

1 TO THE HONORABLE SENATE:

2 The Committee on Economic Development, Housing and General Affairs to
3 which was referred Senate Bill No. 173 entitled “An act relating to workers’
4 compensation and the Vermont Labor Relations Board” respectfully reports
5 that it has considered the same and recommends that the bill be amended as
6 follows:

7 First: By striking out Sec. 2, adding a mediator position to Vermont Labor
8 Relations Board, in its entirety and inserting in lieu thereof a new Sec. 2 to
9 read as follows:

10 Sec. 2. VOCATIONAL REHABILITATION WORKING GROUP; REPORT

11 (a) Creation. There is created the Vocational Rehabilitation Working
12 Group to provide recommendations to the General Assembly on how to
13 improve the current vocational rehabilitation system to ensure that it meets the
14 needs of eligible injured workers in a timely manner.

15 (b) Membership. The Working Group shall be composed of the following
16 members:

17 (1) the Director of Workers’ Compensation and Safety or designee;

18 (2) two representatives on behalf of workers’ compensation claimants,

19 who shall be appointed by [TO BE INSERTED];

1 (3) two representatives on behalf of employers and workers’
2 compensation insurance carriers, who shall be appointed by [TO BE
3 INSERTED]; and

4 (4) two vocational rehabilitation counselors currently certified in
5 Vermont, who shall be appointed by [TO BE INSERTED].

6 (c) Powers and Duties. The Working Group shall meet over the summer
7 and fall to discuss and develop recommendations on how to improve the
8 current vocational rehabilitation system and prepare recommendations for
9 consideration by the General Assembly. The Working Group shall consider
10 the following questions:

11 (1) What mechanisms could better identify which claimants are likely to
12 require vocational rehabilitation services?

13 (2) Could utilization of vocational services be improved by enabling
14 claimants to access vocational rehabilitation benefits while receiving wage
15 replacement benefits?

16 (3) Could the workers’ compensation system take into account the
17 diminished earning capacity of those claimants who are unable to earn a
18 preinjury wage but are not eligible to receive permanent total disability
19 benefits?

20 (4) Should the average weekly wage be indexed to the cost of living for
21 vocational rehabilitation purposes?

1 (5) What improvements could be made to ensure that vocational
2 rehabilitation providers who provide services to workers' compensation
3 claimants are familiar with Vermont's workers' compensation system?

4 (6) Are some of the current requirements for providing vocational
5 rehabilitation services too onerous and administratively unnecessary?

6 (7) How could the Department of Labor's oversight of vocational
7 rehabilitation be improved?

8 (d) Meetings. The Director of Workers' Compensation and Safety shall
9 call the first meeting of the Working Group to occur on or before August 14,
10 2026.

11 (e) Assistance. The Working Group shall have the administrative,
12 technical, and legal assistance of the Department of Labor.

13 (f) Report. On or before December 15, 2026, the Working Group shall
14 submit a written report to the House Committee on Commerce and Economic
15 Development and the Senate Committee on Economic Development, Housing
16 and General Affairs with its findings and any recommendations for legislative
17 action. The Working Group shall cease to exist upon submission of the report.

18 (g) Compensation and reimbursement. Except for those members regularly
19 employed by the State, members of the Working Group shall be entitled to
20 reimbursement of expenses as permitted under 32 V.S.A. § 1010 for not more

1 than five meetings. These payments shall be made from monies appropriated
2 to the Department of Labor.

3 Second: By striking out Sec. 3 in its entirety and by renumbering the
4 remaining sections to be numerically correct.

5 and that after passage the title of the bill be amended to read: “An act
6 relating to vocational rehabilitation”

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17 (Committee vote: _____)

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Senator

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FOR THE COMMITTEE