



Testimony of John D. Blair, Associate Counsel  
Connecticut Business & Industry Association  
Labor and Public Employees Committee Public Hearing  
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Senator Kushner, Representative Porter, Senator Sampson, Representative Arora, members of the Labor and Public Employees Committee, thank you for the opportunity to present testimony today. My name is John Blair, Associate Counsel at the Connecticut Business & Industry Association. CBIA is Connecticut's largest business organization, with thousands of member companies, small and large, representing a diverse range of industries from across the state. Ninety-five percent of our member companies are small businesses, with less than 100 employees.

CBIA opposes [HB 6478](#) '**AN ACT EXPANDING WORKERS' COMPENSATION**' - this proposal will result in direct financial impact on our state's businesses. HB 6478 includes a host of new and unnecessary costs that will impact the financial viability of our workers compensation program.

As you are well aware, the worker's compensation system is a no-fault system, designed as an exclusive remedy for employees. Employers must compensate their employees for work related injuries (through wage replacement and medical benefits) and in exchange employees cannot bring civil action against their employer for damages arising from the injury. This system has been in place in Connecticut since 1913. It provides a stable, predictable system with an efficient disposition of claims.

Each of the following Sections of [HB 6478](#) result in substantial increased costs to employers:

**Section 1:** results in a 400% increase of benefits and expansion of the maximum number of weeks of discretionary workers compensation benefits for partial permanent disabilities that may be awarded. The Office of Fiscal Analysis has reviewed proposals that were similar in nature to HB 6478 finding that increased benefits under this section of statute would result in "a significant cost to the state and municipalities". (See, [SB 847](#) )

**Section 2:** allows claimants to bring suit, regardless of whether they suffered a workers compensation injury. The inevitable result will be an increase in the number of frivolous claims placed upon the workers compensation marketplace, driving up cost for claimants and employers alike.

**Section 3:** requires employers and insurers to adhere to a new "notice of controversy" and allows individuals who are not party to a claim to request hearings. More hearings will result in longer times

for adjudication and delays in payment of claimants. This section is overly burdensome and will result in direct costs to parties, to the claimant, employers, insurers and the workers compensation marketplace as a whole.

**Section 4:** creates a presumption that an employee who contracts COVID-19 during the period of the public health and civil preparedness emergency will be presumed to have contracted it in the workplace, regardless of where the employee actually contracted COVID-19. Thus the illness is deemed an occupational disease and compensable injury. The workers compensation program is designed to make whole those who have been injured at work. It was not designed to consider injuries sustained outside the workplace. This would be a dangerous precedent to set and would result in unsustainable costs that will undercut the financial viability of the workers' compensation program.

Note that **Section 4** has the furthest ranging cost implications. The National Council on Compensation Insurance based on numerous key assumptions, estimates the cost for this section alone would be between 54 million and 378 million.

Last, CBIA opposes [SB 1002](#) and [HB 6595](#) on the committees' agenda today - these two 57 page proposals mirror one another and incorporate language already being considered by the committee. The workers compensation sections of [SB 1002](#) and [HB 6595](#), Sections 1 - 3, include the language and intent of [HB 6478](#), above. For the reasons stated above CBIA opposes these proposals.

We would respectfully request the committee to take careful consideration of the impact this workers' compensation proposal will have on employers, at this critical time.

I would like to thank the committee for its consideration of my testimony.