

Legislative Issues



2009



Washington State Council of Fire Fighters

January 2009

Dear Legislator:

The Washington State Council of Fire Fighters, which proudly represents over 7,900 professional fire fighters and emergency medical personnel in the state of Washington, will convene its annual Legislative Conference on February 2-3, 2009. More than 250 IAFF local leaders from throughout the state will be in Olympia during these two days to meet with their senators and representatives on issues critical to fire fighters.

The mission of the WSCFF is to provide our membership the best possible working conditions, and the safest possible working environment, along with fair compensation and benefits. We are active on all fronts, from local issues to national ones. Statewide issues that affect our members are our primary concern. Politically active since our inception in 1939, our efforts have been focused on legislative action on behalf of our members.

This legislative briefing book is prepared for your information and review. We hope it will provide you with a better understanding of our positions as you make informed policy decisions that affect fire fighters and emergency medical personnel. We thank you in advance for your consideration of these issues and our positions.

We are always available to provide any additional information you may need. Our officers, district representatives, and staff stand ready to assist you as you consider these issues. Please do not hesitate to call upon us. When fire fighter issues arise, we are the source for answers.

We look forward to a cooperative and productive legislative session.

Sincerely and fraternally,

Kelly L. Fox
President

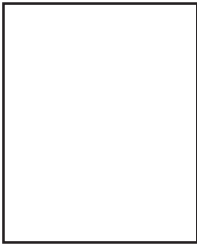
Greg B. Markley
Secretary-Treasurer

Dennis J. Lawson
Vice President

Keven E. Rojecki
Legislative Liaison

Bud Sizemore
Legislative Liaison

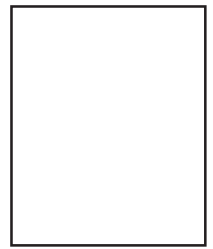
1069 Adams Street SE • Olympia, WA 98501
(360) 943-3030 • (800) 572-5762 • Fax: (360) 943-2333
Website: www.wscff.org • Email: wscff@wscff.org



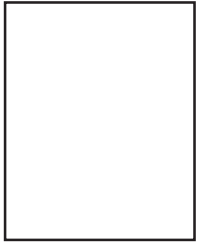
Kelly L. Fox
President
pres@wscff.org



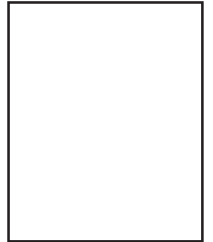
Greg B. Markley
Secretary-Treasurer
sectreas@wscff.org



Dennis J. Lawson
Vice President
4th District Representative
4thdist@wscff.org



Keven E. Rojecki
Legislative Liaison
9th District Representative
keven@wscff.org



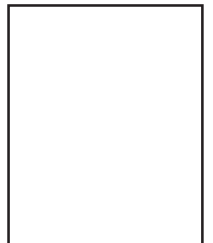
Bud Sizemore
Legislative Liaison
bud@wscff.org



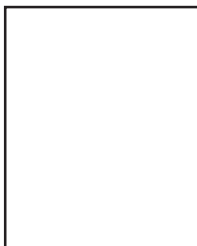
Washington State Council of Fire Fighters



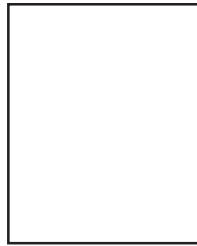
Mike Bacon
1st District Representative
1stdist@wscff.org



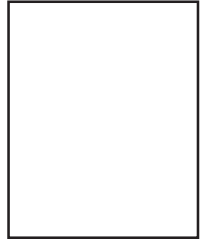
Scott Brines
2nd District Representative
2nddist@wscff.org



Rick Peters
3rd District Representative
3rddist@wscff.org



Brian Hurley
5th District Representative
5thdist@wscff.org



Pat McElligott
6th District Representative
6thdist@wscff.org



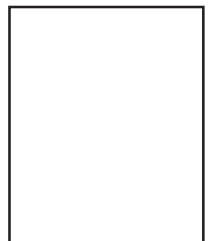
John Stockman
7th District Representative
7thdist@wscff.org



Michael Moore
8th District Representative
8thdist@wscff.org



Dean Shelton
10th District Representative
10thdist@wscff.org



Theresa Purtell
11th District Representative
11thdist@wscff.org

Legislative Issues

WSCFF Legislative Conference
February 2-3, 2009
Olympia, Washington

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WSCFF District Representatives & Corresponding Legislative Districts

