



# COMMUNIQUE

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## UNION URGES CITY COUNCIL TO HELP FAMILIES OF DECEASED FRONTLINE WORKERS

### Gov Agrees & Signs COVID-19 Death Benefit Bill

As New York City entered its third month of COVID-19 shutdown, the City Council started the process of providing help for the families of frontline workers who gave their all in the fight against the deadly disease, but didn't survive.

At a May 5 hearing of the Committee on Civil Service and Labor, Council members heard passionate testimony via teleconferencing from several citywide labor leaders, including Local 1180 President Gloria Middleton, as well as city officials on proposed legislation to provide additional protections for workers classified as essential employees during the pandemic.

Just months later, the New York State Senate and Assembly met in Albany to discuss legislation that the City Council was considering: automatically classifying all municipal workers who die as a result of COVID-19 as line-of-duty deaths, and granting accidental death benefits to family survivors of public workers. Another key proposal being examined was for the city to continue health coverage for surviving spouses, domestic partners, and dependent children of public workers who die as a result of a COVID-19 complication.

At the hearing, Middleton said, "I do not feel the need to talk about the merits of either one of these proposals as I don't believe anyone would argue the fact that essential workers who put themselves on the frontlines during this pandemic and paid the ultimate price are just as much everyday heroes as the doctors and nurses who treated patients.

"It is our essential workers who are keeping buses and subways operational so those doctors and nurses can get to work. It is our essential workers inside New York City hospitals who are admitting patients, handing out face masks, cleaning and disinfecting, transporting patients, delivering meals, removing the deceased. Many of these are Local 1180 members. Some are members of other unions. But it does not matter because all are essential workers who daily come face to face with COVID-19. Many survive. Some do not.

"I have essential workers from the Department of Correction who work on Rikers Island ... essential workers who work at HRA/SNAP centers ... and essential workers who every single day work with the escalating number of our city's homeless population who are some of the most susceptible to COVID-19. Our essential workers are the behind-the-scenes heroes. The ones who far too often do not receive the proper respect or accolades. Their deaths should undoubtedly be classified as line of duty and their surviving

spouses should be more than entitled to receive their health care benefits as a result."

Shortly after the virtual hearing, Mayor de Blasio followed the lead of city unions and himself called for line-of-duty death benefits for city workers who die of COVID-19. On May 10, the city announced it would pick up the health care premiums for 45 days for the families of civil servants who die from the virus. To date, more than 245 municipal employees have lost their lives to COVID-19, including many Local 1180 members.

On Memorial Day weekend, Gov. Cuomo signed into law the legislation allowing beneficiaries to automatically be entitled to the accidental death benefit, paid through the members' pension. The new law covers workers on the job anytime from March 1, who contracted COVID-19 within 45 days of reporting to work, and then died on or before Dec. 31, 2020, either due to COVID-19, or had COVID-19 as a contributing factor in the death.

In determining whether accidental death benefits should be awarded, a deceased member or retiree must have had a positive lab test for COVID-19 within 45 days of reporting to work, or have been diagnosed with COVID-19 from a qualified medical provider, either before or after the member's or retiree's death. The beneficiary would also have to show that COVID-19 was the cause or contributing factor in the death as documented by a death certificate or by a qualified health care provider.

Both the ordinary and accidental death benefit options are based on a member's retirement system. In the case of Local 1180, that is NYCERS. Other factors in determining payouts include a member's tier, years on the job, and salary. With the new law, the designated beneficiary can choose whether to take the one-time, lump sum payout under the ordinary death benefit, or receive monthly payouts for life according to the formula of the accidental death benefit. It will be up survivors' beneficiaries to meet with NYCERS to determine the best option.

"Our essential workers are the ones who stepped forward during this horrifying pandemic and kept the city operational, sometimes sacrificing their own lives in the process. While their spouses and beneficiaries are grieving such devastating loss, they will at least have some comfort knowing they will not have to fight the system to prove the deaths were COVID-related. This is the least we can do for them," Middleton said. ■