

**ASSEMBLY, No. 4784**

**STATE OF NEW JERSEY**  
**219th LEGISLATURE**

INTRODUCED OCTOBER 8, 2020

**Sponsored by:**

**Assemblywoman ANNETTE QUIJANO**

**District 20 (Union)**

**SYNOPSIS**

Concerns employment benefits and coronavirus disease 2019 infections contracted by employees of distribution center or warehouse.

**CURRENT VERSION OF TEXT**

As introduced.



1 AN ACT concerning employees of distribution centers and  
2 warehouses contracting coronavirus disease 2019 and  
3 supplementing Title 34 of the Revised Statutes.

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5 **BE IT ENACTED** *by the Senate and General Assembly of the State*  
6 *of New Jersey:*

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8 1. As used in this act:

9 “Distribution center” means a facility that is used to receive,  
10 store temporarily, and redistribute goods, based on received  
11 customer orders.

12 “Warehouse” means a commercial building that is used to store  
13 goods.

14  
15 2. If, during the public health emergency declared by an  
16 executive order of the Governor and any extension of the order, an  
17 employee contracts coronavirus disease 2019 during a time period  
18 in which the employee is working in a distribution center or  
19 warehouse, there shall be a rebuttable presumption that the  
20 contraction of the disease is work-related and fully compensable for  
21 the purposes of benefits provided under R.S.34:15-1 et seq.,  
22 ordinary and accidental disability retirement, and any other benefits  
23 provided by law to individuals suffering injury or illness through  
24 the course of their employment. This prima facie presumption may  
25 be rebutted by a preponderance of the evidence showing that the  
26 employee was not exposed to the disease while working in the  
27 distribution center or warehouse.

28  
29 3. Any workers’ compensation claims paid according to section  
30 2 of this act shall not be considered in calculating an employer’s  
31 Experience Modification Factor, pursuant to the New Jersey  
32 Workers’ Compensation and Employers Liability Insurance Manual  
33 administered by the Compensation Rating and Inspection Bureau  
34 established by section 2 of P.L.1995, c.393 (C.34:15-89.1) and  
35 section 1 of P.L.2008, c.97 (C. 34:15-90.1).

36  
37 4. This act is intended to affirm certain rights of employees  
38 under the circumstances specified in this act, and shall not be  
39 construed as reducing, limiting or curtailing any rights of any  
40 worker or employee to benefits provided by law.

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42 5. This act shall take effect immediately and shall be  
43 retroactive to March 9, 2020.

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STATEMENT

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48 This bill creates a rebuttable presumption that coronavirus

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1 disease 2019 contracted by employees working in distribution  
2 centers or warehouses, is work-related and fully compensable for  
3 the purpose of workers' compensation benefits and other  
4 employment benefits provided for work-related injuries and  
5 illnesses.

6 The bill provides that workers' compensation claims paid as a  
7 result of the rebuttable presumption provided by the bill are not to  
8 be considered in calculating an employer's experience modifier rate  
9 or otherwise affect an employer's insurance premium rate for the  
10 employer's workers' compensation policy.

11 The bill is retroactive to March 9, 2020, the date of Governor  
12 Murphy's declaration of a public health emergency with respect to  
13 the coronavirus disease 2019 pandemic.