



March 8, 2022

Statement of the Connecticut Food Association – Labor and Public Employees Committee

SB 314: AN ACT CONCERNING PROTECTION OF WAREHOUSE WORKERS

The Connecticut Food Association (CFA), the trade association representing a full spectrum of the retail food industry and collectively employing over 75,000 Connecticut residents, appreciates the opportunity to address SB 314. While the pandemic has certainly posed massive challenges for our state’s food supply chain operations, balancing the safety of our workforce and serving millions of our state’s consumers weekly has never been more complicated.

There are several troubling aspects about SB 314:

1. SB 314 insinuates that the imposition of performance metrics requires the violation of a multitude of labor laws and OSHA regulations. Employers already have strict safety measures in place to protect employees. **If such violations were to occur, there are processes for initiating complaints and investigations already in statute.**
2. Subsection (c) of Section 1 requires employers to provide former employees with “speed data” within 21 days of their request. **At what point in time is an employer no longer required to provide former employees with this data? Does this obligation extend beyond requirements for employee personnel file retention periods?**
3. Subsection (d) of Section 1 creates a rebuttable presumption that any adverse employment action taken against an employee after a request for their “speed data” was done so in retaliation. Would this not lead to situations where an employee engaging in workplace misconduct would ask for their data to bring a retaliation claim in the event of their termination for their misconduct? **This section makes legitimate disciplinary actions and enforcement of workplace safety, violence, and harassment policies more difficult.**

SB 314 imposes restrictions on the food supply chain based on a misunderstanding of the logistical necessity of current workplace metrics. It will create far more safety issues for employees than it seeks to correct.

I urge you to take no action on this bill.

Sincerely,

Wayne Pesce

Connecticut Food Association