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

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subsection (a) shall be eligible and qualified for
unemployment compensation for the duration of the period of
incapacitation 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
(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.
(9) Home healthcare workers.
(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