

April 10, 2020



## Client Alert For Clients Labor & Employment Issues

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### Governor Cuomo Proposes COVID-19 Heroes' Compensation Fund

On Friday, April 10, 2020, in his daily press briefing regarding the status of the COVID-19 crisis in New York, Governor Cuomo announced his support for a COVID-19 Heroes' Compensation Fund ("CV19 HCF"). In describing the CV19 HCF, Cuomo suggested that it should be a fund established by the federal government, modeled on the September 11th Victim Compensation Fund ("VCF"), to compensate first responders and all other essential workers that were required to report to work during the COVID-19 crisis. Responding to questions from the press about the proposed CV19 HCF, New York State Budget Director Robert Mujica further explained that in administering the fund, there should be a presumption that these workers were exposed to the COVID-19 virus in the performance of their jobs and therefore would be eligible for compensation.

Several weeks ago, during congressional negotiations about the Coronavirus Aid, Relief, and Economic Security ("CARES") Act, the concept of a compensation fund was first proposed by insurance industry trade groups and lobbyists. At the time, attorneys at Pitta & Baione LLP, which concentrates its practice in representing individuals before the VCF and the related World Trade Center Health Program ("WTCHP"), began to consider the proposal. While it was then, and continues to be, unclear whether the proposal for a compensation fund will be advanced, Pitta & Baione LLP has developed some suggested best practices, based upon its extensive experience in representing thousands of clients before the VCF and WTCHP, to preserve any claims that individuals impacted by COVID-19 may have should the CV19 HCF be established. A memorandum outlining these best practices was prepared by Pitta & Baione LLP Partner Matthew J. Baione, Esq. and is available [here](#).

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