



General Assembly

January Session, 2007

Raised Bill No. 7035

LCO No. 3403

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Referred to Committee on Labor and Public Employees

Introduced by:
(LAB)

AN ACT CONCERNING ERGONOMICS AND WORKPLACE SAFETY.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 31-40v of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective October 1, 2007*):

3 (a) In order to promote health and safety in places of employment in
4 this state, each employer of twenty-five or more employees in this
5 state, including the state and any political subdivision of the state, and
6 each employer whose rate of work related injury and illness exceeds
7 the average incidence rate of all industries in this state, shall
8 administer a safety and health committee in accordance with
9 regulations adopted pursuant to subsection (b) of this section. For
10 purposes of this subsection, "incidence rate" means the number of
11 federal Occupational Safety and Health Administration recordable
12 injuries and illnesses per one hundred full-time employees.

13 (b) The chairman of the Workers' Compensation Commission, in
14 consultation with the Labor Commissioner and in accordance with the
15 provisions of chapter 54, shall adopt regulations to carry out the
16 provisions of this section. The regulations shall (1) prescribe the

17 membership of safety and health committees to ensure representation
18 of employees and employers; (2) specify the frequency of committee
19 meetings; (3) require employers to make, file and maintain adequate
20 written records of each committee meeting subject to inspection by the
21 chairman or [his] an authorized designee; (4) require employers to
22 compensate employee representatives at their regular hourly wage
23 while the employee representatives are engaged in safety and health
24 committee training or are attending committee meetings; (5) prescribe
25 the duties and functions of safety and health committees, which shall
26 include (A) establishing procedures for workplace safety inspections
27 by the committee, (B) establishing procedures for investigating all
28 safety incidents, accidents, illnesses and deaths, (C) evaluating
29 accident and illness prevention programs, (D) establishing training
30 programs for the identification and reduction of hazards in the
31 workplace which damage the reproductive systems of employees, and
32 (E) establishing training programs to assist committee members in
33 understanding and identifying the effects of employee substance abuse
34 on workplace accidents and safety; and (6) prescribe guidelines for the
35 training of safety and health committee members.

36 (c) Notwithstanding the provisions of this section, each employer
37 who, on July 1, 1993, has an existing health and safety program or
38 other program determined by the chairman of the Workers'
39 Compensation Commission to be effective in the promotion of health
40 and safety in the workplace, shall not be required to comply with
41 subsections (a) and (b) of this section. The chairman of the Workers'
42 Compensation Commission, in consultation with the Labor
43 Commissioner, shall adopt regulations, in accordance with the
44 provisions of chapter 54, establishing the criteria for evaluating such
45 programs.

46 (d) Any employer with more than one hundred employees in the
47 state shall:

48 (1) Review and analyze its injury and illness records, including, but

49 not limited to, records of injuries to employees required under section
50 31-316 and 29 USC 657, first aid logs and records of employee
51 complaints or grievances, to determine whether there is a pattern of
52 ergonomic-related injuries or illnesses in certain jobs or work tasks,
53 provided no such review or analysis shall involve the disclosure of
54 individually identifiable health information about any employee or
55 any other information in violation of the federal Health Insurance
56 Portability and Accountability Act, as amended from time to time, or
57 of the provisions of 45 CFR Parts 160 and 164, as amended from time
58 to time;

59 (2) Review and analyze jobs or work tasks to identify potential
60 ergonomic problems and to determine if certain jobs or work tasks
61 present ergonomic risks that may contribute to musculoskeletal
62 disorders;

63 (3) Seek employee input about the existence of ergonomic problems
64 related to particular jobs or work tasks by reviewing employee
65 complaints about work-related musculoskeletal disorders,
66 interviewing employees, conducting symptom surveys or distributing
67 employee questionnaires; and

68 (4) Develop a written ergonomics policy setting forth (A)
69 procedures for the employer and its employees to jointly evaluate the
70 extent and causes of any work-related ergonomic problems and to
71 make improvements in job design or other causative factors in order to
72 prevent or minimize such problems, (B) procedures for providing
73 ergonomics training to the employer and its employees in order to
74 prevent or minimize musculoskeletal disorders, and (C) incentives for
75 employees to report early symptoms of musculoskeletal disorders in
76 order to prevent or minimize incapacity or disability through early
77 conservative medical treatment and ergonomic interventions.

This act shall take effect as follows and shall amend the following sections:

Section 1	October 1, 2007	31-40v
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Statement of Purpose:

To require each employer, through its health and safety committee or existing health and safety program, to develop a written ergonomics policy for the workplace.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]