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H.681

Representative Marcotte of Coventry moves that the bill be amended by striking out Sec. 2, effective date, in its entirety and inserting in lieu thereof Secs. 2, 3, 4, 5, and 6 to read:

Sec. 2. 21 V.S.A. § 1325 is amended to read:

§ 1325. EMPLOYERS' EXPERIENCE-RATING RECORDS;

DISCLOSURE TO SUCCESSOR ENTITY

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

* * *

(G)(i) The individual was temporarily separated from employment with that employer because:

(I) the employer temporarily ceased operation at the individual's place of employment in response to a request from a local health

1 official or the Commissioner of Health that the employer cease operations
2 because of COVID-19 or because the employer voluntarily ceases operations
3 due to the actual or suspected exposure of workers at that place of employment
4 to COVID-19; or

5 (II) the individual has been requested by a medical
6 professional, local health official, or the Commissioner of Health to be isolated
7 or quarantined as a result of COVID-19, regardless of whether the individual
8 has been diagnosed with COVID-19; and

9 (ii) the individual is subsequently rehired by the employer when
10 the employer resumes operations at the individual's place of employment or
11 upon the completion of the individual's period of isolation or quarantine.

12 (2) If an individual's unemployment is directly caused by a major
13 disaster declared by the President of the United States pursuant to 42 U.S.C. §
14 5122 and the individual would have been eligible for federal disaster
15 unemployment assistance benefits but for the receipt of regular benefits, an
16 employer shall be relieved of charges for benefits paid to the individual with
17 respect to any week of unemployment occurring due to the natural disaster up
18 to a maximum amount of four weeks.

19 * * *

1 (i) the individual left such employment to accompany a spouse
2 who:

3 (i) is on active duty with the U.S. Armed Forces and is
4 required to relocate due to permanent change of station orders, activation
5 orders, or unit deployment orders, and when such relocation would make it
6 impractical or impossible, as determined by the Commissioner, for the
7 individual to continue working for such employing unit; or

8 (ii) holds a commission in the U.S. Foreign Service and is
9 assigned overseas, and when such relocation would make it impractical or
10 impossible, as determined by the Commissioner, for the individual to continue
11 working for such employing unit; or

12 ~~(ii) the individual left such employment to care for parent,~~
13 ~~grandparent, spouse, child, brother, sister, parent in law, grandchild, or foster~~
14 ~~child who has been diagnosed with COVID-19.~~

15 * * *

16 (3) For not more than six weeks nor less than one week immediately
17 following the filing of a claim for benefits, in addition to the waiting period, as
18 may be determined by the Commissioner according to the circumstances in
19 each case, if the Commissioner finds that he or she has left the employ of his or
20 her last employing unit, without good cause attributable to such employing
21 unit, because of a health condition, as certified by a health care provider, as

1 defined in 18 V.S.A. § 9432(9), that precludes the discharge of duties inherent
2 in such employment; ~~a request by a health care provider, as defined in 18~~
3 ~~V.S.A. § 9432(9), a local health official, or the Commissioner of Health that~~
4 ~~the individual be isolated or quarantined as a result of COVID-19; or based on~~
5 ~~a legitimate concern about exposure to COVID-19 at the individual's place of~~
6 employment.

7 * * *

8 Sec. 6. EFFECTIVE DATES

- 9 (a) This section and Secs. 2 and 3 shall take effect on passage.
10 (b) Sec. 1 shall take effect on July 1, 2020.
11 (c) Secs. 4 and 5 shall take effect on March 31, 2021.