

1 TO THE HONORABLE SENATE:

2 The Committee on Economic Development, Housing and General Affairs to
3 which was referred House Bill No. 55 entitled “An act relating to
4 miscellaneous unemployment insurance amendments” respectfully reports that
5 it has considered the same and recommends that the Senate propose to the
6 House that the bill be amended by striking out all after the enacting clause and
7 inserting in lieu thereof the following:

8 * * * Unemployment Insurance * * *

9 Sec. __. 21 V.S.A. § 1325 is amended to read:

10 § 1325. EMPLOYERS’ EXPERIENCE-RATING RECORDS;

11 DISCLOSURE TO SUCCESSOR ENTITY

12 (a)(1) The Commissioner shall maintain an experience-rating record for
13 each employer. Benefits paid shall be charged against the experience-rating
14 record of each subject employer who provided base-period wages to the
15 eligible individual. Each subject employer’s experience-rating charge shall
16 bear the same ratio to total benefits paid as the total base-period wages paid by
17 that employer bear to the total base-period wages paid to the individual by all
18 base-period employers. The experience-rating record of an individual subject
19 base-period employer shall not be charged for benefits paid to an individual
20 under any of the following conditions:

21 * * *

1 extent possible and in consideration of the information available to the
2 Department, determine whether waiver of the amount of overpaid benefits is
3 appropriate.

4 (3) The Commissioner shall provide notice of the right to request a
5 waiver of an overpayment with each determination that an overpayment has
6 occurred. The notice shall include clear instructions regarding how a person
7 may apply for a waiver.

8 (4) If the Commissioner denies an application for a waiver, the
9 Commissioner shall provide written notice of the person’s right to appeal the
10 determination pursuant to subsection (h) of this section.

11 (g) The provisions of subsection (f) of this section shall, to the extent
12 permitted by federal law, apply to overpayments made in relation to any
13 federal unemployment insurance benefits or similar federal benefits, including
14 Disaster Unemployment Assistance and federal extended or supplemental
15 unemployment insurance benefits.

16 (h) Interested parties shall have the right to appeal from any determination
17 under this section and the same procedure shall be followed as provided for in
18 subsection 1348(a) and section 1349 of this title.

19 (i) The Commissioner shall not attempt to recover an overpayment or
20 withhold any amount of unemployment insurance benefits from a person until
21 after the Commissioner has made a final determination regarding whether an

1 overpayment of benefits to the person occurred and the person’s right to appeal
2 the determination has been exhausted.

3 [Waiver of Overpayment: Option 2]

4 Sec. __. 21 V.S.A. § 1301 is amended to read:

5 § 1301. DEFINITIONS

6 As used in this chapter:

7 * * *

8 (27) “Ordinary living expenses” means costs associated with ordinary
9 and necessary living expenses of a person and any other person for whom the
10 person is financially responsible. “Ordinary living expenses” include:

11 (A) the cost of food and clothing;

12 (B) payments for rent or a mortgage;

13 (C) the cost of utilities, including electricity, heating fuel, water,
14 sewer, internet, and telephone or cellphone;

15 (D) payments for loans or credit cards;

16 (E) child care expenses;

17 (F) insurance costs, including accident, automobile, health,
18 homeowners, property, and renters’ insurance;

19 (G) medical expenses;

20 (H) taxes; and

21 (I) transportation costs.

1 (28) “Public assistance benefits” means the State or federal Earned
2 Income Tax Credit and any economic assistance a person receives from a State
3 program or a State-administered federal program. “Public assistance benefits”
4 include economic assistance that a person receives through:
5 (A) the Low Income Home Energy Assistance Program;
6 (B) Medicaid;
7 (C) public or subsidized housing, or a housing voucher provided
8 through a State or State-administered federal program;
9 (D) Social Security Disability Insurance or Supplemental Security
10 Income;
11 (E) the Supplemental Nutrition Assistance Program; or
12 (F) Reach Up or another Temporary Assistance for Needy Families
13 program.

14 Sec. __. 21 V.S.A. § 1347 is amended to read:

15 § 1347. NONDISCLOSURE OR MISREPRESENTATION;

16 OVERPAYMENTS; WAIVER

17 * * *

18 (d)(1) In any case in which under this section a person is liable to repay any
19 amount to the Commissioner for the Fund, the Commissioner may withhold, in
20 whole or in part, any future benefits payable to ~~such~~ the person, and credit ~~such~~

1 the withheld benefits against the amount due from such the person until it is
2 repaid in full, less any penalties assessed under subsection (c) of this section.

