

West Virginia Public Workers Union, UE Local 170

Jamie Beaton
President



Leslie Riddle
Vice President

Monday, April 6, 2020

Governor Jim Justice
Office of the Governor
State Capitol, 1900 Kanawha Boulevard East
Charleston, WV 25305

Regarding: State of West Virginia COVID-19 Response and Essential State Workers

Governor Jim Justice,

We appreciate the measures taken by the State of West Virginia to respond to the COVID-19 public health crisis. We also appreciate the regular updates and information it has made available through the West Virginia Department of Health and Human Resources (WV DHHR). Crucial are the continued efforts to slow the spread of COVID-19, limit the number of people who contract the Coronavirus, and care for those who are affected by this crisis. Public workers, particularly health care workers, are on the front lines of this struggle and are some of the people most impacted by this global pandemic.

The State of West Virginia has acknowledged the exceptional risk of exposure posed during this crisis. It has rightfully decided to limit public exposure to COVID-19 by enacting a stay at home order and halting businesses and government services that are not essential. These are important measures that every state should be taking at this time. The WV DHHR, Center for Disease Control (CDC), and World Health Organization (WHO) all acknowledge the importance of limiting travel and contact with other people during this crisis, and they acknowledge the drastically increased risk to exposure faced by those essential workers who are unable to avoid leaving home for work.

In order to further address the problems related to this public health crisis, the West Virginia Public Workers Union, UE Local 170, calls on officials from relevant offices and agencies to enact the following:

- For those public workers whose jobs are essential:
 - Authorization and resources to work from home for all workers whose work is primarily done over the phone or with internet access.

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- Hazard Pay in the form of a 20% pay increase for each public worker who is required to physically go to work during this crisis.
- Clear written policies and staff training for workers in all public health care facilities that maximize quarantining of infected patients and minimize worker exposure.
- Personal Protective Equipment (PPE), including N95 respirators and gloves, should be readily available for anyone tasked with treating or otherwise caring for potentially infected populations.
- Prohibition on the issuance of disciplinary actions and “records of significant occurrence”, as well as a prohibition on the issuance of performance and attendance improvement plans, for attendance issues resulting from personal or family illness during this crisis.
- For all workers in West Virginia whose jobs are essential:
 - Ensure that all workers who are required to physically go to work understand that if they are injured or infected as a result of their work, they are entitled to worker’s compensation benefits.
 - Establish free childcare facilities throughout the state. Without free childcare, we risk children staying home with elderly and vulnerable grandparents or other family members.
 - Coronavirus related time off should not count against a worker’s Family and Medical Leave Act (FMLA) benefits.
- For all Health Care and First Responder workers:
 - For No Public Workers to be excluded from any provisions of the Families First Coronavirus Response Act (H.R. 6201). This provides desperately needed benefits to workers during this crisis. The provisions of this act should apply to all workers, and the State of West Virginia has the power to ensure that no one is excluded.
- Because the COVID-19 global health pandemic has brought to the forefront the need for all workers to have the ability to address concerns regarding workplace conditions, pay, safety, benefits, etc., for all of our state’s public workers:
 - Overturn the ban on Collective Bargaining.
- Because this public health crisis has clearly and unquestionably exposed the weaknesses and shortcomings in our nation’s ability to ensure everyone is provided the health care they need:
 - The State of West Virginia should publicly endorse universal single-payer health insurance by endorsing the Medicare for All Act of 2019 (HR 1384).

As this crisis progresses, workers throughout the country continue to assert they do not have the resources necessary to protect themselves. Hospitals and other health care facilities continue to report they are unprepared to treat patients who are infected. Workers everywhere continue to make difficult choices regarding their income, health, and their ability to provide for their families. We hope this emergency will compel the State, its agencies, its health and education facilities, and management at all work locations to take seriously our calls for open communication via Labor-Management meetings with UE Local 170 members and committees. We hope that you, Governor Justice, will take seriously our call for you to meet with us, by video

conference or teleconference, if need be, to discuss what public employees are facing in these trying times, and what can be done to best address the issues we are all facing.

These are only a few measures that must be put into place immediately. Workers have long benefited from strong Collective Bargaining Agreements, which provide for specific provisions around sick time, safety, and whistleblower protections. As we face this ever-expanding pandemic, it is important that these workplace protections are expanded to all West Virginia workers.

It is up to us individually and collectively to take responsibility to end this epidemic. This means making every effort to ensure that workers stay home whenever possible, that private and public sector employers are taking every safety precaution they can to limit exposure and protect workers on job sites, and that industry and government make available the funds necessary to ensure workers receive the compensation and services they need. We in the West Virginia Public labor movement stand ready to do our part and more.

Yours for quality service and quality jobs,

Executive Board of the West Virginia Public Workers Union, UE Local 170

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