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**Testimony of Daniel Livingston  
Livingston, Adler, Pulda, Meiklejohn & Kelly, PC  
In Support of SB 1002, HB 6595, and HB 6478**

Senator Kushner, Representative Porter, and members of the Labor and Public Employees Committee:

On behalf of SEBAC, the State Employees Bargaining Agent Coalition, a coalition of all state employee unions representing over 45,000 state employees, I thank you for raising SB 1002, HB 6595, and HB 6478. By raising these bills, and many others like them, the Committee continues its tradition of being the legislative voice of working families, a role never more important than it is today.

Before I speak more specifically about these bills and their provisions, all designed to deal with COVID-19's devastating impact on so many working families, I want to say this: These bills collectively recognize two core truths made starkly clear by the pandemic. First, we tend to depend the most on those we pay the least, and to provide them the least reliable workplace protections. Second, absent thoughtful and concerted government response, the current severe economic dislocation and volatility become just another opportunity for billionaires and multimillionaires to get still richer, while the vast majority of working- and middle-class families flounder. Add to these truths the realization that each of these problems are exacerbated by generations of racial and social injustice, and it is clear that we not only can act, we *must* act, to bend the curve towards justice. And we are so grateful the Committee has begun the process of doing so.

While we support all aspects of these bills as critical and appropriate responses to the pandemic's impacts on working- and middle-class families, we know that you will hear from many others about the details of each of the sections. I will highlight just two components -- the workers' compensation presumption and pandemic pay. I will address these from the perspectives our members know best, cognizant that the core elements reflect the common experiences of all of Connecticut's frontline working families.

As of the end of February 2021, over 4100 state workers had tested positive for COVID. They are disproportionately frontline workers, who have been unable to "stay home, stay safe" during any point in the pandemic. Over a quarter of frontline workers in DOC have tested positive -- that is over 1500 cases there alone. Thousands have tested positive in healthcare and caregiving agencies such as DMHAS, DDS and DCF, and hundreds more among the frontline critical services agencies like DOT and Judicial. And many others. The reality for these workers is the less able you were able to stay home and stay safe, the more likely you tested positive, many with symptoms, some seriously ill, too many dying, too many bringing illness home and infecting loved ones who sometimes also died. Too many struggled from lack of PPE -- addressed in another aspect of these bills which we support -- and none of them received a single dollar of extra pay. Compare that to the \$3.8 billion in additional income the pandemic has already brought to Connecticut's 17 billionaires.

It is obvious to any fair-minded person that the disproportionate numbers of frontline workers who have gotten COVID shows that their frontline status is most likely the cause. Yet insurance carriers covering public and private sector workers have been more concerned with finding loopholes, exploiting delays, and mouthing technicalities, than with actually providing financial protection for frontline workers who risk literally everything to provide the services people need, despite the pandemic. The Governor, to his credit, recognized this in Executive Order 7JJJ, which makes the logical but rebuttable presumption that absent contrary evidence, frontline workers were presumed to have been exposed at work. However, because the Governor's executive order authority is necessarily timebound and limited -- in this case only to exposures that resulted in lost work between March 10 and May 20, 2020 -- this legislation is necessary to provide coverage for the full breadth of risk these workers have endured over this past year on behalf of themselves and their families.

We can be sure this pattern of frontline worker risk is repeated throughout the private and public sector. We thank the Committee for recognizing the need for the General Assembly to step in to cover the time periods where the Executive Order doesn't provide the full protections these brave workers need.

The pandemic pay provisions of the bills address a related issue. We pay the least to those from whom we expect the most, and in Connecticut, we have added little or nothing to that pay to compensate for the tremendous risk and stress brought on by the pandemic. HB 6595 and SB 1002 would address that by using federal pandemic funds so that employers could provide extra pay to those frontline workers who have risked so much in order to protect and serve the rest of us during pandemic. It would provide either \$5 or \$10 an hour to all frontline workers, depending on the level of COVID risk.

In doing this, we break no new ground. Not only is the structure of our bill modeled largely, but much more modestly, on pieces of the federal Heroes Act which first passed the US House of Representatives last spring, it follows on extra pay arrangements, contracts, executive orders or legislation which have existed one way or another covering cities, counties, agencies or statewide in 28 states and the District of Columbia. At no cost to Connecticut taxpayers or employers, it takes the most effective ideas from all of these places and makes them available to Connecticut's heroes. We thank the Committee for providing this recognition to Connecticut's working families as well.

These are truly extraordinary times. Hundreds of thousands of Connecticut's frontline workers have responded despite grave risk to themselves and their families. It's time for an extraordinary response from the General Assembly, one that goes beyond words of gratitude or the usual one step at a time approach to swift and comprehensive action to truly make a difference in people's lives. We know this Committee not only knows this but has accepted its responsibility to lead fellow legislators in doing the right thing. We can only again express our gratitude for your leadership, and pledge to be there with you along with our other sisters and brothers as the bill moves forward.

Thank you.

Daniel E. Livingston  
Chief Negotiator, SEBAC