3 (2)(A) When determining the amount of benefits to withhold, the
4 Commissioner shall ensure that the person is able to afford ordinary living
5 expenses with the reduced benefit amount.

6 (B) The Commissioner shall permit a person to request an increase or
7 decrease in the withholding amount if the person's ability to afford ordinary
8 living expenses with the reduced benefit amount changes.

9 * * *

10 (f)(1) Notwithstanding any provision of subsection (a), (b), or (d) of this
11 section to the contrary, the Commissioner shall waive the full amount of any
12 overpayment that is not a result of the person's intentional misrepresentation of
13 or failure to disclose a material fact if:

14 (A) the overpayment occurs through no fault of the person; and

15 (B) recovery of the overpayment would be against equity and good
16 conscience.

17 (2) A person may request a waiver of an overpayment at any time after
18 receiving notice of a determination pursuant to subsection (a) or (b) of this
19 section.

20 (3)(A) An overpayment shall be deemed to occur through no fault of a
21 person if the person provided, or attempted to provide, correct information and

1 the overpayment was caused by the action or delay of the Department or the
2 person's employer, including:

3 (i) the Department's failure to take appropriate action following
4 the submission of information by the person;

5 (ii) the Department's delay in determining or redetermining the
6 person's eligibility following the submission of correct information;

7 (iii) the Department's provision of conflicting, changing, or
8 unclear information or instruction regarding the person's claim resulting in the
9 person submitting incorrect information;

10 (iv) the submission by the person of incorrect information,
11 provided the person made a good faith effort to contact the Department to
12 clarify what information was needed and was unable to reach the Department;

13 (v) the submission by the person of incorrect information,
14 provided the error was due to a barrier created by the person's primary
15 language, disability, education, literacy, or other similar characteristic or
16 circumstances;

17 (vi) a delay, error, or mistake of the Department;

18 (vii) a delay, error, or mistake of the person's employer; or

19 (viii) a good faith mistake of fact by the person.

1 (B) Requiring repayment of the amount of an overpayment shall be
2 against equity and good conscience if any of the following circumstances
3 occur:

4 (i) The person or a member of the person’s household is currently
5 receiving public assistance or has received public assistance during the 12-
6 month period preceding the determination that an overpayment occurred.

7 (ii) The person’s household income, not including any public
8 assistance that the person or a member of the person’s household may be
9 receiving, is not more than 185 percent of the federal poverty level.

10 (iii) The person has already spent the overpaid benefits to pay for
11 ordinary living expenses.

12 (iv) The person needs most of their current income to pay for the
13 person’s ordinary living expenses.

14 (v) The person, because of the notice that the benefit would be
15 paid or the receipt of the overpayment, either relinquished a valuable right or
16 changed the person’s financial position for the worse because the person:

17 (I) incurred a financial obligation, such as a lease;

18 (II) took out a loan in reliance on the benefit payment and spent
19 the benefit amount in making a related down payment or payment on the loan
20 balance or accrued interest, or both; or

1 (III) did not apply for, declined, or was deemed ineligible for
2 other financial assistance because of the receipt of the benefit.

3 (vi) The overpayment was caused, at least in part, by an error of
4 the Department or by erroneous public information or guidance provided by
5 the Department.

6 (vii) The repayment of the overpaid benefits would defeat the
7 purpose for which the payment of benefits was authorized.

8 (viii) The Commissioner determines for any other reason that
9 requiring repayment of the benefits would be unconscionable.

10 (4) Upon making a determination that an overpayment occurred
11 pursuant to subsection (a) or (b) of this section, the Commissioner shall, to the
12 extent possible and in consideration of the information available to the
13 Department, determine whether waiver of the amount of overpaid benefits is
14 appropriate.

15 (5) The Commissioner shall provide notice of the right to request a
16 waiver of an overpayment with each determination that an overpayment has
17 occurred. The notice shall include clear instructions regarding the
18 circumstances under which a waiver may be granted and how a person may
19 apply for a waiver.

20 (6) If the Commissioner denies an application for a waiver, the
21 Commissioner shall provide written notice of the reason for the denial and the

1 person's right to appeal the determination pursuant to subsection (h) of this
2 section

3 (g) The provisions of subsection (f) of this section shall, to the extent
4 permitted by federal law, apply to overpayments made in relation to any
5 federal unemployment insurance benefits or similar federal benefits.

