COVID-19-related paid leave for each employee shall be not more
6 than \$21.25 per hour of leave, with an aggregate maximum of \$850.00 per
7 employee during the Program period.

8 * * *

9 and by renumbering the remaining sections to be numerically correct.

