

PRESIDENT'S REPORT

By Matt Harkin, President, Iowa State Police Association



I hope those ISPA members who traveled to Waterloo had a great time! McFarland and the WPPA did a great job hosting the conference and set the bar high for the Des Moines Police Burial Association hosting October 2020.

I had a busy fall helping my brother with the long wet harvest in Madison and Warren counties, a two month sabbatical from the DMPD. I will say, John Deere and Peterbilt make good therapy for an old farm boy stuck in a squad car.

As most of you know, the ISPA hired new lobbyists this year. We certainly had wonderful years with Mike Heller and Paula Feltner but are looking forward to working with Maggie Smith-Fitzgerald, Jeff Smith, and Matt Fitzgerald along with a little guidance from Gerald Fitzgerald, Matt and Maggie's father.

This fall ISPA board members sat down with Iowa Professional Firefighters and worked over the pension fact sheet and came up with some improvements to Chapter 411. The 2020 session is a pension year and we hope that our legislators strengthen the system and look at it as a recruiting tool instead of a liability.

411.1(14) "Member in good standing" means any member in service who has not been terminated by the employing city of the member pursuant to section 400.18 or 400.19. Termination procedures initiated by the chief of police or fire pursuant to Iowa Code 400.19 shall not become final nor adversely impact the employee's good standing until all appeals of the collective bargaining agreement or by law have been exhausted. Disciplinary action other than discharge shall not adversely affect the member's good standing. This change arose from a member who was appealing a suspension during the time they applied for a medical pension and due to the appeal, was denied.

In chapter 411.6(5) Accidental disability benefit. Several wording changes dealing with the language in the chapter regarding "definite time and place" and changing to "arising out of and in the course of the employment". This would change the accidental disability benefit language to include "cumulative" injuries that occur throughout an employee's career that may not have a definite date of the injury. For example, a progressive back injury where an employee cannot pinpoint a "date and time" the injury started but it progresses into a disabling disk condition. This change would also include PTSD or incapacitating mental disorder. To "pinpoint" the date and time of a traumatic event over a 25 year career is often impossible. The diagnosis of PTSD is nearly always the result of several traumatic events which manifest in a disabling mental disorder. We also proposed the same wording change in 411.6(9) regarding accidental death benefit.

In 411.15, the proposal also clarifies responsibility for work related injuries/illness that an employee suffers in the course of their duties yet does not result in a accidental disability retirement. 411.15 includes provisions for disabilities yet some employers have separated it entirely from Iowa Work Comp Chapter 85. For example, if a 411 employee suffers a severe knee injury in the course of their duties yet heals sufficiently to continue working and does not make a claim for disability retirement, if 5 years after retirement that work injuries manifests in a required knee replacement cities will often not cover that injury under 411, yet that injury would be covered under Chapter 85 Work Comp. An employee working in your city's zoning department with the same injury would be covered for the same work related

injury. We understand there needs to be separation but we also see our retired members on the hook for work related injuries all too often.

Consistently, citizen surveys list public safety as the number one priority and yet at times I feel employers, and legislators, forget their most important tool for providing safety for citizens are police officers. Working long shifts, over time, holidays, dealing with the worst of situations that no one else wants to deal with. We need to remind them that we are the front line. We have the most public contact. We deal with the situations they turn a blind eye to. By officers taking on these tasks, these responsibilities, they have the responsibility to provide for our injuries and illnesses caused by our years of service to the public over our careers.

I hope that you all have a Merry Christmas, wonderful and safe new year.