6 (h) Interested parties shall have the right to appeal from any determination
7 under this section and the same procedure shall be followed as provided for in
8 subsection 1348(a) and section 1349 of this title.

9 (i) The Commissioner shall not attempt to recover an overpayment or
10 withhold any amounts of unemployment insurance benefits from a person:

11 (1) until after the Commissioner has made a final determination
12 regarding whether an overpayment of benefits to the person occurred and the
13 person's right to appeal the determination has been exhausted; or

14 (2) if the person filed an application for a waiver, until after the
15 Commissioner has made a final determination regarding the application and
16 the person's right to appeal the determination has been exhausted.

17 (j)(1) The Commissioner shall provide any person who received an
18 overpayment of benefits and is not currently receiving benefits pursuant to this
19 chapter with the option of entering into a plan to repay the amount of the
20 overpayment. The plan shall provide for reasonable weekly, biweekly, or

1 monthly payments in an amount that permits the person to continue to afford
2 the person's ordinary living expenses.

3 (2) The Commissioner shall permit a person to request a modification to a
4 repayment plan created pursuant to this subsection if the person's ability to
5 afford ordinary living expenses changes.

6 **[Fraud Prevention]**

7 Sec. __. 21 V.S.A. § 1368 is amended to read:

8 § 1368. FALSE STATEMENTS TO INCREASE PAYMENTS

9 (a) A person shall not willfully and who intentionally make makes a false
10 statement or representation to obtain or, increase, or initiate any benefit or
11 other payment under this chapter, either for himself, herself, whether for
12 themselves or any other person, shall, after notice and an opportunity for a
13 hearing, be:

14 (1) liable to repay the amount of overpaid benefits and any applicable
15 penalty imposed pursuant to section 1347 of this chapter;

16 (2) assessed a further administrative penalty of up to \$5,000.00; and

17 (3) ineligible to receive benefits pursuant to this chapter for a period of
18 five years from the date on which the false statement or representation was
19 discovered.

1 (b) Interested parties shall have the right to appeal from any determination
2 under this section and the same procedure shall be followed as provided for in
3 subsection 1348(a) and section 1349 of this chapter.

4 (c) The Commissioner may collect an unpaid administrative penalty by
5 filing a civil action in the Superior Court.

6 Sec. __. 21 V.S.A. § 1347 is amended to read:

7 § 1347. NONDISCLOSURE OR MISREPRESENTATION

8 * * *

9 (e) In addition to the foregoing, when ~~it is found by~~ the Commissioner
10 finds that a person intentionally misrepresented or failed to disclose a material
11 fact with respect to ~~his or her~~ the person's claim for benefits ~~and in the event~~
12 ~~the person is not prosecuted,~~ the Commissioner shall prosecute the person
13 ~~under section 1368 of this title and penalty provided in section 1373 of this~~
14 ~~title is not imposed, the person shall be disqualified and shall not be entitled to~~
15 ~~receive benefits to which he or she would otherwise be entitled after the~~
16 ~~determination for such number of weeks not exceeding 26 as the~~
17 ~~Commissioner shall deem just. The notice of determination shall also specify~~
18 ~~the period of disqualification imposed hereunder.~~

19 * * *

1 * * * Unemployment Insurance Technical Corrections * * *

2 Sec. __. 21 V.S.A. § 1301 is amended to read:

3 As used in this chapter:

4 * * *

5 (3) “Contributions” means the money payments to the State
6 Unemployment Compensation Trust Fund required by this chapter.

7 * * *

8 (25) ~~“Son,” “daughter,” and “child” include~~ “Child” includes an
9 individual’s biological child, foster child, adoptive child, stepchild, a child for
10 whom the individual is listed as a parent on the child’s birth certificate, a legal
11 ward of the individual, a child of the individual’s spouse, or a child that the
12 individual has day-to-day responsibilities to care for and financially support.

13 Sec. __. 21 V.S.A. § 1321(d) is amended to read:

14 (d) Financing benefits paid to employees of State. In lieu of contributions
15 required of employers subject to this chapter, the State of Vermont, including
16 State hospitals but excluding any State institution of higher education, shall
17 pay to the Commissioner, for the Unemployment Compensation Trust Fund, an
18 amount equal to the amount of benefits paid, including the full amount of
19 extended benefits paid, attributable to service by individuals in the employ of
20 the State. At the end of each calendar quarter, or at the end of any other period
21 as determined by the Commissioner, the Commissioner shall bill the State for

1 the amount of benefits paid during ~~such~~ the quarter or other prescribed period
2 that is attributable to service in the employ of the State. Subdivisions (c)(3)(C)
3 through (3)(F), inclusive, and subdivisions (c)(5) and (6) of this section as they
4 apply to nonprofit organizations shall also apply to the State of Vermont,
5 except that the State shall be liable for all benefits paid, including the full
6 amount of extended benefits paid, attributable to service in the employ of the
7 State.

