

# WORKERS' INJURY LAW & ADVOCACY GROUP®

*WILG® is the national non-profit membership organization dedicated to representing the interests of millions of workers and their families who, each year, suffer the consequences of work-related injuries or occupational illnesses and who need expert legal assistance to obtain medical care and other relief under workers' compensation programs. WILG® is a network of like-minded advocates for workers' rights, sharing information and knowledge, a sense of commitment and kinship, and networking to help each other and our clients.*

## **PRESS RELEASE**

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## **FOR IMMEDIATE RELEASE**

Open Letter to Governors and State Legislatures Regarding Workers Compensation Coverage for Personnel Fighting COVID-19 from the Worker's Injury Law & Advocacy Group.

Our country now has more confirmed cases of COVID-19 than any other country in the world. Many workers have and will contract this dreaded virus as a result of their work activities. Physicians, nurses, hospital employees, law enforcement officers, and first responders work around the clock on the front line providing care for and in direct contact with those suffering from this illness. Many of these brave caregivers have contracted the disease themselves or will in the near future. Others, while not yet testing positive, have lost wages as a result of quarantine. Those that have contracted COVID-19 have lost significant wages, incurred substantial medical bills, and some have even died as a result of their exposure at work.

Are these soldiers in this invisible war covered by workers compensation? Unfortunately, the answer is very complicated and in many states the answer may be no. Several states deny compensation for "ordinary diseases of life." Other states require clear and convincing evidence that the virus was acquired at work as opposed to exposure on the street, in a restaurant, or from a friend or family member. This burden of proof imposes a virtually insurmountable barrier to receiving benefits. The unintended consequence is that those who put their life on the line to protect all of us are left without a remedy if and when harm strikes their family. These are the most essential workers – the workers who go in every day knowing they will be directly exposed to this contagion, but also knowing that without their efforts more people will die. How can we send these workers into these dangerous situations as part of their work and not have them covered by workers compensation? Surely, none of us would want this result.

Many states have already taken some action to allow coverage of these workers if they contract COVID-19. On behalf of WILG (Workers' Injury Law and Advocacy Group), I ask and urge all Governors and members of state legislatures to take whatever action necessary – whether that be executive order or legislation- to make sure these medical workers, first responders, and law enforcement officers are covered by your state workers compensation law should they become ill as a consequence of their work caring for infected citizens. WILG is the national non-profit membership organization dedicated to representing the interest of millions of workers and their families who suffer the consequences of workplace injuries and illnesses. If WILG can assist

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in any way to ensure coverage and protection for your frontline workers during this pandemic, please let us know. We stand ready to assist.

Respectfully submitted,  
William L Smith II  
WILG President