

WACOPS COVID-19 UPATE – April 24, 2020

Hello members:

These are strange times made more complex by this invisible virus that lurks in the community. Nationally, at least 65 officers have succumbed to COVID-19. Much will be learned about this virus in the weeks, months, and years to come. One thing that we are reminded by this virus is how essential it is that you take seriously your personal, physical health. It is too soon to know for sure, but there are discussions in the medical community about a connection between deaths from COVID-19 and the existence of other serious underlying health problems; the two most prevalent being diabetes and obesity. We care about you, but more importantly your family cares. Please take your health seriously.

We have heard from many of you over the last several weeks and it is helpful. Your stories help to guide my research and our conversations with the Governor's office. Please keep it up! If you have any questions, stories that you want to relate (good or bad) and issues that we can help research, please email me (ttaylor@wacops.org). I respond to each of you but may not have a specific answer. I do include all your concerns in our portfolio of issues.

Updates regarding COVID 19:

NEW! Rally in Olympia includes alarming remarks by Representative Robert Sutherland (LD 39)

Last Sunday, April 19, a rally was held in Olympia voicing concerns about the stay home order of Governor Inslee. During the rally, Representative Robert Sutherland addressed the crowd. According to an article in the Seattle Times, [“Demonstrators Rally in Olympia Against Washington’s Coronavirus Stay-at-Home Order”](#) Representative Sutherland made several comments that raised concern among the WACOPS leadership. The Seattle Times’ article attributed the following comments to Sutherland:

“When we go fishing, they’re going to send their guys with guns, and they’re going to write us tickets, said Sutherland, who carried a pistol tucked into his pants. “Governor, you send men with guns after us when we go fishing, we’ll see what a revolution looks like.”

“You send your goons with guns, we will defend ourselves, he added later.”

WACOPS responded to this with two letters, one to Representative Sutherland and another to House Minority Leader JT Wilcox.

Executive Director Taylor’s [letter to Sutherland](#) said, in part: “We respect and care about our relationship and want to give you an opportunity to explain, but please know that if these statements are accurate, we take them to be your call for force by arms against law enforcement.

That cannot stand.” She went on to say, “With this in mind, we respectfully request that you publicly retract your statements and encourage citizens to respect our peace officers. We are certain you would not want to be attributed to any act of aggression against one of our state’s selfless public servants sworn to protect life.”

After receiving our letter, Sutherland phoned Teresa to discuss his statements. He began by apologizing. After a lengthy discussion, he agreed that he would retract his statements but did not commit to exactly how. He has made some references on his Facebook page, but we have urged him to take a more public, broad, and accessible approach since the Seattle Times article appeared in newspapers across the state. The Washington Association of Sheriffs & Police Chiefs have asked for an explanation in writing and in their letter state in part: “Washington’s law enforcement officers are members of our community, accountable to the community. Sheriffs are directly elected by the people, police chiefs are directly accountable to local mayors and city councils, and Washington’s state law enforcement officers are accountable to elected state leaders. We all stand together for public safety and keeping all communities safe.” We are not aware that Sutherland has yet replied to WASPC.

In her [letter to Minority Leader JT Wilcox](#), Teresa said in part: “Now, more than ever, law enforcement needs the outspoken support of elected officials. Residents need to know that peace officers are carrying out the wishes of our leaders and should not be considered the enemy. To help maintain the safety of citizens and those who help protect them, elected officials should emphasize a united message of confidence, calm, and the necessity of good citizenry. Peace officers work to ensure everyone has the free access to advocate for their rights, including free speech, assembly, and to bear arms. That said, it would be a tragedy of epic proportion if a peace officer were to have to fend off an act of aggression incited by the words of an elected official.” The letter goes on to ask Leader Wilcox to call and discuss this troubling behavior. To date we have not heard from Representative Wilcox.

You can find both letters on our website at www.wacops.org by clicking on the COVID-19 Updates icon on the main page.

NEW! WACOPS is in the news!

We reported in early April about the first responder’s coalition and our [letter to Governor Inslee](#). Then in mid-April we updated you on the progress made as a result of that effort. The coordinated effort of Washington’s first responders got the attention of the International Union of Police Associations (IUPA) and was included in their recent update: <http://www.multibriefs.com/briefs/IUPA/IUPA041420.php>.

If you are not receiving the IUPA News Watch in your inbox, consider signing up! It is a great source of information on law enforcement trends and issues. To get on the distribution, please use this link: <http://multibriefs.com/optin.php?IUPA>

Occupational Injury:

It is important that you make a claim with Labor and Industries if you have been impacted by COVID 19. Remember the Governor has directed L&I to treat presumed or confirmed COVID-

19 as a coverable injury for first responders. To find the Governor's mid-April memo to the director of L&I please go to our website or click here: www.wacops.org.