Mike Bacon, 1st District Representative
Legislative District 3, 4, and 6
Local 29

Scott Brines, 2nd District Representative
Legislative Districts 4, 6, 7, 8, 9, 12, 13, 14, 15, and 16
Locals 404, 469, 876, 1052, 1296, 1433, 1789, 1892, 1919,
2052, 2299, 2328, 2916, 3542, 3543, 3680, 3701, 3711, 3889,
4203, 4333, 4362, 4418, 4514, F-304, and I-24

Rick Peters, 3rd District Representative
Legislative Districts 1, 12, 21, 24, 32, 39, and 44
Locals 453, 656, 1760, 1828, 1984, 1997, 2032, 2459,
2694, 2781, 2933, 3315, 3482, 3811, 3835, 4197, and 4446

Dennis Lawson, Vice Pres. & 4th District Representative
Legislative Districts 2, 23, 25, 26, 28, 29, 31, and 35
Locals 437, 726, 1488, 2105, 2394, 2819, 2876, 3152, 3390,
3520, 3817, 3829, 3876, 4034, 4440, 4459, F-282, and F-283

Brian Hurley, 5th District Representative
Legislative Districts 17, 18, 19, 20, 22, and 49
Locals 315, 451, 452, 468, 828, 1805, 1862, 2109, 2409,
2444, 2510, 2639, 2776, 2868, 2903, 3375, 3628, 3674, 3689,
3825, 3828, 3999, 4075, 4156, 4258, 4378, 4447, and 4574

Pat McElligott, 6th District Representative
Legislative Districts 26, 27, and 29
Local 31

John Stockman, 7th District Representative
Legislative Districts 5, 11, 33, 41, 45, 47, and 48
Locals 864, 1604, 1762, 2099, 2545, 2829, 2950,
and 3740

Michael Moore, 8th District Representative
Legislative Districts 5, 13, 31, 33, 41, and 47
Locals 1352, 1747, 1758, 2595, 2878, 3062, 3186,
3931, and 4028,

Keven Rojecki, 9th District Representative
Legislative Districts 11, 27, 30, 33, 34, and 37
Locals 1257, 1461, 1810, 2024, 2088, 2919, 3780,
4189, and I-66

Dean Shelton, 10th District Representative
Legislative Districts 10, 38, 39, 40, 42, and 44
Locals 46, 106, 1537, 1983, 2597, 3219, 3235, 3266,
3427, 3728, 3867, 3911, 3916, 4033, 4086, 4111,
4118, 4299, and 4504

Theresa Purtell, 11th District Representative
Legislative Districts 11, 34, 36, 37, 43, and 46
Local 27

PENSION CONTRIBUTION RATE STABILITY

BACKGROUND

LEOFF Plan 2 has two sources of revenue to fund plan benefits: contributions and investment earnings. Contributions are collected as a percentage of pay from the plan members, employers, and the State. The LEOFF Plan 2 Retirement Board proposed contribution rates for 2009 are: 8.45% for members, 5.07% for employers, and 3.38% for the State. The Washington State Investment Board invests the assets in the LEOFF Plan 2 retirement fund. The long-term investment earnings assumption is statutorily fixed at 8% per year.

Any benefit improvement in LEOFF Plan 2 must be paid for by an increase in contributions by plan members, employers, and the State. Last year the Legislature passed ESSB6573 which developed an alternate revenue source. When the general state revenues increase by more than five percent, an amount up to fifty million dollars biennially will be divided equally between LEOFF Plan 2 for future benefit improvements and local jurisdictions for public safety purposes.

Local governments throughout the state have historically experienced dramatic fluctuations in contribution rates for public employee pension plans. One funding policy goal of the WSCFF is to establish predictable long-term contribution rates that will remain a relatively constant proportion of member salaries and future local government budgets.

WSCFF POSITION

The WSCFF **supports** the adoption of stable contribution rates that prevent sharp, unpredictable short-term changes in contributions to LEOFF Plan 2 by members and employers alike.

WSCFF EXPLANATION

Lowering contribution rates now would result in a higher overall cost because the rates charged in the 2009-10 fiscal year would be lower than the rates necessary to fund the system, as determined by the State Actuary in the 2008 Actuarial Valuation.

The state of Washington recognizes the nature and hazards associated with fire, emergency medical and police employment. It has done so by creating the LEOFF Retirement System and establishing a retirement eligibility age of 53. A significant reduction in contribution rates at this time would suspend and almost certainly prohibit the modifications necessary to construct a dignified pension plan for Washington's LEOFF members.

