

Labor and Public Employees Committee
JOINT FAVORABLE REPORT

Bill No.: HB-6929

AN ACT ALLOWING CERTAIN STATE AND MUNICIPAL WORKERS AND
FIRST RESPONDERS TO FILE WORKERS' COMPENSATION CLAIMS FOR

Title: INJURIES SUSTAINED WHILE TRAVELING TO AND FROM WORK.

Vote Date: 3/19/2019

Vote Action: Joint Favorable Substitute

PH Date: 2/26/2019

File No.: 409

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SPONSORS OF BILL:

Labor and Public Employees Committee.

REASONS FOR BILL:

First responders cannot file for worker's compensation for injuries sustained while traveling to and from work.

RESPONSE FROM ADMINISTRATION/AGENCY:

None submitted.

NATURE AND SOURCES OF SUPPORT:

Brian Anderson, Legislative Coordinator, Council 4 AFSCME: First responders and support staff must report to work regardless of weather conditions. As weather patterns get increasingly erratic, it makes sense to extend "portal to portal" workers' compensation coverage to these workers since they are part of the necessary infrastructure for the safety of CT residents.

Rick Hart, Director, Legislative /Political Affairs, Uniformed Professional Fire Fighters Association of CT: Often people respond directly to incidences or come upon emergency incidents and render care. They should be covered under Workers' Compensation to ensure they get the necessary coverage in order to provide the service they are sworn to deliver.

NATURE AND SOURCES OF OPPOSITION:

Joy Avallone, General Counsel, Insurance Association of CT: Workers injured during the normal commute to/from work are not entitled to workers compensation benefits under the “coming and going” rule because the injury didn’t arise out of or in the course of employment. The Workers’ Compensation Act was never intended to cover accidents occurring during a normal commute because such activity falls squarely outside employment activities. Expanding coverage would result in an influx of claims, which would be difficult to investigate and challenge. It would compromise the integrity of the worker’ compensation system and result in substantial increases.

Kevin A. Dillon, Executive Director, CT Airport Authority (CAA): Per FAA revenue diversion rules, airport funds may not be diverted to provide for services not airport-related. Federal restrictions don’t allow payment for any claims from CAA staff. Airports not in compliance with revenue diversion rules are subject to the withholding of federal grants and eligibility for other modes of transportation. They request the CAA be exempted from this legislation if it moves forward.

Daniel C. Giungi, Senior Legislative Associate, CCM: This bill is a new unfunded mandate that would inhibit municipalities from providing similar benefits for future workers. Towns and cities already offer health insurance, disability leave and Employee Assistance Programs that provide access to counseling, therapy and other essential services during difficult periods.

Reported by: Marie Knudsen

Date: April 4, 2019