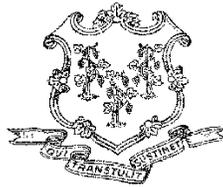


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Good morning Senator Kushner, Representative Porter and members of the Labor and Public Employees Committee. I would like to express my support for SB 318 AN ACT CONCERNING CAPTIVE AUDIENCE MEETINGS, SB 321 AN ACT EXPANDING WORKERS' COMPENSATION COVERAGE FOR POST-TRAUMATIC STRESS INJURIES FOR ALL EMPLOYEES, SB 314 AN ACT CONCERNING PROTECTION OF WAREHOUSE WORKERS, and HB 5353 AN ACT CONCERNING A FAIR WORK WEEK SCHEDULE.

SB 318 would prevent employers from firing or otherwise disciplining employees who would prefer not to be compelled to listen to employer speeches about religion or political matters, including labor organizing. The First Amendment to the Constitution guarantees the rights to freedom of speech and assembly. These freedoms include the right not to assemble and the right not to listen to coercive speeches.

This legislation would protect an employee from economic sanction if the employee chooses not to listen to an employer's political or religious views. Political views are defined to include views about the decision to join a political, social or

community group or activity, including the exercise of the rights to join or not to join a labor union. For example, the legislation would protect an employee who declines to participate in a meeting called by an employer to express anti-union views. Physical restraint is actionable under current state law, yet a threat to fire an employee if he or she does not attend a coercive meeting is not actionable. There is no good reason for this distinction: coercion is coercion, whether it is physical or economic. And it is wrong.

It should be the policy of our state as expressed in legislation to prevent employer coercion as to political matters, and we need to include speech about joining a union as well, because unionization is a political topic. It concerns a distinct approach to governing the economy. It is based on the view that there is a conflict of interest between employers and workers in this society, and that workers are better protected by acting collectively than individually. Those are political views. Therefore we should not discriminate against labor by leaving the statute silent on this point. We need to stand up against the coercion of employees into listening to speeches about matters other than how to do their jobs, such as whether the employee should join a particular church, union or political party. Our best constitutional tradition underscores this principle.

The Connecticut General Assembly and the courts have a long tradition of support for the use of the police power to protect employees from coercion in the workplace and to protect privacy interests. This bill stands in that proud tradition. A worker does not relinquish all of his or her First Amendment Rights merely because he

or she is in the workplace. Certainly the state can and should offer these protections to employees.

In 1993, the General Assembly made a mistake; it changed the law and denied workers' compensation benefits to employees suffering from a mental or emotional impairment as a direct result of witnessing the death or maiming of another human being whose death or maiming was caused by an act of a person. In recent years medical science has made it increasingly clear that a mental health impairment is as disabling as a physical impairment. Today there is a far more sophisticated understanding of the causes and seriousness of mental and emotional impairments. It is time to correct that mistake and allow all workers who suffer a mental or emotional impairment in this way access to workers' compensation regardless of whether the employee suffered a physical injury.

Since 1993 advances in neuroscience have demonstrated that the injuries caused by the trauma of witnessing a violent death or maiming are indeed real and when such injuries occur in connection with employment they should be compensable. to the extent that the General Assembly provided coverage to first responders in PA 19-17¹ and PA 21-107. The coverage in those Acts limits benefits to 52 weeks after the diagnosis date. It also prohibits any of these benefits from being awarded beyond four

¹ <http://cgalites/olr/searchdocs.asp>

years after the qualifying event that formed the basis for the PTSD and it prohibits an officer or firefighter who is receiving PTSD benefits from receiving workers' compensation permanent partial disability benefits. The acts further limit an officer's or firefighter's PTSD benefits by prohibiting them from exceeding the officer's or firefighter's average weekly wage when combined with his or her other benefits, including those received from contributory and noncontributory retirement systems, Social Security, and long-term or short-term disability plans.

PA 19-17 provided this benefit to police officers, parole officers and firefighter; last year in PA 21-107 the benefit was expanded to include emergency medical services (EMS) personnel, all Department of Correction (DOC) employees, telecommunicators (i.e., 9-1-1 emergency dispatchers); and under certain circumstances related to COVID-19, health care providers.

The current law does not assist employees such as teachers and other employees who witness school shootings such as at Sandy Hook or co-workers at the Lottery Corporation or Hartford Distributors. None of these employees would have a compensable injury without a physical component. It is beyond time for a change to reflect current scientific understanding of the causes and effects of mental impairments. SB 321 would build on PA 21-107 and expand this important benefit to all employees.

SB 314 would provide much needed protection for warehouse workers from quotas that violate their rights and occupational safety and health standards. Some large corporations have warehouses in our state that routinely put workers' safety at risk

by requiring them to work at unrealistic speed. The bill would also protect workers who raise issues regarding these quotas. SB 314 would offer some protection for these workers who put their lives on the line to help all of us get through the pandemic.

HB 5353 would require employers to provide employees with at least 24 hours' notice of their shifts. This would greatly improve the quality of life for shift workers who currently have little control over their own schedules and can be left in a nearly impossible scramble to make arrangements for child care and other matters. The bill will not prohibit employees from working if they receive less than 24 hours' notice of their shift, as long as they mutually agree to do so with their employer.

Thank you for hearing these bills to protect Connecticut's workforce.