CURRENT STATUS

The recent economic downturn has reduced the asset base of LEOFF Plan 2. A reduction of the scale proposed in the 2009-10 budget will lower contribution rates to LEOFF Plan 2 to an unprecedented, all-time low.

MEDICAL INSURANCE ACCESS FOR PERMANENTLY DISABLED MEMBERS

BACKGROUND

Many members who suffer catastrophic duty-related disabilities do not have access to health care insurance. A catastrophic disability is defined as a member's inability to perform any substantial gainful activity due to a physical or mental condition that may be expected to result in death or last for at least 12 months. (HB2932 - 2006 Legislative session)

This bill extends the option to purchase health care insurance from the State to members who are catastrophically disabled in the line-of-duty for themselves, their spouses, and dependent children. **The members pay the full cost of the insurance.**

WSCFF POSITION

The WSCFF **supports** legislation that extends the option to members totally disabled in the line of duty to purchase health insurance from the State.

WSCFF EXPLANATION

Currently LEOFF Plan 2 does not provide access to, or pay for, any health care insurance for any disability retirees. Disability retirees may have access to health care insurance through their employers, union or associations, or the open market.

LEOFF Plan 2 members who are catastrophically disabled may lose employer-sponsored health care insurance. According to the 2005 Employer Survey conducted by the LEOFF Plan 2 Retirement Board, only 46.8% of LEOFF Plan 2 members have access to employer-sponsored retirement health care. The cost of that health care insurance and medications may be more than the members' total LEOFF Plan 2 benefits.

The option to purchase health insurance from the State allows members totally disabled in the line of duty to continue health care coverage when it is needed most and at a premium rate that is more likely within the means of a disabled retiree.

CURRENT STATUS

Legislation will be introduced to the 2009 Legislature that will allow members who are totally disabled in the line of duty the option to purchase health insurance from the State.

ESOPHAGEAL CANCER, MRSA & PTSD

BACKGROUND

The Legislature has established certain diseases and illnesses as presumptive to fire fighters. The occupational illnesses classified under presumptive disability laws are often debilitating or fatal.

Prior to the enactment of presumptive disease laws, the burden of proof was extraordinarily difficult for fire fighters to meet because they respond to a wide variety of emergency calls, constantly working in different environments and under varied conditions. The presumptive causation as defined in Washington law assumes that the illness is caused by the act of fire fighting, unless the Department of Labor & Industries or a self-insured employer provides probable cause demonstrating otherwise.

WSCFF POSITION

The WSCFF **supports** legislation applying *prima facie* presumption to esophageal cancer, Methicillin-resistant Staphylococcus aureus (MRSA), and Post-Traumatic Stress Disorder (PTSD) as diseases for occupational benefits.

WSCFF EXPLANATION

Numerous studies point to the fact fire fighters are at considerable risk of esophageal cancer from occupational exposure. Available data are sufficient to conclude that excess risk is a distinct hazard to fire fighters.

Fire fighters are in constant danger of being directly exposed to many infectious diseases, including MRSA — a potentially deadly bacterial strain that is resistant to antibiotics. Medical providers at every level have seen increased exposures to MRSA. Fire fighters are often the first to have direct contact with high-risk patients, often in unsanitary or high-stress conditions. Fire fighters are also housed in close quarters; and, unfortunately, taking every precaution cannot eliminate the job-related threat that MRSA poses.

The inherent dangers fire fighters face are compounded by strenuous physical activity and emotionally stressful situations. Occupational stress factors are widely recognized and early interventions after traumatic incidents, known as Critical Incident Stress Debriefings, are used to attempt to reduce traumatic effects. Psychological symptoms may be acute stress or grief reactions, though in some cases are clinically diagnosed as PTSD from work-related experiences.

CURRENT STATUS

Legislation will be introduced to the 2009 Legislature to improve the presumptive disease statute.

MAINTAINING SERVICE LEVELS DURING ANNEXATIONS

BACKGROUND

The Growth Management Act (GMA) was adopted in 1990 by the Washington State Legislature to overcome uncoordinated and unplanned growth that posed a threat to the environment, sustainable economic development, and the quality of life in Washington. Since adoption of the GMA and the development of Urban Growth Areas, many fire districts have had to increase staffing to meet the service demands of rapidly growing areas that are in future annexation areas of cities and towns. Many of these areas are being considered for annexation within the next few years, which would create a shift in responsibilities and revenues between the fire departments and the governing bodies.

