

1 S.353

2 Introduced by Committee on Appropriations

3 Date:

4 Subject: COVID-19; Front-Line Employees Hazard Pay Grant Program

5 Statement of purpose of bill as introduced: This bill proposes to expand the  
6 Front-Line Employees Hazard Pay Grant Program to include certain other  
7 essential employees who performed work with an elevated risk of exposure to  
8 COVID-19 during the eligible period.

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

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

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

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

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

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\* \* \*

(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;

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

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

7 (xx) a trash collection or waste management service;

8 (xxi) a child care facility as defined in 33 V.S.A. § 3511 that  
9 provided child care services to essential service providers pursuant to Directive  
10 2 of Executive Order 01-20;

11 (xxii) a vocational rehabilitation service provider;

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

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

19 \* \* \*

20 ~~(i)(1) The definition of “covered employer” set forth in subdivision (b)(2)~~  
21 ~~of this section shall be deemed to include to the types of employers listed in~~

1 ~~subdivision (b)(2) of this subsection to the extent permitted by federal law and~~  
2 ~~any applicable guidance if either of the following occurs:~~

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

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

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

14 ~~(A) a grocery store;~~

15 ~~(B) a pharmacy;~~

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

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

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

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

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

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

8           ~~(I) a funeral establishment or crematory establishment as defined in~~  
9 ~~26 V.S.A. § 1211.~~

10       Sec. 2. APPROPRIATION

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

16       Sec. 3. DELEGATION OF ADMINISTRATIVE RESPONSIBILITIES

17       Notwithstanding any provision of 2020 Acts and Resolves No. 136, Sec. 6  
18 to the contrary, the Secretary of Human Services may, with the approval of the  
19 Secretary of Administration, delegate administration of specific aspects of the

1 Front-Line Employees Hazard Pay Grant Program to other agencies and  
2 departments of the State.

3 Sec. 4. EFFECTIVE DATE

4 This act shall take effect on passage.