COVID – 19 Related Leave:

Every department is not handling leave from COVID-19 the same. **OUR ASK:** Please let Julie Morley, our Communications Assistant (wacops@wacops.org) know how your department is handling leave related to COVID-19. Please include your name and the name of your guild.

Do you have an L&I claim? Be sure you do your research on L&I. Though many of you have already gone through a quarantine process, and many of you have been ill, exposure continues. Please research the process and make sure you don't miss your opportunity to file, if you believe you qualify. To learn more about filing with Labor & Industries visit www.lni.wa.gov.

Here is some pieces of information taken from the linked L&I document above.

How can I file a COVID-19 claim?

Online: [FileFast tool](#).

By phone: 1-877-561-3453.

At your doctor's office (**NOTE:** if you complete the Report of Accident at your doctor's office, the doctor files the form for you).

Questions: Send L&I a secure message through the [Claim & Account Center](#). If you do not have access to the Claim & Account Center, please call L&I at the number provided above.

Exposure vs. contraction of COVID-19: Workers exposed to COVID-19 must submit the appropriate accident report form before the insurer (L&I or the self-insured employer) can pay for treatment or time-loss benefits. The same is true if the worker is unable to work during the quarantine period or is ill from the virus.

While in most cases, L&I expects to receive claims for contraction of COVID-19, the Industrial Insurance Act allows the insurer to pay for testing before someone is ill when there's been a documented, work-related exposure.

If the diagnosed condition on the original accident report form is contraction of COVID-19 and the three criteria under "when to file a claim" are satisfied, the claim will be allowed, and treatment authorized.

When a claim is filed for probable exposure and the criteria under "when to file a claim" are satisfied, the claim will be allowed for the quarantine period whether or not the worker actually contracted COVID-19.

Quarantine: L&I will accept claims of health care workers and first responders who are quarantined after COVID-19 exposure on the job.

Vulnerable Workers

A couple weeks ago, April 13, we reported to you about the confirmation Governor Inslee provided regarding vulnerable workers within our membership. I have heard from some of you about how this has helped. We are glad to hear it! If you are a vulnerable worker, or you care for one, please be sure to review the Governor's proclamation. It is available on our website at www.wacops.org

Here's a key quote from the proclamation: "**WHEREAS**, to protect our public and private sector workers in these high-risk categories from the significant life, health and safety risks of the COVID-19 disease, it is necessary that employers seek any and all options for alternative work arrangements and that these workers are protected from job displacement, loss of employment benefits, and any requirement that they use personal accrued leave before applying for any available unemployment benefits;" .

HAZARD Pay –

NEW! Per our request, some of you have let us know about your department's Hazard Pay policy. Please find the information we've collected from you on Hazard Pay policies in various departments. To access it, please log into the members only side of our website at www.wacops.org. We are still collecting this information so please let us know what your department is, or is not, doing regarding Hazard Pay.

Never logged into the Member's Only side of the WACOPS website?

Please go to the site click on "log in" and get started! If you need help logging in, please let Julie know wacops@wacops.org.

COVID – 19 related death; is it a LODD?

We continue to work on this issue. While the Governor has sent to memorandums to the director of Labor and Industries, it is not completely clear how those directives will influence a finding that a COVID-19 death of an officer is related to the job. WACOPS has been researching this issue for over a month. This persistence has resulted in a meeting next week with the Department of Retirement Services and Washington State Labor and Industries. I will report what we determine from that meeting.

NEW! Non-emergency Surgery – Relief in sight?

Based on input from you, we began forwarding questions to the Governor's office at the end of March about getting elective surgery authorized as "essential", at least those surgeries for essential workers. This week, Governor Inslee referenced in his press conference that such surgery may be one of the initial services to be restored in the early phase of reopening our economy. While it isn't a solution yet, we are working on keeping your needs at the forefront of these discussions.

NEW! Rehiring the Recently Retired

This is another issue we have been working on for weeks. We have had several conversations with the Department of Retirement Services, LEOFF 2, WASPC, and the governor's staff. Last week we submitted proposed language to the Governor's office for the proclamation. We are

working openly with the Washington Association of Sheriffs and Police Chiefs (WASPC) and hope that we can move this issue off high center. Our interests focus on protecting your rights.

We learned today that WASPC has asked for legal guidance to ensure the temporary authorization can include the necessary limits/criteria for such rehires. For example, that the rehired retired person must have retired in good standing from the same department choosing to rehire them, and that the rehired person must still have their state commission, among other things.

Please remain safe and healthy. I am working with LEOFF 2, Behind the Badge, Department of Retirement Services, Labor and Industries and the Association of Washington Cities on all the issues reported on and more. Updates will continue as we have news to report. You may also read all previous updates on our website at <https://www.wacops.org/wacops-information-for-covid-19> . At this point we are still planning to be in Chelan for the Spring Gen Mem. Please contact Campbell's resort and reserve your room for our event beginning May 20! Find the details on our website.

Be well and stay safe!

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