

1 S.62

2 Representative Marcotte of Coventry moves that the report of the
3 Committee on Commerce and Economic Development, as amended, be further
4 amended as follows:

5 First: By striking out Secs. 2–4 in their entirety and inserting in lieu
6 thereof new Secs. 2–4 to read as follows:

7 Sec. 2. 10 V.S.A. § 4 is added to read:

8 § 4. NEW RELOCATING EMPLOYEE INCENTIVES

9 (a) The Agency of Commerce and Community Development shall design
10 and implement a program to award incentive grants to relocating employees as
11 provided in this section and subject to the policies and procedures the Agency
12 adopts to implement the program.

13 (b) A relocating employee may be eligible for a grant under the program
14 for qualifying expenses, subject to the following:

15 (1) A base grant shall not exceed \$5,000.00.

16 (2) The Agency may award an enhanced grant, which shall not exceed
17 \$7,500.00, for a relocating employee who becomes a resident in a labor market
18 area in this State in which:

19 (A) the average annual unemployment rate in the labor market area
20 exceeds the average annual unemployment rate in the State; or

1 (B) the average annual wage in the State exceeds the annual average
2 wage in the labor market area.

3 (c) The Agency shall:

4 (1) adopt procedures for implementing the program, which shall include
5 a simple certification process to certify relocating employees and qualifying
6 expenses;

7 (2) promote awareness of the program, including through coordination
8 with relevant trade groups and by integration into the Agency’s economic
9 development marketing campaigns;

10 (3) award grants to relocating employees on a first-come, first-served
11 basis beginning on July 1, 2021, subject to available funding; and

12 (4) adopt measurable goals, performance measures, and an audit strategy
13 to assess the utilization and performance of the program.

14 (d) On or before January 15, 2022, the Agency shall submit a report to the
15 House Committee on Commerce and Economic Development and the Senate
16 Committee on Economic Development, Housing and General Affairs
17 concerning the implementation of this section, including:

18 (1) a description of the policies and procedures adopted to implement
19 the program;

20 (2) the promotion and marketing of the program; and

1 (3) an analysis of the utilization and performance of the program,
2 including the projected revenue impacts and other qualitative and quantitative
3 returns on investment in the program based on available data and modeling.

4 (e) As used in this section:

5 (1) “Qualifying expenses” means the actual costs a relocating employee
6 incurs for relocation expenses, which may include moving costs, closing costs
7 for a primary residence, rental security deposit, one month’s rent payment, and
8 other relocation expenses established in Agency guidelines.

9 (2) “Relocating employee” means an individual who meets the
10 following criteria.

11 (A)(i) On or after July 1, 2021:

12 (I) the individual becomes a full-time resident of this State;

13 (II) the individual becomes a full-time employee at a Vermont
14 location of a for-profit or nonprofit business organization domiciled or
15 authorized to do business in this State, or of a State, municipal, or other public
16 sector employer;

17 (III) the individual becomes employed in one of the
18 “Occupations with the Most Openings” identified by the Vermont Department
19 of Labor in its “Short Term Employment Projections 2020-2022”; and

1 (IV) the employer attests to the Agency that, after reasonable
2 time and effort, the employer was unable to fill the employee’s position from
3 among Vermont applicants; or

4 (i) on or after February 1, 2022:

5 (I) the individual becomes a full-time resident of this State; and

6 (II) the individual is a full-time employee of an out-of-state
7 business and performs the majority of his or her employment duties remotely
8 from a home office or a co-working space located in this State.

9 (B) The individual receives gross salary or wages that equal or
10 exceed the Vermont livable wage rate calculated pursuant to 2 V.S.A. § 526.

11 (C) The individual is subject to Vermont income tax.

12 Sec. 2a. ALLOCATION OF APPROPRIATION

13 The Agency of Commerce shall allocate the amounts appropriated in Sec.
14 G.300(a)(20) as follows:

15 (1) The Agency may use not more than \$480,000.00 to provide grants to
16 new relocating employees who qualify under 10 V.S.A. § 4(e)(2)(A)(i).

17 (2) The Agency may use not more than \$130,000.00 to provide grants to
18 new relocating employees who qualify under 10 V.S.A. § 4(e)(2)(A)(ii).

19 (3)(A) The Agency shall transfer not more than \$40,000.00 to the
20 Department of Financial Regulation for the amount required to hire an
21 independent consultant as required in Sec. 2b of this act.

1 (B) If any amounts from subdivision (3)(A) of this section remain
2 unspent upon conclusion of the study, the Agency shall divide such amounts
3 evenly for grants pursuant to subdivisions (1) and (2) of this section.

4 Sec. 2b. NEW RELOCATING WORKERS; STUDY

5 (a) The Department of Financial Regulation shall contract with an
6 independent consultant to study and report on the effectiveness of incentive
7 programs to attract new workers and new remote workers in meeting the
8 demographic challenges and workforce shortages that exist in Vermont.

9 (b) The Agency of Commerce and Community Development shall make
10 available to the consultant any data and information necessary to assess the
11 administration and outcomes of the programs created in 2018 Acts and
12 Resolves No. 197, Sec. 1, as amended by 2019 Acts and Resolves No. 80, Sec.
13 15 (New Remote Worker Grant Program); in 2019 Acts and Resolves No. 80,
14 Sec. 12 (New Worker Relocation Incentive Program); and the new relocating
15 employee program created by this act in 10 V.S.A. § 4.

16 (c) On or before December 15, 2021, the Department shall deliver a final
17 report and any recommendations for legislative action to the House
18 Committees on Commerce and Economic Development and on Appropriations
19 and the Senate Committees on Economic Development, Housing and General
20 Affairs and on Appropriations.

