AMENDMENTS TO HOUSE BILL NO. 2388
Sponsor: SENATOR SCHWANK
Printer's No. 3719

Amend Bill, page 1, line 21, by inserting after "provisions"
and for employee unemployment compensation protection

Amend Bill, page 2, lines 1 and 2, by striking out "an
article" and inserting
articles

Amend Bill, page 6, by inserting between lines 20 and 21

ARTICLE II-B
EMPLOYEE UNEMPLOYMENT COMPENSATION PROTECTION

Section 201-B. Definitions.
The following words and phrases when used in this article
shall have the meanings given to them in this section unless the
context clearly indicates otherwise:
"Business." A business, industry or trade operating with a
physical location in this Commonwealth regardless of whether
that physical location is open to the public.
"Business reopening plan." A multiple phase plan developed
by the Commonwealth for the gradual reopening of businesses that
are subject to a business closure order pursuant to a
declaration of public health emergency.
"CARES Act." The Federal Coronavirus Aid, Relief, and
"COVID-19." The novel coronavirus, otherwise known as COVID-
19.
"Employee." An individual employed by a business.
"Infectious disease." A disease that is caused by a
microorganism, such as a bacterium, virus, or protozoan, that is
not normally found in the human body and 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.
"Intermediate reopening phase." A phase of a business
reopening plan developed to address business operations during a
public health emergency where specific non-life-sustaining
businesses within a specified county of the Commonwealth are authorized to reopen and conduct limited in-person and physical operations in compliance with guidance issued by the Centers for Disease Control and Prevention for businesses to plan and respond to COVID-19 or any other infectious disease, and the guidance on business practices issued by the Department of Health to address COVID-19 or any other infectious disease.

"Life-sustaining business." A business that is designated as a life-sustaining business pursuant to a declaration of public health emergency issued by the Governor and any subsequent guidance.

"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 that poses a significant risk of substantial present or future harm to the public health and safety.

Section 202-B. Employee unemployment compensation protection.
Notwithstanding any provision of law, an employee who is employed by a business that is subject to a business closure order issued by the Governor during a public health emergency shall remain eligible for the following assistance during the period when the business is authorized for limited operations under an intermediate reopening phase, if the employee is recalled to work at the business and the employee declines to return to work due to a concern that returning to work at the business during the intermediate reopening phase will place the employee's health at risk:

(1) Pandemic unemployment assistance under section 2102 of the CARES Act.
(2) Emergency increase in unemployment compensation benefits under section 2104 of the CARES Act.
(3) Pandemic emergency unemployment compensation under section 2017 of the CARES Act.
(4) Unemployment compensation received from the Commonwealth under the act of December 5, 1936 (2nd Sp.Sess., 1937 P.L.2897, No.1), known as the Unemployment Compensation Law.