8 Sec. __. 21 V.S.A. § 1361 is amended to read:

9 § 1361. MANAGEMENT OF FUNDS UPON DISCONTINUANCE OF

10 UNEMPLOYMENT TRUST FUND

11 The provisions of sections 1358–1360 of this ~~title~~ subchapter to the extent
12 that they relate to the federal Unemployment Trust Fund, shall be operative
13 only so long as ~~such~~ the federal Unemployment Trust Fund continues to exist
14 and so long as the U.S. Secretary of the Treasury continues to maintain for this
15 State a separate book account of all Funds deposited ~~therein~~ in the federal
16 Unemployment Trust Fund by this State for benefit purposes, together with
17 this State’s proportionate share of the earnings of ~~such~~ the Unemployment
18 Trust Fund, from which only the Commissioner of Labor is permitted to make
19 withdrawals. If and when ~~such Unemployment Trust Fund shall~~ federal law no
20 longer ~~be required by the laws of the United States~~ requires the federal
21 Unemployment Trust Fund to be maintained ~~as aforesaid~~ as a condition of

1 approval of this chapter as provided in Title III of the Social Security Act, then
2 all monies, properties, or securities ~~therein~~ in the federal Unemployment Trust
3 Fund, belonging to the Unemployment Compensation Trust Fund of this State,
4 shall be transferred to the treasurer of the Unemployment Compensation Trust
5 Fund, who shall hold, invest, transfer, sell, deposit, and release ~~such~~ the
6 monies, properties, or securities in a manner approved by the Commissioner
7 and appropriate for trust funds, subject to all claims for benefits under this
8 chapter.

9 Sec. 205. 21 V.S.A. § 1362 is amended to read:

10 § 1362. UNEMPLOYMENT COMPENSATION ADMINISTRATION

11 FUND

12 ~~There is hereby created the~~ The Unemployment Compensation
13 Administration Fund is created to consist of all monies received by the State or
14 by the Commissioner for the administration of this chapter. ~~This special~~ The
15 ~~fund~~ Unemployment Compensation Administration Fund shall be a special
16 fund managed pursuant to 32 V.S.A. chapter 7, subchapter 5. The
17 Unemployment Compensation Administration Fund shall be handled through
18 the State Treasurer as other State monies are handled, but it shall be expended
19 solely for the purposes and in the amounts found necessary by the Secretary of
20 Labor for the proper and efficient administration of ~~such~~ this chapter and its
21 balance shall not lapse at any time but shall remain continuously available to

1 the Commissioner for expenditures consistent ~~herewith~~ with the provisions of
2 this section. All federal monies allotted or apportioned to the State by the
3 Secretary of Labor, or other agency, for the administration of this chapter shall
4 be paid into the Unemployment Compensation Administration Fund and are
5 hereby appropriated to ~~such~~ the Unemployment Compensation Administration
6 Fund.

7 Sec. __. 21 V.S.A. § 1365 is amended to read:

8 § 1365. CONTINGENT FUND

9 (a) There is ~~hereby~~ created a special fund to be known as the Contingent
10 Fund. All interest, fines, and penalties collected under the provisions of ~~the~~
11 ~~unemployment compensation law after April 1, 1947~~ this chapter, together
12 with any voluntary contributions tendered as a contribution to ~~this~~ the
13 Contingent Fund, shall be paid into ~~this~~ the Contingent Fund. ~~Such~~ The
14 monies shall not be expended or available for expenditures in any manner
15 ~~which~~ that would permit their substitution for, or a corresponding reduction in,
16 federal funds ~~which~~ that would in the absence of ~~such~~ the monies be available
17 to finance expenditures for the administration of the unemployment
18 compensation law.

19 (b) ~~But nothing~~ Nothing in this chapter shall prevent ~~such~~ the monies from
20 being used as a revolving fund to cover expenditures, necessary and proper
21 under the law for which federal funds have been duly requested but not yet

1 received, subject to the charging of ~~such~~ the expenditures against ~~such~~ the
2 funds when received.

