

S.353

An act relating to expanding the Front-Line Employees Hazard Pay Grant Program

It is hereby enacted by the General Assembly of the State of Vermont:

Sec. 1. 2020 Acts and Resolves No. 136, Sec. 6 is amended to read:

Sec. 6. FRONT-LINE EMPLOYEES HAZARD PAY GRANT
PROGRAM

(a)(1) There is established in the Agency of Human Services the Front-Line Employees Hazard Pay Grant Program to administer and award grants to certain ~~public safety, public health, health care, and human services~~ employers whose employees were engaged in activities substantially dedicated to mitigating or responding to the COVID-19 public health emergency during the eligible period or were providing essential services to Vermonters.

* * *

(b) As used in this section:

(1) “Agency” means the Agency of Human Services.

(2)(A) “Covered employer” means an entity that employs one or more individuals in Vermont in relation to its operation of one of the following:

* * *

(xiv) a cleaning or janitorial service that provides cleaning or janitorial services to a covered employer listed in subdivisions (i)–(v) and (vii)–(x) of this subdivision (b)(2)(A) in locations that are open to the general

public or regularly used by the residents or patients of that covered employer, provided that such an employer shall only be permitted to receive a grant to provide hazard pay to its eligible employees who provided cleaning or janitorial services to another covered employer during the eligible period; ~~or~~

(xv) a food service provider that prepares and provides meals for residents or patients of a covered employer listed in subdivisions (i)–(v) and (vii)–(x) of this subdivision (b)(2)(A), provided that such an employer shall only be permitted to receive a grant to provide hazard pay to its eligible employees who provided food services to the residents or patients of a covered employer during the eligible period;

(xvi) a grocery store;

(xvii) a pharmacy;

(xviii) a retailer identified as essential in Sec. 6, paragraphs f and h of Addendum 6 to Executive Order 01-20, provided that, during the eligible period, the retail establishment was open to the general public for in-person sales;

(xix) a wholesale distributor making deliveries to a retailer described in subdivisions (xiv)–(xvi) of this subdivision (b)(2)(A);

(xx) a trash collection or waste management service;

(xxi) a child care facility as defined in 33 V.S.A. § 3511 that provided child care services to essential service providers pursuant to Directive 2 of Executive Order 01-20;

(xxii) a vocational rehabilitation service provider;

(xxiii) a funeral establishment or crematory establishment as defined in 26 V.S.A. § 1211; or

(xxiv) an agency licensed pursuant to 26 V.S.A. § 3172 that provides security services, as defined in 26 V.S.A. § 3151, to another covered employer, provided that such an employer shall only be permitted to receive a grant to provide hazard pay to its eligible employees who provided security services to another covered employer during the eligible period.

* * *

~~(i)(1) The definition of “covered employer” set forth in subdivision (b)(2) of this section shall be deemed to include to the types of employers listed in subdivision (b)(2) of this subsection to the extent permitted by federal law and any applicable guidance if either of the following occurs:~~

~~(A) the permissible uses of monies in the Coronavirus Relief Fund pursuant to Sec. 5001 of the CARES Act, Pub. L. No. 116-136, as amended, and any related guidance are expanded to permit the payment of hazard pay to employees of some or all of the types of employers listed in subdivision (2) of this subsection (i); or~~

~~(B) a federal program that grants money directly to the State, which may be used to provide hazard pay to employees of some or all of the types of employers listed in subdivision (2) of this subsection (i), is enacted.~~

~~(2) The following types of employers may be deemed to be included within the definition of “covered employer” set forth in subdivision (b)(2) of this section if the requirements of subdivision (1) of this subsection are met:~~

~~(A) a grocery store;~~

~~(B) a pharmacy;~~

~~(C) a retailer identified as essential in Sec. 6, paragraphs f and h of addendum 6 to Executive Order 01-20, provided that, during the eligible period, the majority of the retail establishment was open to the general public for in-person sales rather than curbside pickup or delivery;~~

~~(D) a wholesale distributor making deliveries to a retailer described in subdivisions (A)–(C) of this subdivision (i)(2);~~

~~(E) a trash collection or waste management service;~~

~~(F) a janitorial service that provides cleaning or janitorial services to another covered employer;~~

~~(G) a child care facility as defined in 33 V.S.A. § 3511 that is providing child care services to essential service providers pursuant to Directive 2 of Executive Order 01-20;~~

~~(H) a vocational rehabilitation service provider; or~~

~~(F) a funeral establishment or crematory establishment as defined in
26 V.S.A. § 1211.~~

Sec. 2. APPROPRIATION

The additional sum of \$19,500,000.00 is appropriated from the Coronavirus Relief Fund to the Agency of Human Services in fiscal year 2021 for the administration and payment of grants pursuant to the Front-Line Employees Hazard Pay Grant Program established in 2020 Acts and Resolves No. 136, Sec. 6.

Sec. 3. DELEGATION OF ADMINISTRATIVE RESPONSIBILITIES

Notwithstanding any provision of 2020 Acts and Resolves No. 136, Sec. 6 to the contrary, the Secretary of Human Services may, with the approval of the Secretary of Administration, delegate administration of specific aspects of the Front-Line Employees Hazard Pay Grant Program to other agencies and departments of the State.

Sec. 4. EFFECTIVE DATE

This act shall take effect on passage.