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H.681

Representative Marcotte of Coventry moves to amend the bill by striking out Sec. 2, effective date, in its entirety and inserting in lieu thereof the following:

Sec. 2. 21 V.S.A. § 1325 is amended to read:

§ 1325. EMPLOYERS' EXPERIENCE-RATING RECORDS;

DISCLOSURE TO SUCCESSOR ENTITY

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

* * *

(G) The individual voluntarily separated from that employer to care for a parent, grandparent, spouse, child, brother, sister, parent-in-law, grandchild, or foster child who has been diagnosed with COVID-19 as provided by subdivision 1344(a)(2)(A) of this chapter.

1 (2) If an individual’s unemployment is directly caused by a major
2 disaster declared by the President of the United States pursuant to 42 U.S.C. §
3 5122 and the individual would have been eligible for federal disaster
4 unemployment assistance benefits but for the receipt of regular benefits, an
5 employer shall be relieved of charges for benefits paid to the individual with
6 respect to any week of unemployment occurring due to the natural disaster up
7 to a maximum amount of four weeks.

8 (3)(A) Subject to the provisions of subdivision (B) of this subdivision
9 (a)(3), an employer shall be relieved of charges for benefits paid to an
10 individual for a maximum amount of four weeks with respect to benefits paid
11 because:

12 (i) the employer temporarily ceased operation at the individual’s
13 place of employment in response to a request from a local health official or the
14 Commissioner of Health that the employer cease operations because of
15 COVID-19 or because the employer voluntarily ceased operations due to the
16 actual exposure of workers at that place of employment to COVID-19; or

17 (ii) the individual has been requested by a medical professional,
18 local health official, or the Commissioner of Health to be isolated or
19 quarantined as a result of COVID-19, regardless of whether the individual has
20 been diagnosed with COVID-19.

1 (i) the individual left such employment to accompany a spouse

2 who:

3 ~~(i)~~(I) is on active duty with the U.S. Armed Forces and is required
4 to relocate due to permanent change of station orders, activation orders, or unit
5 deployment orders, and when such relocation would make it impractical or
6 impossible, as determined by the Commissioner, for the individual to continue
7 working for such employing unit; or

8 ~~(ii)~~(II) holds a commission in the U.S. Foreign Service and is
9 assigned overseas, and when such relocation would make it impractical or
10 impossible, as determined by the Commissioner, for the individual to continue
11 working for such employing unit; or

12 (ii) the individual left such employment to care for a parent,
13 grandparent, spouse, child, brother, sister, parent-in-law, grandchild, or foster
14 child who has been diagnosed with COVID-19.

15 * * *

16 (5) For any week with respect to which the individual is receiving or has
17 received remuneration in the form of:

18 * * *

19 (F) Sick pay.

20 * * *

1 Sec. 4. REPEAL

2 21 V.S.A. § 1325(a)(1)(G) and (a)(3) are repealed.

3 Sec. 5. 21 V.S.A. § 1344 is amended to read:

4 § 1344. DISQUALIFICATIONS

5 (a) An individual shall be disqualified for benefits:

6 * * *

7 (2) For any week benefits are claimed, except as provided in subdivision
8 (a)(3) of this section, until he or she has presented evidence to the satisfaction
9 of the Commissioner that he or she has performed services in employment for
10 a bona fide employer and has had earnings in excess of six times his or her
11 weekly benefit amount if the Commissioner finds that such individual is
12 unemployed because:

13 (A) He or she has left the employ of his or her last employing unit
14 voluntarily without good cause attributable to such employing unit. An
15 individual shall not suffer more than one disqualification by reason of such
16 separation. However, an individual shall not be disqualified for benefits if:

17 ~~(i)~~ the individual left such employment to accompany a spouse
18 who:

19 ~~(i)~~(i) is on active duty with the U.S. Armed Forces and is
20 required to relocate due to permanent change of station orders, activation
21 orders, or unit deployment orders, and when such relocation would make it

1 impractical or impossible, as determined by the Commissioner, for the
2 individual to continue working for such employing unit; or

3 ~~(H)(ii)~~ (ii) holds a commission in the U.S. Foreign Service and is
4 assigned overseas, and when such relocation would make it impractical or
5 impossible, as determined by the Commissioner, for the individual to continue
6 working for such employing unit; ~~or~~

7 ~~(ii) the individual left such employment to care for parent,~~
8 ~~grandparent, spouse, child, brother, sister, parent in law, grandchild, or foster~~
9 ~~child who has been diagnosed with COVID-19.~~

10 * * *

11 Sec. 6. EFFECTIVE DATES

12 (a) This section and Secs. 2 and 3 shall take effect on passage.

13 (b) Sec. 1 shall take effect on July 1, 2020.

14 (c) Secs. 4 and 5 shall take effect on March 31, 2021.

15 and that after passage the title of the bill be amended to read: “An act
16 relating to employer registration for unemployment insurance and amendments
17 to the unemployment insurance laws to address the COVID-19 outbreak”