



Date: May 19, 2020

To: Honorable Mayor Robert Garcia and Members of the City Council

From: Councilwoman Jeannine Pearce, District 2
Councilmember Dee Andrews, District 6
Councilmember Al Austin, District 8
Councilmember Rex Richardson, District 9

Subject: Resolution in Support AB 664 and SB 893

RECOMMENDATION:

Recommendation to request the City Attorney to draft a resolution in support of AB 664 and SB 893, regarding presumptive work-related injuries and worker's compensation for first responders and return to the City Council for adoption on June 2, 2020.

DISCUSSION

AB 664

Due to the unique dangers faced by first responders, certain types of injuries are deemed presumptively work-related. During the COVID-19 pandemic, first responders and health care professionals are required by law to provide vital public safety services. This puts them at a higher risk of exposure and infection. AB 664 will classify COVID-19 and other communicable diseases as presumptive work-related injuries for nurses, firefighters, and peace officers.

To protect first responders on the front-lines of the COVID-19 pandemic response AB 664 provides:

- 1) An occupational presumption for injuries sustained from COVID-19, and other communicable diseases, for peace officers, firefighters, and health care workers.
- 2) The presumptive injury status applies ONLY if there is a declared state of emergency by state or local governments.
- 3) Reasonable reimbursements for out of pocket expenses for personal protective equipment and other costs that provide for protection to self and the public.
- 4) Property right protections (leave balances) for these workers when they are ordered home, without confirmed testing, by their employer.

SB 893

Our healthcare system is growing by the numbers each day. Workers on the front line who work in health care settings, such as nurses, are not entitled to workers' compensation presumptions. Only a number of frontline professionals are currently

eligible for workers' compensation presumptions. These include professions such as EMTs, paramedics, firefighters, and police officers.

There are a number of frontline nurses treating patients with COVID-19, exposing themselves to this infection. Currently, the number of nurses and health care workers working in the frontline lack priority testing and personal protective equipment (PPE). This puts many of our frontline workers and others at risk.

Workers' compensation presumptions should be available for all frontline professions who are at risk of the same illnesses and injuries due to the nature of their work. This will prevent more individuals from getting infected by COVID-19.

Supporting these bills will ensure we continue to protect our frontline workers and community from higher exposure of COVID-19. With this, the City Council requests the City Attorney to return with a draft resolution supporting Assembly Bill 664 and Senate Bill 893 in the next Council meeting, June 2nd.

FISCAL IMPACT

No Financial Management review was able to be conducted due to the urgency and time-sensitive of this item.