

SUBJECT: Requiring a paid quarantine leave policy for public safety employees

COMMITTEE: State Affairs — committee substitute recommended

VOTE: 9 ayes — Hunter, Hernandez, Dean, Geren, Guillen, Metcalf, Slawson, Smithee, Spiller

0 nays

4 absent — Anchía, Raymond, S. Thompson, Turner

WITNESSES: For — John Wilkerson, Texas Municipal Police Association; Ray Hymel, Texas Public Employees Association (*Registered, but did not testify*: Marshall Kenderdine, AFSCME Texas Correctional Officers; Chris Jones, Combined Law Enforcement Associations of Texas; James Parnell, Dallas Police Association; Richard Jankovsky III, DPS Officers Association; Joe Morris, Game Warden Peace Officers Association; David Batton, Harris County Deputies Organization FOP 39; Ray Hunt, Houston Police Officers' Union; Anthony Kivela, Houston Police Retired Officers Association; Ana Gonzalez, Texas AFL-CIO; Bobby Sunley, Texas Attorney General Peace Officer's Association; AJ Louderback, Texas Sheriffs Regional Alliance; Idona Griffith; Cody Smirl; Taylor Trevino)

Against — (*Registered, but did not testify*: Wayne Rubio, Texas Attorney General Peace Officer Association)

On — (*Registered, but did not testify*: Shawn Hall Lecuona, Kri'ah b'shalom)

BACKGROUND: Some have suggested that the law should be clarified as to whether paid quarantine policies apply to public safety officers who contract COVID-19 and whether these officers are covered by current statute that specifies cases of COVID-19 contracted by first responders are work-related.

DIGEST: CSHB 2927 would require a state agency that employed public safety employees to develop and implement a paid quarantine leave policy for

such employees who were ordered to quarantine or isolate.

A "public safety employee" would mean a detention officer, emergency medical technician, firefighter, or peace officer. The bill also would establish that being "ordered to quarantine or isolate" would mean any circumstance in which a person was not permitted to continue working due to a written or verbal directive by a health authority or the employee's supervisor ordering the person to refrain from reporting to duty:

- after displaying symptoms of a communicable disease; or
- after being exposed to a communicable disease that was an illness included among those presumed, as provided by state law, to have been contracted in the source and scope of employment for purposes of benefits or compensation.

Under a paid quarantine leave policy, a public safety employee ordered to quarantine or isolate would be required to receive:

- all employment benefits and compensation, including leave accrual, pension benefits, and health benefit plan benefits for the duration of the leave; and
- reimbursement for reasonable costs related to the quarantine, including lodging, medical, and transportation.

The state agency could not reduce a public safety employee's sick leave balance, vacation leave balance, or other paid leave balance in connection with paid quarantine leave taken in accordance with a policy adopted under the bill. The bill would remove language specifying that such a policy applied if the person was ordered to quarantine or isolate due to a possible known exposure to a communicable disease while on duty.

The bill would take immediate effect if finally passed by a two-thirds record vote of the membership of each house. Otherwise, it would take effect September 1, 2023.

NOTES:

According to the Legislative Budget Board, the fiscal implications of

CSHB 2927 could not be determined due to the inability to predict the frequency of employee quarantine and isolation and associated costs.