

AMENDMENTS TO HOUSE BILL NO. 1189

Sponsor: REPRESENTATIVE BRADFORD

Printer's No. 3565

1 Amend Bill, page 1, line 14, by striking out "ENFORCEMENT
2 OFFICER"

3 Amend Bill, page 6, lines 6 through 27, by striking out all
4 of said lines and inserting

5 CHAPTER 57

6 COVID-19 DISABILITY BENEFITS

7 Sec.

8 5701. Definitions.

9 5702. Employee protections.

10 § 5701. Definitions.

11 "COVID-19." The novel coronavirus as identified in the
12 proclamation.

13 "Enforcement Officer Disability Benefits Law." The act of
14 June 28, 1935 (P.L.477, No.193), referred to as the Enforcement
15 Officer Disability Benefits Law.

16 "Employee of a life-sustaining business." An employee
17 actively engaged in a task at the direction of an employer
18 designated as a life-sustaining business or occupation during
19 the proclamation. The term shall not include an employee on
20 leave for the entire duration of the proclamation.

21 "Life-sustaining business." A business or occupation, as
22 designated by the Governor to maintain operations during the
23 proclamation, which performs or conducts a range of vital
24 operations, functions and services that are essential to
25 assisting the Commonwealth and its political subdivisions in
26 protecting people and their communities while ensuring
27 continuity of functions critical and essential to public health
28 and safety, and economic and homeland security, and which
29 continues to be operational and appropriately modified to
30 account for the Centers for Disease Control and Prevention and
31 the Department of Health workforce and customer protection
32 guidance during the proclamation.

33 "Proclamation." The proclamation of disaster emergency
34 issued by the Governor on March 6, 2020, published at 50 Pa.B.
35 1644 (March 21, 2020), and any renewal of the state of disaster
36 emergency.

1 § 5702. Employee protections.

2 (a) Enforcement officer.--Notwithstanding any other
3 provision of law, a person covered under section 1(a) of the
4 Enforcement Officer Disability Benefits Law who contracts or is
5 diagnosed with COVID-19 or is subject to quarantine resulting
6 from exposure to COVID-19 and because of the contraction,
7 diagnosis or quarantine is temporarily incapacitated from
8 performing the person's duties shall be compensated in
9 accordance with section 1(a) of the Enforcement Officer
10 Disability Benefits Law.

11 (b) Life-sustaining business.--

12 (1) An employee of a life-sustaining business who
13 contracts or is diagnosed with COVID-19 or is subject to
14 quarantine resulting from exposure to COVID-19 and because of
15 the contraction, diagnosis or quarantine is temporarily
16 incapacitated from performing the person's duties shall be
17 paid the person's full rate of salary by the life-sustaining
18 business until the disability arising because of the
19 contraction, diagnosis or quarantine has ceased.

20 (2) Each medical and hospital bill incurred in
21 connection with an incapacitation under paragraph (1) shall
22 be paid by the life-sustaining business. During the time a
23 salary for temporary incapacity shall be paid by the life-
24 sustaining business, any workmen's compensation benefits,
25 received or collected by the employee for the period shall be
26 turned over to the life-sustaining business and if the
27 payment is not made by the employee, the amount owed the
28 life-sustaining business shall be deducted from any salary
29 owed to the employee.

30 Amend Bill, page 14, by inserting between lines 3 and 4

31 Section 2.1. The addition of 35 Pa.C.S. Ch. 57 shall apply
32 retroactively to March 6, 2020.