

RESOLUTION NUMBER 2019-2053

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HURON AUTHORIZING WORKERS' COMPENSATION COVERAGE FOR OFF-DUTY PEACE OFFICERS INJURED OUT OF STATE

WHEREAS, Labor Code Section 3600.2 was amended by Assembly Bill 1749 in 2018, to allow a peace officer employer to accept liability for workers' compensation liability and provide benefits for an injury or illness sustained by a peace officer by reason of engaging in the apprehension or attempted apprehension of law violators or suspected law violators, or protection or preservation of life or property, or the preservation of the peace, outside the state of California, but who was not at the time acting under the immediate direction of his or her employer, if the employer determines that providing compensation serves the public purposes of the employer;

WHEREAS, the City's workers' compensation insurance carrier, Local Agency Workers' Compensation Excess Joint Powers Authority (LAWCX), has amended its Memorandum of Coverage to provide coverage for peace officers who sustain a bodily injury or occupational illness while out of state under the circumstances described in Section 3600.2, but only if, prior to the occurrence, the governing board of the covered member has adopted a resolution under Section 3600.2, subsection (b)(4), accepting liability for such injury and or illness under the California workers' compensation law; and,

WHEREAS, the City desires to accept workers' compensation liability for peace officers who sustain an injury or illness while out of state in accordance with Labor Code Section 3600.2 and the LAWCX Memorandum of Coverage;

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of HURON as follows:

1. The City authorizes and agrees to accept liability for workers' compensation benefits under California Labor Code, Division 4 for an injury or illness sustained by a peace officer by reason of engaging in the apprehension or attempted apprehension of law violators or suspected law violators, or protection or preservation of life or property, or the preservation of the peace, outside the state of California, but who was not at the time acting under the immediate direction of the City. This resolution is adopted pursuant to Labor Code Section 3600.2, subsection (b)(4).
2. The City finds and determines that providing workers' compensation benefits in the circumstances described in paragraph 1 serves the public purposes of the City.
3. This coverage shall not apply if, at the time of the occurrence, the peace officer was suspended from peace officer duty or otherwise not in good standing as a peace officer.
4. This coverage applies only to a peace officer as defined at Government Code Section 50920.
5. This coverage applies to occurrences that happen on or after July 1, 2019.

PASSED AND ADOPTED by the City Council of the City of HURON at its regular meeting on August 7, 2019, by the following vote:

AYES: Morales, Pimentel, Plasencia, Solorio, Leon
NOES: 0
ABSTAIN: 0
ABSENT: 0



Rey Leon, Mayor

ATTEST:



Juanita M. Veliz, City Clerk