

1 TO THE HONORABLE SENATE:

2 The Committee on Economic Development, Housing and General Affairs to
3 which was referred Senate Bill No. 9 entitled “An act relating to extending
4 certain workers’ compensation amendments related to COVID-19” respectfully
5 reports that it has considered the same and recommends that the bill be
6 amended by striking out all after the enacting clause and inserting in lieu
7 thereof the following:

8 Sec. 1. INTENT; WORKERS’ COMPENSATION; EXTENSION OF
9 COVID-19-RELATED PROVISIONS

10 It is the intent of the General Assembly to continue uninterrupted from
11 January 15, 2021 through July 1, 2021:

12 (1) the Commissioner of Labor’s authority pursuant to 2020 Acts and
13 Resolves No. 150, Sec. 1 to temporarily extend deadlines and amend or waive
14 specific requirements of Vermont’s workers’ compensation laws during a state
15 of emergency related to COVID-19; and

16 (2) the provisions of 2020 Acts and Resolves No. 150, Sec. 2
17 establishing in certain circumstances a rebuttable presumption that a worker
18 who is diagnosed with COVID-19 is entitled to benefits under Vermont’s
19 workers’ compensation laws.

1 Sec. 2. 2020 Acts and Resolves No. 150, Sec. 2(a)(1) is amended to read:

2 (a)(1) In the case of a front-line worker, disability or death resulting from
3 COVID-19 shall be presumed to be compensable pursuant to 21 V.S.A.
4 chapter 9, provided that the front-line worker receives a positive laboratory test
5 for COVID-19 or a diagnosis of COVID-19 from a licensed healthcare
6 provider between March 1, 2020 and ~~January 15~~ July 1, 2021.

7 Sec. 3. 2020 Acts and Resolves No. 150, Sec. 2(b) is amended to read:

8 (b) For an employee who is not a front-line worker as defined in
9 subdivision (a)(2)(B) of this section, disability or death resulting from COVID-
10 19 shall be presumed to be compensable pursuant to 21 V.S.A. chapter 9 if the
11 employee receives a positive laboratory test for COVID-19 or a diagnosis of
12 COVID-19 from a licensed healthcare provider between April 1, 2020 and
13 ~~January 15~~ July 1, 2021 and, not more than 14 days prior to the date on which
14 the employee is tested or examined, either:

15 * * *

16 Sec. 4. 2020 Acts and Resolves No. 150, Sec. 3 is amended to read:

17 Sec. 3. PROSPECTIVE REPEAL

18 In the absence of legislative action to the contrary, Secs. 1 and 2 of this act
19 are repealed on ~~January 15~~ July 1, 2021.

1 Sec. 5. EFFECTIVE DATE

2 This act shall take effect on passage; except that notwithstanding 1 V.S.A.
3 § 214, Secs. 1, 2, and 3 shall take effect retroactively on January 15, 2021.

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8 (Committee vote: _____)

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Senator _____

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FOR THE COMMITTEE