

Initial Draft Language Regarding Who Would Be Eligible

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

- (i) a grocery store;
- (ii) a pharmacy;
- (iii) a retailer identified as essential in paragraphs f and h of addendum 6 to Executive Order 01-20, provided that the majority of the retail establishment is open to the general public for in-person sales rather than curbside pickup or delivery;
- (iv) a wholesale distributor making deliveries to a retailer described in subdivision (i)-(iii) of this subdivision (1)(A)
- (v) a trash collection or waste management service;
- (vi) a janitorial service that provides cleaning or janitorial services to another covered employer;
- (vii) an assisted living residence as defined in 33 V.S.A. § 7102;
- (viii) a nursing home as defined in 33 V.S.A. § 7102;
- (ix) a residential care home as defined in 33 V.S.A. § 7102;
- (x) a therapeutic community residence as defined in 33 V.S.A. § 7102;
- (xi) a health care facility as defined in 18 V.S.A. § 9432 or a physician’s office;
- (xii) 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;
- (xiii) a vocational rehabilitation service provider;
- (xiv) a dentist’s office or a dental facility;
- (xv) a homeless shelter;
- (xvi) a home health agency;
- (xvii) a community health center;
- (xviii) a program licensed by the Department for Children and Families as residential treatment program;
- (xix) an ambulance service or first responder service as defined in 24 V.S.A. § 2651; or
- (xx) a mortuary or crematorium.

(B) **“Covered employer”** does not include the State, a political subdivision of the State, or the United States.

(C) With respect to independent direct support provider as defined pursuant to 21 V.S.A. § 1631, ARIS Solutions shall be deemed to be a covered employer and shall be deemed to be the employer of an independent direct support provider that is an eligible employee.

(2)(A) **“Eligible employee”** means an individual who:

- (i) is employed by a covered employer that has enrolled in the Program pursuant to section D of this act;

- (ii) performs a job whose principal function is to:
 - (I) provide in-person services to members of the public;
 - (II) clean or sanitize the premises of a covered employer;
 - (III) stock products on the premises of a retailer described in subdivisions (1)(A)(i)–(iii) of this section in a location that is open to the general public; or
 - (IV) perform activities that result in a similarly elevated risk of being exposed to or contracting COVID-19;
- (iii) is unable to perform his or her job remotely or to telework;
- (iv) actively performed the principal function of his or her job during the Program Period; and
- (v) earns an hourly base wage of \$20.00 or less.

(B) “Eligible employee” includes an independent direct support provider as defined pursuant to 21 V.S.A. § 1631 who satisfies the requirements of subdivisions (A)(ii)–(v) of this subdivision (1).

(C) “Eligible employee” does not include an independent contractor or self-employed individual.