RESOLUTION NO. RES-20-0065

A RESOLUTION OF THE CITY COUNCIL OF THE

CITY OF LONG BEACH IN SUPPORT OF ASSEMBLY BILL

664 (COOPER), "WORKERS' COMPENSATION: INJURY:

COMMUNICABLE DISEASE"

WHEREAS, Assembly Bill 664 (Cooper), related to workers' compensation injuries, communicable disease, ("Assembly Bill 664") would define "injury" to include being exposed to or contracting, on or after January 1, 2020, a communicable disease, including coronavirus disease 2019 ("COVID-2019"), that is the subject of a state or local declaration of a state of emergency issued on or after January 1, 2020, for certain state and local firefighting personnel, peace officers, certain hospital employees, and certain fire and rescue services coordinators under the Office of Emergency Services; and

WHEREAS, Assembly Bill 664 would create a conclusive presumption that the injury arose out of and in the course of employment, and would be extended to a covered person following termination of service for a period of 90 days, commencing with the last date actually worked in the specified capacity; and

WHEREAS, Assembly Bill 664 would apply to specified injuries that occurred prior to the declaration of the applicable state of emergency; and

WHEREAS, in addition to full hospital, surgical, medical treatment, disability indemnity, and death benefits as provided for by the proposed legislation, Assembly Bill 664 would also require reasonable costs of reimbursement to the employee for certain items, including but not limited to, emergency equipment or personal protective equipment ("PPE") that provides, or is ancillary to other emergency equipment or PPE that provides, protection described in the proposed legislation; and

WHEREAS, Assembly Bill 664 would declare that both of the following policies and goals should be implemented whenever a state or local state of emergency

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1 exists: funding necessary to implement Assembly Bill 664 should be prioritized over other

2 funding authorized for purposes of addressing the state of emergency, and an employee

3 who is eligible for compensation pursuant to Assembly Bill 664 should be reimbursed as

4 described and should not be required to use their accrued vacation leave, personal leave,

5 compensatory leave, sick leave, or any other leave, other than applicable benefits made

6 available pursuant to this division, in order to be reimbursed; and

7 WHEREAS, Assembly Bill 664 would exempt its provisions from the

8 apportionment requirements of existing law; and

9 WHEREAS, first responders and front-line workers as identified in

10 Assembly Bill 664 provide vital public safety and health services that may put them at a

11 higher risk of exposure to and infection of communicable diseases, including but not

12 limited to COVID-19; and

13 WHEREAS, the City wishes to support Assembly Bill 664 and show its

14 commitment to this proposed law in anticipation of its enactment; and

15 WHEREAS, at its May 19, 2020, meeting, the City Council directed staff to

16 bring back this Resolution supporting Assembly Bill 664 and this Resolution implements

17 the direction provided;

18 NOW, THEREFORE, the City Council of the City of Long Beach resolves as

19 follows:

20 Section 1.   The City Council of the City of Long Beach declares support

21 for Assembly Bill 664 (Cooper) and its commitment to this proposed law in anticipation of

22 its enactment, and in support of those first responders and front-line workers specified

23 therein who provide vital services that may heighten their risk of exposure to and infection

24 of communicable diseases, such as COVID-19.

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I hereby certify that the foregoing resolution was adopted by the City Council of the City of Long Beach at its meeting of ___ June 9 ___, 2020, by the following vote:

Ayes: Councilmembers: Zendejas, Pearce, Price, Mungo, Andrews, Uranga, Austin, Richardson.

Noes: Councilmembers: None.

Absent: Councilmembers: Supernaw.

City Clerk

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