Current statute allows fire fighters who will be separated from employment by a fire district due to an annexation to transfer to a municipality; but the employee pay, promotion, and seniority protections are inadequate and subject to manipulation. Additionally, there is no requirement to consider or report impacts to levels of service during annexations.

WSCFF POSITION

The WSCFF **supports** legislation that addresses employment security and the maintenance or improvement of fire department levels of service during the annexation process.

The WSCFF **opposes** annexation legislation that does not address employment security and fire department levels of service.

WSCFF EXPLANATION

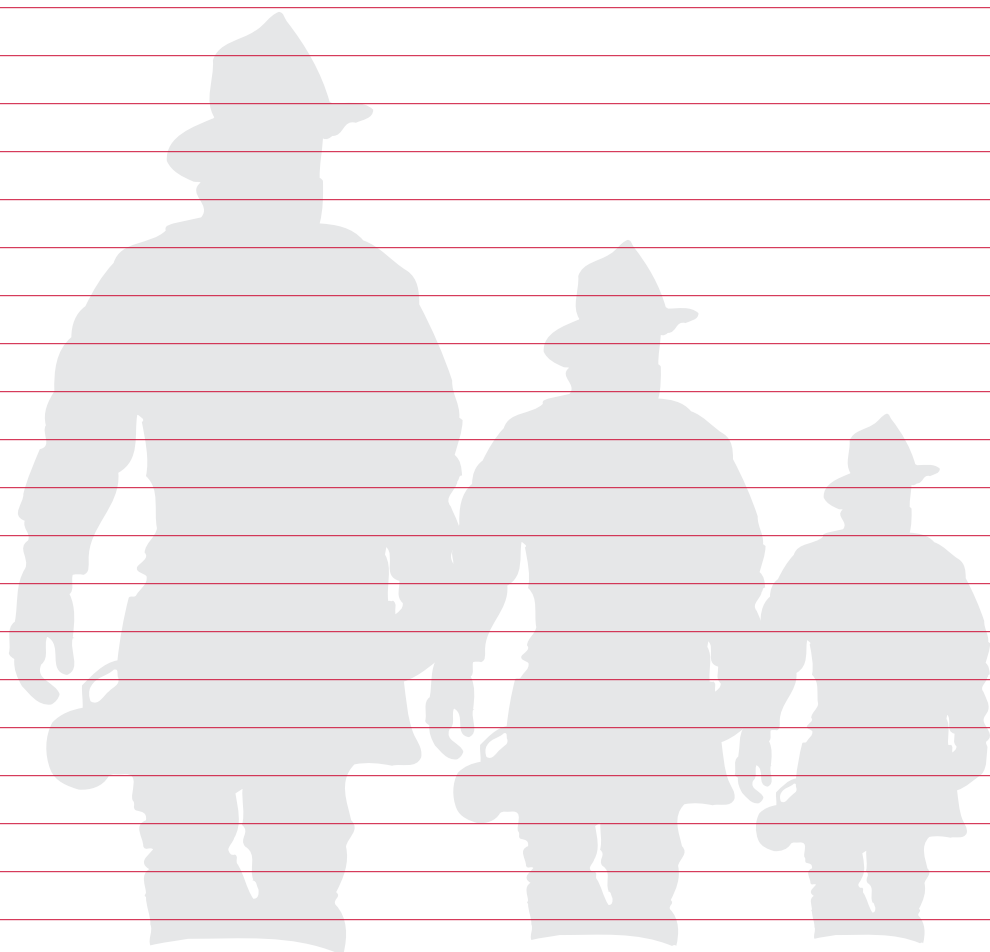
Fire suppression and lifesaving emergency medical service incidents are dangerous, time-critical, and labor-intensive events. The public interest is best served and better outcomes are achieved when adequate fire department resources arrive in a timely manner to mitigate the emergency. In no circumstance should a citizen or a business located in a newly incorporated area be subjected to a reduced level of service due to reduced resources as a consequence of an annexation.

The WSCFF has joined the Washington State Association of Fire Chiefs, Washington State Fire Commissioners, and the Association of Washington Cities in the development of a comprehensive annexation bill that addresses levels of service, employment security, alternative methods of annexation, and asset transfer.

CURRENT STATUS

As of this writing, a consensus bill is being developed by the stakeholder group.

NOTES



Washington State Council of Fire Fighters

1069 Adams Street SE • Olympia, WA 98501
(360) 943-3030 • (800) 572-5762 • Fax: (360) 943-2333
Website: www.wscff.org • Email: wscff@wscff.org



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