March 24, 2020

The Honorable Andrew M. Cuomo
Governor
Executive Chamber
State Capitol
Albany, NY 12224

The Honorable Andrea Stewart-Cousins
Temporary President & Majority Leader
New York State Senate
Room 907
Legislative Office Building
Albany, NY 12247

The Honorable Carl Heastie
Speaker
New York State Assembly
Room 349
State Capitol
Albany, NY 12224

Dear Governor Cuomo, Majority Leader Stewart-Cousins and Speaker Heastie:

Make no mistake, ten years from now, history will judge our COVID-19 response based on decisions being made at this very moment. One of those decisions is how we will treat those who contract COVID-19 at work. Will we allow insurance companies to deny selfless frontline workers care and wage replacement benefits because a faulty process allows them to exploit workers by erecting procedural hurdles? Or, will we ensure that they have timely access to medical care and wage replacement?

At this very moment, many workers in the private and public sector are continuing to provide essential services to care for the sick, and to keep the public fed, safe and healthy - while the rest of us are at home, on PAUSE.

These workers are interacting with the sick, each other, and the public at large. They are doing so at their own risk, many without essential personal protective equipment to keep them well.
That is why we have advanced language to protect these workers for inclusion in the budget. The legislation we are advocating for would not make any worker who contracted COVID-19 away from work eligible for benefits. It would simply streamline the process for those who do contract it at work and prevent insurance companies from denying valid claims. It would ensure that the responsibility for workers' care remains where it should be - with the insurance companies that have collected premiums from employers for just such an occasion. It is especially necessary because, contrary to current law, preliminary guidance from the Board indicates that they plan to require workers to meet an inordinately high threshold to prove they contracted COVID-19 at work.

Enacting this legislation will put real action behind Governor Cuomo’s recent commitment to New Yorkers, "no one will put a price on life."¹ It will send a message to workers that they will be taken care of if they get sick at work, it will encourage people to remain on the job and it will get sick workers back to work sooner.

If we have learned our lesson from the terrorist attacks of September 11, 2001 - we will enact this legislation. Legislation to protect workers who have 9/11 illnesses and their survivors is introduced every session and some of it is still pending - over 18 years later.

We have an opportunity to get this one right from the beginning.

Sincerely,

Mario Cilento
President

¹ Governor Cuomo’s COVID-19 Press Briefing, March 24, 2020