

Subject COVID-19 frontline worker payments

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## Overview

Establishes a program for making payments to frontline workers whose work put them at risk of contracting COVID-19 during the peacetime emergency declared by the governor.

## Summary

| Section | Description |
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| 1 | <b>Frontline worker payments; public purpose.</b> |
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States a legislative purpose to providing payments to frontline workers whose work put them at risk of contracting COVID-19 during the peacetime emergency declared by the governor. Finds a public purpose and benefit to these payments, under the premium pay provisions of the American Rescue Plan Act of 2021.

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| 2 | <b>Frontline worker payments.</b> |
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**Subd. 1. Program established; payments authorized.** Directs the commissioner of revenue, in coordination with the commissioners of labor and industry and employment and economic development, to make payments to frontline workers as provided in this section.

**Subd. 2. Frontline sector defined.** Defines “frontline sector” as:

- 1) long-term care and home care;
- 2) health care, excluding physicians;
- 3) emergency responders;
- 4) public health, social service, and regulatory service;
- 5) courts and corrections;
- 6) child care;
- 7) public schools, including charter schools, state schools, and higher education;
- 8) food service, including production, processing, preparation, sale, and delivery;

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- 9) retail, including sales, fulfillment, distribution, and delivery;
- 10) temporary shelters and hotels;
- 11) building services, including maintenance, janitorial, and security;
- 12) public transit;
- 13) ground and air transportation services;
- 14) manufacturing; and
- 15) vocational rehabilitation.

**Subd. 3. Eligible frontline workers.** Defines which workers are eligible for payments under the program. To be eligible, an individual must:

- 1) have been employed for 120 hours or more in Minnesota in one or more frontline sectors between March 15, 2020, and June 30, 2021;
- 2) not have been eligible to telework during those hours due to the nature of the work which required close proximity to individuals outside of the applicant's household;
- 3) have a qualifying income, defined as, for at least one taxable year in 2020 or 2021, an income of less than \$85,000 or \$185,000 for married taxpayers filing jointly, unless the applicant was employed in an occupation with direct COVID-19 patient care responsibilities, in which case the limit is \$150,000 or \$250,000 for married taxpayers filing jointly; and
- 4) not have collected unemployment insurance benefits for more than 20 cumulative weeks between March 15, 2020, and June 30, 2021.

**Subd. 4. Application; verification of eligibility.** Requires applicants to certify in their application that they meet the eligibility requirements under subdivision 3. Directs the commissioner of labor and industry to establish an application process as soon as practicable with an application period of no more than 45 days. Stipulates that the commissioner must provide application assistance, including multilingual temporary help lines, applications, and instructions. Directs the commissioners to jointly verify applicant eligibility to the extent possible, but to accept an applicant's self-certification in the absence of contrary information. Allows applicants to appeal denials of eligibility within 15 days, though the commissioner of labor and industry's decision on appeal is final. Allows the commissioner of labor and industry to contract with a third party for the application process and application assistance.

**Subd. 5. Eligibility; payments.** Directs the commissioner of revenue to determine the payment amount for applicants once the application period closes, based on available appropriations and the number of eligible applicants. Requires that the chosen payment amount be: 1) made as soon as practicable; 2) the same for all

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applicants; and 3) no more than \$1,500. Stipulates that if funding is left over after the first round of payments, that a second application period must occur where payments of \$1,500 per eligible applicant in the second round are made until the full appropriation is spent. Allows the commissioner of revenue to contract with a third party for these payment processes.

**Subd. 6. Data practices.** Classifies all data collected or created by this program about individual applicants as private data on individuals or nonpublic data. Allows this data to be shared between agencies and any third-party vendors to the extent necessary for administration of the program.

**Subd. 7. Notice requirement.** Requires employers in a frontline sector to provide notice within 15 days of an application period opening to all workers who may be eligible for payments under this program that this assistance exists and how to apply. Stipulates this notice must be conspicuous, such as a notice at the work site or providing a copy of the notice to all workers. Allows the commissioner of labor and industry to enforce this notice requirement.

**Subd. 8. Payments not to be considered income.** Excludes frontline worker payments from being considered as income for the purposes of state income taxes or eligibility for a wide range of state programs.

**Subd. 9. Report.** Requires a report to the legislature within 45 days of the end of the application period on payments made under this program.

**Subd. 10. Procurement.** Exempts this program from state procurement laws and program administration procedures.

**Subd. 11. Appropriations.** Appropriates money in fiscal year 2022 for payments to frontline workers and for the costs of administration and outreach about the program.

**Effective Date:** Except as specified, this section is effective the day following final enactment. Subdivision 8, paragraphs (a), (b), and (c), are effective for taxable years in which a taxpayer received a frontline worker payment. Subdivision 8, paragraph (d) is effective the day following final enactment, except for a program for which federal approval is required, changes affecting the program are effective upon federal approval.



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