



Department of Employee Relations

Tom Barrett
Mayor

Maria Monteagudo
Director


Renee Joos
Employee Benefits Director

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Labor Negotiator

November 11, 2019

MEMORANDUM

TO: Wisconsin Worker's Compensation Advisory Council

FROM: Maria Monteagudo, Employee Relations Director 

Re: SB 511/AB 569, claims for compensation for post-traumatic stress disorder by police officers and fire fighters

The City of Milwaukee recognizes the significance of the changes to the conditions of liability for worker compensation benefits for public safety personnel as proposed in the recently introduced bill, SB 511/AB 569. As you consider adopting the bill language, we are respectfully asking for support for two additional changes.

First, the current version of the bill provides that a mental injury may not be the result of a disciplinary action, a work evaluation, a job transfer, a demotion, or termination action taken in good faith by the employer. The City believes that language should be added to indicate that a mental injury may not be the result of an investigation or notice of investigation by the department into allegations of misconduct.

This proposed change recognizes that disciplinary actions require investigations and that members who are the focus of the investigation are formally notified in advance. Notice of investigation or the investigation itself should not be considered an event that would trigger a claim of PTSD.

The second proposed change is needed if the greater dimensions standard for a stress diagnosis is going to be changed as proposed. If this standard is eliminated, then the City is recommending a new provision that requires evidence of a link between the PTSD diagnosis and a specific work activity, experience or situation during which the member was fulfilling his or her job responsibilities. This is necessary to ensure that the determination of compensability is based on the critical incident or incidents that took the employee off work when the PTSD claim was made.

Your consideration of the aforementioned proposals is greatly appreciated. We believe these changes will provide important safeguards necessary in light of other changes in the legislation.

