



Connecticut **Business & Industry** Association Service Corp.

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H.B. 7035 AAC Ergonomics and Workplace Safety (Opposed)

Good Afternoon Senator Prague, Representative Ryan and other members of the Committee. My name is Kia Floyd and I am an Assistant Counsel for Labor & Employment matters for the Connecticut Business and Industry Association (CBIA). CBIA represents more than 10,000 companies throughout the state of Connecticut, ranging from large corporations to small businesses. The vast majority of our companies employ fifty (50) or fewer employees, many of whom make up Connecticut's workforce. I am here today to speak on behalf of all of our member companies. CBIA generally supports any labor and employment related legislation that does not increase the costs of doing business in the state or unreasonably increase administrative burdens on employers in dealing with employment and workplace issues. We do not believe that **H.B. 7035** is such a measure, therefore we generally oppose it.

Health and Safety Committees Usually Lack Expertise in Ergonomics

H.B. 7035 requires that companies of 100 or more employees institute written ergonomics plans. Despite the many safety measures already in force by OSHA, the federal authority on workplace safety, and the fact that most large employers already have ergonomics plans, HB-7035 would require that company health and safety committees develop these extensive workplace safety plans. In many companies, the health and safety committee is comprised of a mix of management and staff with little to no expertise in ergonomics. While committee members often represent a valuable diversity of job titles — for example, from secretaries to welders — they likely would be overwhelmed by their new responsibilities under the legislation, because a committee's lack of knowledge about ergonomics may cause them to recommend measures contrary to the well-being of their fellow employees.

Ergonomics Training is Expensive and Time-Consuming

Insofar as H.B. 7035 requires businesses to provide committee members with ergonomics training and those employees may have obtain this training away from work, this legislation may disrupt the productivity and daily operation of smaller companies with fewer employees to dedicate to the health and safety committee activities. These

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smaller companies usually do not have personnel with the necessary scientific and medical expertise to train committee members, therefore the company would have to hire outside vendors at an additional expense. Providing committee members the necessary training to become proficient in the issue will require an enormous expense of time and money — akin to building second careers for some employees. What's more, the changing nature of science and technology dictates that employers would have to invest in repeated and continuous ergonomics training just to stay abreast of current developments in the field. Many smaller companies simply cannot afford to expend such resources.

Committee Review of Co-Worker Personnel Records Raises Privacy Concerns

This bill also raises serious privacy concerns. H.B. 7035 authorizes company health and safety committees to review and analyze private employee injury and illness records such as: accident records; injury reports; workers' compensation claims; group health insurance records; first aid logs; and absentee/turnover records, all in an effort to identify likely ergonomics issues. Granting employees access to their fellow workers' confidential personnel records could make effective management difficult or make businesses vulnerable to employment litigation in a variety of contexts.

Ergonomics is a very important issue for all Connecticut businesses, because employees are their most valuable assets. However, businesses need the flexibility to develop health and safety programs in a manner that best suits their workforce and financial resources. Based on the foregoing, CBIA opposes HB-7035 because it will cause employers to expend significant time, expense and resources training employees to gain proficiency in ergonomics without regard to other business considerations.