AMENDMENTS TO SENATE BILL NO. 613
Sponsor: REPRESENTATIVE HARRIS
Printer's No. 1629

Amend Bill, page 1, line 27, by inserting after "BUSINESSES"
and for COVID-19 hazardous duty work

Amend Bill, page 10, line 13, by striking out "AN ARTICLE"
and inserting
articles

Amend Bill, page 11, by inserting between lines 13 and 14

ARTICLE XXI-D
COVID-19 HAZARDOUS DUTY WORK

Section 2102-D. Work-related hazardous duty.--

(a) Presumption of work-related hazardous duty.--
Notwithstanding any other provision of this act or any other law
or regulation to the contrary, an individual employed by a life-
sustaining business or occupation who contracts, has symptoms of
or is otherwise exposed to an infectious disease, including
COVID-19 (coronavirus) or any other novel virus or infectious
disease during the declaration of a disaster emergency under 35
Pa.C.S. § 7301 (relating to general authority of Governor), the
declaration of an epidemic or a public health emergency in this
Commonwealth by the Governor or a pandemic, which results in a
period of hospitalization, quarantine, isolation or other
control measures due to such infection or exposure, shall
establish a presumption that the individual's medical condition
or inability to work is work-related hazardous duty.

(b) Hazardous duty deemed on-duty time.--An individual with
an established presumption of work-related hazardous duty under
subsection (a) may not be required to use sick time, vacation
time, personal time or any other accrued paid time off or
contractual time off to cover the period of incapacitation or
inability to work.

(c) Eligibility and qualification; unemployment and workers'
compensation.--

(1) Notwithstanding any provision of the act of December
5, 1936 (2nd Sp.Sess., 1937 P.L.2897, No.1), known as the
Unemployment Compensation Law, an individual with an
established presumption of work-related hazardous duty under
subsection (a) shall be eligible and qualified for employment compensation for the duration of the period of incapacity or inability to work.

(2) Notwithstanding any provision of the act of June 2, 1915 (P.L.736, No.338), known as the Workers' Compensation Act, an individual with an established presumption of work-related hazardous duty under subsection (a) shall be eligible and qualified for workers' compensation for all medical costs related to such infection or exposure.

(d) Applicability.—Notwithstanding subsection (a), this section shall apply to individuals who work for a non-life-sustaining business or occupation that receives a waiver from the Department of Community and Economic Development authorizing the non-life-sustaining business or occupation to continue business operations during the period of time that a declaration of a disaster or public health emergency is effective.

Section 2102-D. Definitions.

For the purpose of this section, the following words and phrases when used in this section shall have the meanings given to them in this subsection, unless the context clearly indicates otherwise:

"COVID-19." The term shall have the meaning given to it in section 2101-C(d).

"Infectious disease." A disease which is caused by a microorganism, such as a bacterium, virus, or protozoan, which is not normally found in the human body, and which is capable of causing infection. Some, but not all, infectious diseases are contagious, meaning they can spread from person to person, including COVID-19 or the coronavirus. Other infectious diseases can spread from animals or insects to humans, but not from person to person.

"Life-sustaining business or occupation." A list of businesses or occupations, as designated by the Governor, which performs or conducts a range of vital operations, functions and services that are essential to assisting the Commonwealth and its political subdivisions in protecting people and their communities while ensuring continuity of functions critical and essential to public health and safety, as well as economic and homeland security, and which should continue normal operations, appropriately modified to account for the Centers for Disease Control and Prevention and the Department of Health workforce and customer protection guidance, during the declaration of a disaster or public health emergency.

"Public health emergency." An emergency declaration by the Governor of an occurrence or imminent threat of a disease or condition of critical public health importance with the following characteristics:

(1) Is believed to be caused by any of the following:
   (i) the emergence and spread of a novel or previously controlled or eradicated infectious disease; or

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(ii) an infectious disease epidemic in this Commonwealth or a pandemic.

(2) Poses a high probability of any of the following in the affected population:

(i) Death.
(ii) Serious or long-term disabilities.
(iii) Widespread exposure to an infectious disease, which poses a significant risk of substantial present or future harm to the public health and safety.

"Individual employed by a life-sustaining business or occupation." Front-line employees and other individuals employed by or under contract with a life-sustaining business or entity who work during the declaration of a disaster emergency or a public health emergency. The term shall include, but not limited to:

1. First responders, including law enforcement officers, firefighters, emergency medical technicians and other individuals who are considered to be first responders.
2. Corrections officers.
3. Emergency services dispatchers.
4. Ambulance drivers.
5. Retail workers, including restaurant, food services and grocery store workers, cashiers and other support staff.
6. Food and agriculture workers.
7. Medical, health care and public health workers, including doctors, nursing professionals, physician assistants and paramedics, and other support staff.
8. Pharmacists and any cashiers and other pharmacy support staff.
10. Public utility workers, including workers engaged in providing telecommunications, energy, water and wastewater services and public works.
11. Any employee of State or local government.
12. Trash collectors.
13. Warehouse workers.
14. Any other individual employed by a life-sustaining business or occupation who is required to work during the declaration of a disaster emergency or public health emergency.

Amend Bill, page 11, line 15, by striking out "ARTICLE XXI-C" and inserting Articles XXI-C and XXI-D.