

PHILIP B. SCOTT  
Governor



State of Vermont  
OFFICE OF THE GOVERNOR

July 13, 2020

Vermont General Assembly  
115 State Street  
Montpelier, Vermont 05633

Dear Legislators:

Today, I signed S.342, *An Act Relating to Temporary Workers' Compensation Amendments Related to COVID-19*.

I'm pleased the Legislature has taken this step to recognize the vital work of our first responders and health care workers and has recognized the importance of employer compliance with the health and safety guidance issued by the Agency of Commerce and Community Development (ACCD).

During these unprecedented times, it is vital we do all we can to ensure Vermonters who return to work do so under the safest possible conditions with the type of extended, temporary protections that challenging times call for. Just as we extended Unemployment Insurance outside of its traditional boundaries to combat the effects of a once-in-a-Century pandemic, adjusting Workers Compensation guidelines on a temporary basis is another responsible way to help protect workers and safely reopen our economy.

It's important to remember that my Administration has worked hard to reduce workers' compensation rates, and in fact, rates have decreased near 30% over the past four years – it would be unfortunate to lose this momentum – especially when so many businesses are already struggling financially due to the pandemic.

It's also important to recognize, the protections provided in the bill are temporary and will expire. It's also equally important to know that the current workers' compensation system would most likely provide the appropriate coverage and compensation for any Vermonter engaged in a job that increases their risk of contracting COVID-19 through workplace exposure. In fact, the Department of Financial Regulation (DFR) reports insurers have already approved workers compensation coverage for COVID-19 related claims made by some workers.

To summarize, I am signing this bill because:

- S.342 provides additional peace of mind for workers; and when the presumption expires, the existing system would continue to provide protection. In fact, due to the pandemic response, there is arguably more documentation available to workers and insurers, in the form of contact tracing, to help verify claims for work-related illness.
- The bill recognizes the vital work being done in this emergency by Vermont's front-line workers and provides clarity for Vermonters returning to work.
- The financial impacts of the bill are likely to be relatively small, especially because the current system is already covering COVID-19 claims.
- The bill may help provide a measure of certainty in some workers' compensation cases and does not appear likely to cause significant confusion in others.
- An increasing number of other states have passed similar legislation in recent weeks and months and there are benefits to having consistency.
- The bill provides for a study to assess the presumptions' costs, and possibly to reduce the impact on businesses through a special fund.
- The bill may provide further incentive for businesses to comply with applicable sector guidance to benefit from the conditions of the presumptions.

Implementing temporary protections that help Vermonters through these extraordinary and difficult times is an important part of my Administration's response to this once-in-a-Century emergency. Adapting to new, unprecedented circumstances allows us to keep Vermonters safe and, ultimately, recover from this crisis more quickly.

Thank you again for your attention to this matter.

Sincerely,



Philip B. Scott  
Governor

PBS/kp

c: The Honorable Mitzi Johnson, Speaker of the House  
The Honorable Tim Ashe, President Pro Tempore  
The Honorable David Zuckerman, Lt. Governor  
The Honorable William MaGill, Clerk of the Vermont House of Representatives  
The Honorable John Bloomer, Secretary of the Vermont Senate