
State of Vermont
Department of Labor
Workers' Compensation & Safety Division

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MEMORANDUM

To: Employers, Workers' Compensation Insurers, Workers' Compensation Adjusters,
Workers' Compensation Attorneys, Workers' Compensation Vocational
Rehabilitation Councilors, and Other Interested Parties

From: J. Stephen Monahan – Director Workers' Compensation & Safety Division

Date: **Tuesday June 15, 2021**

Subject: **Impact on Workers' Compensation Program with State of Emergency Lifted**

On June 14, 2021, all COVID related restrictions were lifted in Vermont and on June 15, 2021, the declared State of Emergency expired. This will impact the Workers' Compensation Program.

In 2020, the legislature amended Workers' Compensation laws in Vermont to create a presumption that a worker who contracted COVID did so in the workplace and authorized the Commissioner of Labor to immediately enact changes to the Workers' Compensation rules to lessen the impact of COVID claim processing. These provisions sunset 30 days after the expiration of the State of Emergency.

Effective July 15, 2021, COVID presumptions will no longer apply to any workers' compensation claim asserting a worker contracted COVID on or after July 15, 2021. The burden of proof that the worker contracted COVID in the workplace will be on the injured worker. COVID claims reporting a worker contracted COVID at the workplace between March 1, 2020 and July 15, 2021 will remain entitled to the presumption and the burden of proof will be on the employer.

Additionally, modifications made to the Vermont Workers' Compensation Rules shall no longer be applicable as of July 15, 2021. The Workers Compensation Rules in effect in February 2020 will again control filing, adjusting, and adjudication of Workers' Compensation claims.

