

#05-R-052

RESOLUTION ACKNOWLEDGING VOLUNTEER MEMBERS OF COMMUNITY EMERGENCY RESPONSE TEAMS, AND VOLUNTEER MEMBERS OF MEDICAL RESERVE CORPS AS EMPLOYEES FOR THE PURPOSE OF RECEIVING BENEFITS UNDER THE CITY'S WORKERS' COMPENSATION PROGRAM.

WHEREAS, the City of Chesapeake, Virginia, has heretofore provided workers' compensation insurance for the members of its City Council, its officers, employees, and certain volunteer firefighters and emergency medical technicians with respect to claims resulting from injury by virtue of action taken within the scope of their employment and duties in serving the City; and

WHEREAS, the General Assembly during its 2005 Session, enacted legislation effective July 1, 2005, (HB 1567), amending and reenacting §65.2-101 of the Code of Virginia relating to workers' compensation; compensable employees, deeming volunteer members of Community Emergency Response Teams (CERT) and volunteer members of Medical Reserve Corps (MRC) as employees and stating that local jurisdictions may provide workers' compensation for such volunteers upon adopting a resolution acknowledging those persons as employees for the purpose of that title; and

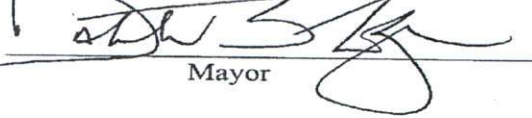
WHEREAS, the City desires to designate and acknowledge its Community Emergency Response Team (CERT) and Medical Reserve Corps (MRC) volunteers as employees of the City of Chesapeake, Virginia, strictly for the purposes as outlined in the Code of Virginia §65.2-101; and

WHEREAS, the City desires to protect and provide workers' compensation coverage for Community Emergency Response Team (CERT) and Medical Reserve Corps (MRC) volunteers with respect to their services for and on behalf of the City of Chesapeake, Virginia.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Chesapeake, Virginia, that to the extent permitted by §65.2-101 of the 1950 Code of Virginia, as amended, and the laws and Constitution of the Commonwealth of Virginia, the City shall deem the Community Emergency Response Team (CERT) and Medical Reserve Corps (MRC) volunteers as employees for the purpose of providing them with workers' compensation coverage as specified by the Virginia Workers' Compensation Act, Code of Virginia, §65.2-100 through §65.2-1310. Nothing herein shall be construed to obligate the City to pay any cost in connection with the injury of any Community Emergency Response Team (CERT) and Medical Reserve Corps (MRC) volunteer whose injury did not occur on the job and/or during the course of employment, or as otherwise specified by Code of Virginia §65.2-100 through §65.2-1310 therein.

ADOPTED by the Council of the City of Chesapeake, Virginia, this 13th day of September, 2005.

APPROVED:



Mayor

ATTEST:



Clerk of the Council