



## Legislation Text

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### Res. No. 1322

Resolution calling on the New York State Legislature to pass, and the Governor to sign, legislation automatically classifying the deaths of all municipal employees who died from COVID-19 as line-of-duty deaths.

By Council Members Miller, Borelli, Yeger, Kallos, Chin, Brannan, Maisel, Van Bramer, Cabrera, Koslowitz, Rodriguez, Menchaca, Gibson, Rose, Powers, Barron and the Public Advocate (Mr. Williams)

Whereas, In 2019 and 2020, the disease COVID-19, also known as coronavirus, spread rapidly worldwide, leading the President of the United States to declare a national emergency, and the World Health Organization to declare the outbreak a global pandemic; and

Whereas, The impact of the coronavirus pandemic has been especially severe in the State of New York, which reports nearly 300,000 confirmed COVID-19 cases and 17,638 confirmed COVID-19 fatalities as of April 28, 2020, constituting roughly one-third of all confirmed coronavirus cases in the United States; and

Whereas, According to the New York City Department of Health and Mental Hygiene, New York City reports 11,820 confirmed COVID-19 deaths and 5,395 probable COVID-19 deaths, as of April 27, 2020; and

Whereas, New York City is highly reliant on a large staff of municipal employees that totals over 325,000 workers; and

Whereas, Many municipal workers in New York City, including police officers, firefighters, emergency medical services personnel, sanitation workers, healthcare workers, and teachers are essential workers whose occupational responsibilities preclude working from home; and

Whereas, During the COVID-19 pandemic, these workers face heightened risk and exposure to COVID-19 as a result of the nature of their positions; and

Whereas, An April 22, 2020 article in the *New York Times* reports that at least 209 City workers had

died due to coronavirus at the time of publication, including 63 employees of the Department of Education, 33 employees of City hospitals, and 31 New York Police Department employees; and

Whereas, A line-of-duty death refers to a death that resulted from and is attributable to one's employment; and

Whereas, For individuals whose death is classified as a line-of-duty death, additional benefits are provided to their surviving family, such as increased pension and health coverage; and

Whereas, As of April 29, 2020, a municipal employee's death as a result of COVID-19 is only classified as a line-of-duty death if the employee's surviving family members can prove that the individual more likely than not contracted COVID-19 while on duty; and

Whereas, Classifying the deaths of all municipal workers who have died from COVID-19 as line-of-duty deaths would grant additional benefits and resources to families of the deceased, and would alleviate the burden of having to prove a family member's death was directly attributable to their work; and

Whereas, Classifying the deaths of municipal workers who have died from COVID-19 as line-of-duty deaths would also serve as a form of recognition for the sacrifices of municipal employees who lost their lives while serving their government and community during a time of crisis; now, therefore, be it

Resolved, That the Council of the City of New York calls on the New York State Legislature to pass, and the Governor to sign, legislation automatically classifying the deaths of all municipal employees who died from COVID-19 as line-of-duty-deaths.

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