3 (c) The monies in ~~this~~ the Contingent Fund shall be used by the
4 Commissioner for the payment of costs of administration ~~which~~ that are found
5 not to have been properly and validly chargeable against federal grants, or
6 other funds, received for or in the Unemployment Compensation
7 Administration Fund ~~on or after January 1, 1947~~. No expenditure of the
8 Contingent Fund shall be made unless and until the Commissioner finds that
9 no other funds are available or can properly be used to finance ~~such~~ the
10 expenditures.

11 (d) The State Treasurer shall co-sign all expenditures from ~~this~~ the
12 Contingent Fund authorized by the Commissioner.

13 (e) The monies in ~~this~~ the Contingent Fund are ~~hereby specifically made~~
14 available to replace, within a reasonable time, any monies received by this
15 State pursuant to ~~section 302 of the federal Social Security Act, as amended,~~
16 ~~which~~ 42 U.S.C. § 502 that because of any action or contingency, have been
17 lost or have been expended for purposes other than, or in amounts in excess of,
18 those necessary for the proper administration of the unemployment
19 compensation law.

20 (f) The monies in ~~this~~ the Contingent Fund shall be continuously available
21 to the Commissioner for expenditure in accordance with the provisions of this

1 section and shall not lapse at any time or be transferred to any other fund
2 except as ~~herein~~ provided pursuant to this section.

3 (g) ~~Provided, however, that on~~ On December 31 of each year, all monies in
4 excess of \$10,000.00 in ~~this~~ the Contingent Fund shall be transferred to the
5 Unemployment Compensation Trust Fund. On or before March 31 of each
6 year, an audit of ~~this~~ the Contingent Fund ~~will~~ shall be completed and a report
7 of that audit ~~will~~ shall be made public.

8 (h) In the event that a refund of interest, a fine, or a penalty is found
9 necessary, and ~~such~~ the interest, fine, or penalty has been deposited in the
10 Contingent Fund, ~~such~~ the refund shall be made from the Contingent Fund.

11 Sec. __. 21 V.S.A. § 1368 is amended to read:

12 § 1368. FALSE STATEMENTS TO INCREASE PAYMENTS

13 A person shall not ~~willfully and~~ intentionally make a false statement or
14 representation to obtain or increase any benefit or other payment under this
15 chapter, either for ~~himself, herself,~~ the person or any other person.

16 * * * Workers' Compensation * * *

17 Sec. __. 2023 Acts and Resolves No. 76, Sec. 38 is amended to read:

18 Sec. 38. ADOPTION OF RULES

19 The Commissioner of Labor shall, on or before July 1, 2024, adopt rules as
20 necessary to implement the provisions of Secs. 29, 30, 31, 32, 33, 34, ~~35~~, 36,
21 and 37, ~~and 38~~ of this act.

1 Sec. __. 21 V.S.A. § 601 is amended to read:

2 § 601. DEFINITIONS

3 As used in this chapter:

4 * * *

5 (11) “Personal injury by accident arising out of and in the course of
6 employment” includes an injury caused by the willful act of a third person
7 directed against an employee because of that employment.

8 * * *

9 (I)(i) In the case of police officers, rescue or ambulance workers, ~~or~~
10 firefighters, or State employees, as that term is defined pursuant to subdivision
11 (iii)(VI) of this subdivision (11)(I), post-traumatic stress disorder that is
12 diagnosed by a mental health professional shall be presumed to have been
13 incurred during service in the line of duty and shall be compensable, unless it
14 is shown by a preponderance of the evidence that the post-traumatic stress
15 disorder was caused by nonservice-connected risk factors or nonservice-
16 connected exposure.

17 (ii) A police officer, rescue or ambulance worker, ~~or firefighter, or~~
18 State employee who is diagnosed with post-traumatic stress disorder within
19 three years ~~of~~ following the last active date of employment as a police officer,
20 rescue or ambulance worker, ~~or firefighter, or State employee~~ shall be eligible
21 for benefits under this subdivision (11).

1 (iii) As used in this subdivision (11)(I):

2 (I) “Classified employee” means an employee in the classified
3 service, as defined pursuant to 3 V.S.A. § 311.

4 (II) “Firefighter” means a firefighter as defined in 20 V.S.A.
5 § 3151(3) and (4).

