

32ND ALASKA STATE LEGISLATURE



REPRESENTATIVE ANDY JOSEPHSON

Sponsor Statement for House Bill 45

HB 45 establishes a presumption of compensability for work related illness or death of frontline workers in the event of a disaster emergency declared due to a contagious disease outbreak.

The presumption created by HB 45 aims to provide essential workers with some peace of mind in the knowledge that they will have a social safety net and be eligible to receive workers' compensation coverage in the case of infection. Though the current COVID-19 pandemic was the impetus for this legislation, this bill is designed to provide vital workers with access to workers' compensation coverage in any pandemic emergency.

Occupational groups included in this legislation are public safety employees, health care workers, educators, and grocery store workers. HB 45 also gives the Commissioner of the Department of Labor and Workforce Development the ability to identify and add protections for additional occupational groups facing similar risk of exposure.

If enacted, an individual in one of these occupations who works directly with the public within two weeks of a positive test or diagnosis of a disease would be assumed to have contracted the infection at work and would be covered by workers' compensation. An employer could only rebut a claim by producing clear and convincing evidence that an employee infection was not work related.

The outbreak of COVID-19 has illustrated how deeply reliant we all are on the individuals in these helping professions. We depend on them to ensure the continued day-to-day functioning of society. They cannot shelter in place and must, due to nature of their employment, interact extensively with the public. It can be difficult to track the origin or trajectory of a contagious disease and to clearly establish that a disease was contracted in the workplace. Ensuring that these frontline workers feel safe is a moral obligation and HB 45 provides a tool to help protect those who work to keep us all safe and healthy.