

Subject Line: Workers' Compensation Changes Costly, Unnecessary

From: Joe Brennan

Date: July 14, 2020

Dear Senator/Representative,

We oppose any proposal that creates a legal presumption that, for the purposes of workers' compensation, any employee who had to work outside their home during the pandemic and contracted the virus did so at work.

A sweeping change, such as the one currently under consideration, is unnecessary and will result in significant, long-term cost increases for Connecticut employers during one of the most challenging times of our lives.

We don't dispute that anyone who contracted COVID-19 at their place of work should be awarded benefits, and that the workers' compensation system is the appropriate forum for any employee to demonstrate they contracted the virus in the workplace.

In discussions with proponents of the presumption we have not heard of a single instance where the system denied a COVID-related claim. Further, even employees that contracted the virus outside the workplace have access to a variety of federal programs designed to provide financial relief and wage replacement.

Connecticut's workers' compensation system has been a success story that continues to benefit employers and employees alike. Our current system incentivizes employers to invest in the safety and well-being of their employees.

Connecticut employers have developed and maintained some of the safest workplaces in the nation, a notable trend reflected in a six-year decline in workers' compensation premium costs—as other business costs in the state increased significantly over the same period.

Adding a legal presumption ignores the efforts of employers who took every step to keep employees safe during the pandemic, and makes them financially liable for every employee that contracted COVID-19, even if they were exposed to the virus elsewhere.

Employers, already struggling as the economic recession worsens, will see significant, long-term cost increases in workers' compensation costs. An analysis by the independent National Council on Compensation Insurance showed that if left open-ended, [those costs could increase by as much as by 238%](#).

New York's state legislature quickly abandoned a similar proposal because it was projected to cost employers in the state \$31 billion.

A COVID-19 related legal presumption is a costly solution in search of a problem. It will upend a workers' compensation system that has benefitted employers and employees alike.

We have all faced unprecedented challenges these last few months. Connecticut businesses made great sacrifices while answering the call to supply the products and services critical to the health and safety of our citizens.

Rebuilding our state requires a different, more collaborative relationship between lawmakers and the business community. Let's work together to preserve what is working well, and find solutions for what is not.

Sincerely,

Joe

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