6 ~~(H)~~(III) “Mental health professional” means a person with
7 professional training, experience, and demonstrated competence in the
8 treatment and diagnosis of mental conditions, who is certified or licensed to
9 provide mental health care services and for whom diagnoses of mental
10 conditions are within ~~his or her~~ the person’s scope of practice, including a
11 physician, nurse with recognized psychiatric specialties, psychologist, clinical
12 social worker, mental health counselor, or alcohol or drug abuse counselor.

13 ~~(H)~~(IV) “Police officer” means a law enforcement officer who
14 has been certified by the Vermont Criminal Justice Council pursuant to
15 20 V.S.A. chapter 151.

16 ~~(IV)~~(V) “Rescue or ambulance worker” means ambulance
17 service, emergency medical personnel, first responder service, and volunteer
18 personnel as defined in 24 V.S.A. § 2651.

19 (VI) “State employees” means:

20 (aa) facility employees of the Department of Corrections;

1 (3) the number and percentage of those claims that were for a type of
2 cancer that is not listed in 21 V.S.A. § 601(11)(E)(iii); and

3 (4) the number of those claims that were reported to the National
4 Firefighter Registry for Cancer.

5 (b) All workers' compensation insurers doing business in Vermont shall
6 report to the Commissioner of Financial Regulation, in a time and manner
7 specified by the Commissioner:

8 (1) the number of workers' compensation claims for cancer that were
9 received by the insurer from Vermont firefighters;

10 (2) the number of those claims that were approved; and

11 (3) the types of cancer for which the claims were submitted.

12 (c) The December 15, 2028 report required pursuant to subsection (a) of
13 this section shall, in addition to setting forth the information required pursuant
14 to subsection (a):

15 (1) aggregate and summarize the data required pursuant to subsection
16 (a) for the preceding five years;

17 (2) compare the incidence of cancer among firefighters in Vermont to
18 the incidence of cancer among firefighters nationally; and

19 (3) include a recommendation regarding any legislative action needed to
20 better address the occurrence of cancer among firefighters in Vermont.

1 (A) an accident, illness, injury, disease, or physical or mental
2 condition that:

3 ~~(A)(i)~~ poses imminent danger of death;

4 ~~(B)(ii)~~ requires inpatient care in a hospital, hospice, or residential
5 medical care facility; or

6 ~~(C)(iii)~~ requires continuing ~~in home care under the direction of~~
7 treatment by a physician health care provider; or

8 (B) rehabilitation from an accident, illness, injury, disease, or
9 physical or mental condition described in subdivision (A) of this subdivision
10 (6), including treatment for substance use disorder.

11 Sec. __. 21 V.S.A. § 472 is amended to read:

12 § 472. LEAVE

13 (a) During any 12-month period, an employee shall be entitled to take
14 unpaid leave for a period not to exceed 12 weeks:

15 * * *

16 (2) for family leave, for the serious ~~illness~~ health condition of the
17 employee or the employee's child, stepchild or ward of the employee who lives
18 with the employee, foster child, parent, spouse, or parent of the employee's
19 spouse.

20 * * *

1 (e)(1) An employee shall give reasonable written notice of intent to take
2 leave under this subchapter. Notice shall include the date the leave is expected
3 to commence and the estimated duration of the leave.

4 (2) In the case of the adoption or birth of a child, an employer shall not
5 require that notice be given more than six weeks prior to the anticipated
6 commencement of the leave.

7 (3) In the case of a serious ~~illness~~ health condition of the employee or a
8 member of the employee’s family, an employer may require certification from
9 a ~~physician~~ health care provider to verify the condition and the amount and
10 necessity for the leave requested.

11 (4) An employee may return from leave earlier than estimated upon
12 approval of the employer.

13 (5) An employee shall provide reasonable notice to the employer of ~~his~~
14 ~~or her~~ the need to extend leave to the extent provided by this ~~chapter~~
15 subchapter.

16 * * *

17 (h) Except for serious ~~illness~~ health condition of the employee, an
18 employee who does not return to employment with the employer who provided
19 the leave shall return to the employer the value of any compensation paid to or
20 on behalf of the employee during the leave, except payments for accrued sick
21 leave or vacation leave.

1 and that after passage the title of the bill be amended to read: “An act relating
2 to miscellaneous unemployment insurance, workers’ compensation, and
3 employment practices amendments”

4 Sec. __. EFFECTIVE DATE

5 This act shall take effect on _____.

6

7

8 (Committee vote: _____)

9

10

Senator _____

11

FOR THE COMMITTEE