

AMENDMENTS TO HOUSE BILL NO. 2412

Sponsor: REPRESENTATIVE BRADFORD

Printer's No. 3570

1 Amend Bill, page 2, line 13, by inserting after "sale"

2 or rent

3 Amend Bill, page 2, line 15, by inserting after "estate"

4 or entering into a rental agreement

5 Amend Bill, page 3, by inserting between lines 19 and 20

6 (a.1) Mitigation measures.--Waivers under subsection (a)
7 shall only be issued to business activities that can adhere to
8 applicable mitigation measures defined by the Centers for
9 Disease Control and Prevention, Occupational Health and Safety
10 Administration and the Department of Health to protect workers
11 from and mitigate the spread of COVID-19. A business receiving a
12 waiver under subsection (a) shall implement the applicable
13 mitigation measures.

14 (a.2) Additional required protection for employees.--A
15 business that receives a waiver and operates under subsection
16 (a) shall also provide, at a minimum, the following to each
17 essential employee:

18 (1) A minimum wage of \$15 per hour.

19 (2) Additional hazard pay, relative to the employee's
20 risk of exposure.

21 (3) Appropriate new personal protective equipment at the
22 start of every shift. Personal protective equipment shall
23 include, but not be limited to, gloves and a mask.

24 (4) A work environment that maximizes the safety of an
25 employee and the public, including, but not limited to, the
26 use of social distancing and barriers.

27 (5) Cleaning areas with adequate soap and water and
28 breaks to frequently engage in hand washing.

29 (6) Access to hand sanitizer between hand-washing
30 breaks.

31 (7) Leave for sickness and shall be compensated at the
32 same rate.

33 (8) Information from the employer if a coworker has been
34 tested for COVID-19 and the results of those tests when
35 available.

36 (a.3) Compliance.--A business operating in this Commonwealth

1 under a waiver under subsection (a) that violates any
2 requirement of the mitigation plan shall be immediately closed
3 and may not be permitted to reopen until the business is in
4 compliance.

5 (a.4) Applicability.--The contraction of the COVID-19 virus
6 by an essential employee shall be considered a personal injury
7 to the employee under the act of June 2, 1915 (P.L.736, No.338),
8 known as the Workers' Compensation Act. The fact that the
9 essential employee contracted the COVID-19 virus shall establish
10 a presumption that the injury arose in the course of the
11 employee's employment within the meaning of the Workers'
12 Compensation Act. The presumption shall not be conclusive but
13 may be rebutted if the employer establishes that the employee
14 contracted the COVID-19 virus prior to any job-related exposure.

15 Amend Bill, page 4, by inserting between lines 7 and 8

16 (d) Definitions.--The following words and phrases when used
17 in this section shall have the meanings given to them in this
18 subsection unless the context clearly indicates otherwise:

19 "Business." Any business, industry or trade operating with a
20 physical location in this Commonwealth, regardless of whether
21 that physical location is open to the public.

22 "COVID-19." The novel coronavirus, otherwise known as COVID-
23 19.

24 "Essential employee." An employee of a business who is
25 required by the employee's employer to report to work at a
26 physical location.