Good afternoon. My name is Linda Brogan and I am speaking today as a member of AFSCME Local 269 and not as a representative of the Commission. I am here to voice my support of Raised Bill 6959 that proposes to legislate "that at least one rehabilitation counselor shall be available in each workers' compensation district established by the Chairman."

Prior to the statewide layoffs in 2003, the WRS program was comprised of a supervisor, an administrative assistant, and 12 Rehab Coordinators. Today, the program consists of a Supervisor, a Secretary and only 4 Rehab Coordinators. Each Coordinator services 2 districts, caseloads exceed 200 clients. Clearly, the program is not what it once was.

By history, the legislature established the Workers' Rehabilitation program in 1967- forty years ago. I believe the purpose was then, as it is today: to provide an injured worker eligible under the statute, cost-effective services that will assist him/her to return to gainful employment. Throughout the years, the program has helped tens of thousands of significantly injured workers return to the workforce. However, the program does not have status as a core function of the Commission, since the statute has never provided for a staff to assist the Chairman in the performance of his duties in administering rehabilitation services. (See Sec 31-283g - Education Services)

I am perplexed as to how a program that has been legislated for the past 40 years has never reached the status of a core function of the Commission. I understand the purpose of the compensation act is primarily to adjudicate claims in an effort to protect employees suffering an injury or occupational disease in the course of their employment. However, it seems to me that protection must extend beyond the medical benefits, the temporary income replacement and the permanent disability compensation. These are time limited benefits. Yet, life goes on and injured workers should be assured that they will have adequate assistance in returning to gainful employment.

Some have proposed that the responsibility for return to work is with the employer, but in fact, few employers have been able to create viable "return to work" programs that accomplish their goal in a meaningful way. Without benefit of rehabilitation services, where does the injured construction worker, nurses' aide, corrections officer or machine operator turn when they are told their limitations cannot be accommodated; they need to find a new line of work?

The rehab staff is comprised of master's degreed professionals who have an in-depth knowledge of the medical and psychological impact of a disability on the injured worker. Are you aware that the vast majority of those who remain out of work for 2 years, never return to the workforce on a full-time basis?

It seems clear to me that a holistic approach to workers' compensation must continue to embrace rehabilitation services. The labor market is increasingly difficult to navigate...employers want specific skill sets and rehab can provide the means to attain new skills.

Paraphrased, Section 31-300 of the statute states that as a part of the written award, Commissioners shall inform the employee of any rights the individual may have to participate in a rehabilitation program under the provisions of this chapter. In my opinion, passing legislation such as Bill 6959 is a positive action that recognizes the need for an adequate rehab staff under the compensation act. Passing this legislation can only serve to insure that services, so fundamental to the spirit of the act, will continue to be available so the injured worker will not find himself on the outside looking in when it comes to returning to work.

Respectfully submitted by Linda Brogan, January 29, 2007