1 (A) The Vermont Agency of Education shall use \$150,000.00
2 appropriated to award grants of not more than \$20,000.00 to Adult Career and
3 Technical Education Centers for the purchase of equipment needed to launch
4 or sustain workforce development programs in high-growth, high-need sectors.

5 (B) The Agency of Education shall collaborate with the Vermont
6 Adult Career and Technical Education Association and the Vermont
7 Department of Labor to create a competitive grant program.

8 (3) CTE program development and instruction.

9 (A) The Agency of Education shall use \$150,000.00 to provide adult
10 CTE coordinators with access to curriculum development experts to build local
11 programs that are needed to address local or regional workforce development
12 needs.

13 (B) The Agency shall collaborate with the Adult Career and
14 Technical Education Association and the Vermont Department of Labor to
15 make awards of not more than \$20,000.00.

16 Second: By striking out Sec. 6, 21 V.S.A. § 1325, in its entirety and
17 inserting in lieu thereof a new Sec. 6 to read as follows:

18 Sec. 6. 21 V.S.A. § 1325 is amended to read:

19 § 1325. EMPLOYERS' EXPERIENCE-RATING RECORDS;

20 DISCLOSURE TO SUCCESSOR ENTITY

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

10 * * *

11 (G) ~~The~~ During calendar year 2020, the individual voluntarily
12 separated from that employer as provided by subdivision 1344(a)(2)(A) of this
13 chapter for one of the following reasons:

14 * * *

15 (3)(A) ~~Subject to the provisions of~~ Except as otherwise provided
16 pursuant to subdivision (B) of this subdivision (a)(3), an employer shall be
17 relieved of charges for benefits paid to an individual ~~for a period of up to eight~~
18 ~~weeks with respect to benefits paid because:~~

19 (i) ~~the employer temporarily ceased operation, either partially or~~
20 ~~completely, at the individual's place of employment in response to a request~~
21 ~~from a public health authority with jurisdiction that the employer cease~~

1 ~~operations because of COVID-19, in response to an emergency order or~~
2 ~~directive issued by the Governor or the President related to COVID-19, or~~
3 ~~because the employer voluntarily ceased operations due to the actual exposure~~
4 ~~of workers at that place of employment to COVID-19;~~

5 ~~(ii) the individual becomes unemployed as a direct result of a~~
6 ~~state of emergency declared by the Governor or the President in relation to~~
7 ~~COVID-19 or an order or directive issued by the Governor or President in~~
8 ~~relation to COVID-19; or~~

9 ~~(iii) the individual has been recommended or requested by a~~
10 ~~medical professional or a public health authority with jurisdiction to be isolated~~
11 ~~or quarantined as a result of COVID-19, regardless of whether the individual~~
12 ~~has been diagnosed with COVID-19 during calendar year 2020.~~

13 ~~(B)(i) An employer shall only be eligible for relief be relieved of~~
14 ~~charges for benefits paid during calendar year 2020 in relation to a COVID-19-~~
15 ~~related separation from employment under the provisions of this subdivision~~

16 ~~(a)(3) if the employer rehires or offers to rehire the individual within a~~
17 ~~reasonable period of time after the employer resumes operations at the~~
18 ~~individual's place of employment, as determined by the Commissioner, or~~
19 ~~upon the completion of the individual's period of isolation or quarantine unless~~
20 ~~the Commissioner determines that the COVID-19-related reason for the~~

1 individual’s separation from employment no longer exists and the employer
2 has failed to rehire or offer to rehire the individual without good cause.

3 (ii) If the Commissioner has cause to believe or receives an
4 allegation or other information indicating that an employer may not be entitled
5 to relief from charges pursuant to this subdivision (a)(3), the Commissioner
6 shall examine the employer’s records and any other documents and
7 information necessary to determine if the employer is entitled to relief from
8 charges pursuant to this subdivision (a)(3).

9 ~~(C) The Commissioner may extend the period for which an employer~~
10 ~~shall be relieved of charges for benefits paid to employees pursuant to~~
11 ~~subdivision (A)(i) of this subdivision (a)(3) by an amount that the~~
12 ~~Commissioner determines to be appropriate in light of the terms of any~~
13 ~~applicable request from a local health official or the Commissioner of Health~~
14 ~~or any applicable emergency order or directive issued by the Governor or the~~
15 ~~President and any other relevant conditions or factors. As used in this~~
16 ~~subdivision (a)(3), “COVID-19-related separation from employment” shall~~
17 ~~mean a separation from employment for one of the following reasons:~~

18 (i) the employer temporarily ceased operation, either partially or
19 completely, at the individual’s place of employment in response to a request
20 from a public health authority with jurisdiction that the employer cease
21 operations because of COVID-19, in response to an emergency order or

1 directive issued by the Governor or the President related to COVID-19, or
2 because the employer voluntarily ceased operations due to the actual exposure
3 of workers at that place of employment to COVID-19;

4 (ii) the individual became unemployed as a direct result of a
5 state of emergency declared by the Governor or the President in relation to
6 COVID-19 or an order or directive issued by the Governor or President in
7 relation to COVID-19, including through a change or reduction in the
8 employer’s operation at the individual’s place of employment that directly
9 resulted from such a state of emergency, order, or directive; or

10 (iii) the employer temporarily laid off the individual based on a
11 recommendation or request by a medical professional or a public health
12 authority with jurisdiction that the individual be isolated or quarantined as a
13 result of COVID-19, regardless of whether the individual has been diagnosed
14 with COVID-19.

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1 (Committee vote: _____)

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Representative _____

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FOR THE COMMITTEE

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