

# Labor and Public Employees Committee

## JOINT FAVORABLE REPORT

**Bill No.:** HB-5251

**Title:** AN ACT CONCERNING WORKERS' COMPENSATION FOR DISPATCHERS.

**Vote Date:** 3/10/2022

**Vote Action:** Joint Favorable

**PH Date:** 3/3/2022

**File No.:**

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### SPONSORS OF BILL:

Labor and Public Employees Committee  
Rep. Mitch Bolinsky, 106th Dist.,  
Rep. Dorinda Borer, 115th Dist.,  
Rep. Michael D Quinn, 82nd Dist.,  
Rep. Michael A. Winkler, 56th Dist.

### REASONS FOR BILL:

Police officers, firefighters and Department of Corrections employees are provided "portal-to-portal" workers' compensation when traveling to and from work. These workers have coverage when they are going to work under a direct order to appear when nonessential employees are excused from working. This coverage does not include 911 dispatchers. This bill provides "portal-to-portal" workers' compensation coverage to dispatchers when traveling to and from work.

### RESPONSE FROM ADMINISTRATION/AGENCY:

None stated.

### NATURE AND SOURCES OF SUPPORT:

Connecticut General Assembly, State Representative, Dorinda Borer; supports this bill stating that dispatchers should also receive portal-to-portal coverage in addition to police, firefighters, and DOC workers.

AFSCME Council 4, Troop E, Dispatcher, Amit Patel; supports this bill stating that dispatchers are essential emergency personnel. It is stated that this will allow dispatchers to be recognized as essential emergency personnel like police officers, firefighters, and Department of Correction employees when seeking workers' compensation.

City of West Haven, 911 Dispatcher, Callan McKeon; supports this bill stating that dispatchers should fall under the same classification as first responders. It is stated that dispatchers work hand in hand with other people in the field and should receive the same benefits.

City of West Haven, 911 Dispatcher, Raymond Memmott; supports this bill with a change to cover dispatchers and Department of Correction employees any time there is travel to or from work, not just when nonessential employees are excused. It is stated that dispatchers should be included in workers' compensation.

Connecticut Trial Lawyers Association, Chair, Meghan Lyon; supports this bill stating that this bill appropriately expands PA 19-17 to include emergency dispatchers. It is stated that a broader approach should be made to include all workers in stand-alone mental and emotional claims. It is stated that statistically, higher incidents of emotional and mental stress are found amongst dispatchers and under current law, workers' compensation does not cover those claims. It is stated that there are enough safeguards within the current system to prevent abuse of expansion to standalone mental and emotional mental health claims.

Emergency Reporting System, Director, Jennifer A. Amendola; supports this bill, stating that dispatchers work hand in hand with people in that field who are classified as first responders and dispatchers should receive the same benefits. It is stated that dispatchers are the "first, first responders" and should be classified that way.

Mashantucket Pequot Public Safety Communications Center, Public Safety Dispatcher, Laurie Lewis; supports this bill stating that dispatchers should receive the same coverage that police, firefighters, and corrections officers receive. It is stated that traveling to and from work in treacherous conditions is not necessarily a choice but an obligation.

Town of Fairfield, Public Safety Telecommunications Dispatcher, Kyle Champney; supports this bill stating that there have been multiple occasions where employees were given time off, but telecommunications dispatchers were not given time off. It is stated that dispatchers are not currently provided portal-to-portal coverage, meaning, if an accident occurs while traveling to or from work, dispatchers would not be eligible for workers compensation.

SEIU, Organizer, Stacey Zimmerman; supports this bill.

Town of East Lyme and Ledyard, 911 Dispatcher, Jake Troy; supports this bill stating that dispatchers should be considered first responders and should be compensated the same as police officers and firefighters.

Newtown Emergency Communications Center, Director of Communications, Maureen Will; supports this bill stating that dispatchers are required to work in conditions similar to emergency responders. It is stated that dispatchers should be afforded the same protections for their commute as police officers and firefighters.

CSEA, SEIU Local 2001, President, Travis Woodward; supports this bill stating that dispatchers have demanding and critical jobs and should be provided workers' compensation.

City of Norwalk, Dispatch Supervisor; Joshua Wrinn; supports this bill stating that dispatchers must report to work regardless of bad weather conditions. It is stated that all shifts should be covered by this bill, not just emergency situations. It is also stated that dispatchers should have the same coverage as police officers, firefighters, and EMS.

Connecticut Police and Fire Union, President, Kevin Saunders; supports this bill stating that telecommunications professionals play a vital role in fire and police services in the state and dispatchers are crucial in assisting the caller and the responding first responders. It is stated that dispatchers should receive the same protections for workers compensation as other first responders.

#### **NATURE AND SOURCES OF OPPOSITION:**

American Property Casualty Insurance Association; opposes this bill stating that workers' compensation provides no-fault coverage for all workplace injuries, providing the injured workers with prompt indemnity benefits and unlimited medical care, without any co-payment or deductible payment responsibilities for the injured worker, even in the absence of any fault by the employer. It is stated that such a no-fault system can only remain stable and financially sound if coverage is limited to workplace injuries.

Insurance Association of Connecticut, President, Eric George; opposes this bill stating that the Workers' Compensation Act was never intended to cover accidents that occur during a normal commute to and from work because they are outside the employment activity of an employee. It is stated that this bill would result in an influx of claims, which would be challenging to investigate and result in increased costs for employers.

Connecticut, Resident, David Godbout; opposes this bill stating that it would violate the Fourth Amendment of the United States Constitution.

Connecticut Conference of Municipalities, Senior Legislative Associate, Zach McKeown; opposes this bill stating that police and firefighters are afforded portal-to-portal coverage there may be a need to respond to an emergency when traveling to and from work, therefore it would be considered "at work." It is stated that expanding workers' compensation to dispatchers would adversely expand workers' compensation and it would be an unfunded mandate on municipalities.

National Association of Mutual Insurance Companies, Northeast, Regional Vice President, Rory Whelan; opposes this bill stating that it would allow dispatchers to file a workers' compensation claim for injuries sustained during a commute to or from work, regardless of if the employer was responding to a work request and in a response to an emergency. It is stated that this provision would likely generate an increase in claims and cause claims unrelated to work to be accepted as compensable and would result in an increase in costs for workers' compensation insurance.

