

# Labor and Public Employees Committee

## JOINT FAVORABLE REPORT

**Bill No.:** SB-1222

AN ACT CONCERNING PORTAL TO PORTAL WORKERS' COMPENSATION

**Title:** COVERAGE FOR PUBLIC WORKS DEPARTMENT EMPLOYEES.

**Vote Date:** 3/6/2025

**Vote Action:** Joint Favorable

**PH Date:** 2/6/2025

**File No.:**

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### SPONSORS OF BILL:

Labor & Public Employees Committee

### REASONS FOR BILL:

The reason for this bill is to ensure that municipal Public Works employees qualify for portal-to-portal coverage when responding during emergency situations. Many DPW employees are required to respond to work during extreme weather conditions, and this bill work require that injuries sustained during travel to such a situation would be covered under workers' compensation.

### RESPONSE FROM ADMINISTRATION/AGENCY:

None provided.

### NATURE AND SOURCES OF SUPPORT:

**Michael Pace, President AFSCME Council 4 Local 1303-278:** Supports the bill. States bill is an important step in ensuring that all essential workers who must report during emergencies are treated equitably. Public Works employees provide critical work during weather emergencies and are often only called in after conditions are unsafe. Traveling to work during unsafe conditions puts stress and a higher risk of injury on workers because the roads have not been made safe yet, and sometimes having to drive directly to a site with hazardous conditions.

**Zak Leavy, Lobbyist-AFSCME Council 4:** Supports the bill. States the bill provide workers' compensation portal to portal coverage to public works employees during emergency situations when others are not called into work. Weather emergencies are random and can

happen at any time. Public works employees need to drive on roads when they are still unsafe to get to their workplace to begin making roads passable for emergency crews and residents. States the bill would extend a protection to public works employees that is already given to other emergency workers when they are called to report to work, treating public works department employees equitably with their fellow emergency workers.

**Ed Hawthorne, President Connecticut AFL-CIO:** Supports the bill. Provided a history of Workers' Compensation, and states support for further access to the program.

**Jeff Parent, AFSCME Council 4 Local 1303-028:** Supports the bill. States the bill will help protect Public Works employees when called in during emergencies. States that during weather emergencies, Public Works employees have to travel during the alert and often times before certain areas are not clear or safe yet. States that last winter they hit a patch of black ice driving to work because a road had not been cleared. Public Works employees need to report during emergencies and should be given protections as such.

**James Wells, AFSCME Council 4 Local 2930:** Supports the bill. Employee of Newington and is in support of portal to portal coverage for any employee that is required to report beyond normal working hours.

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

**Kristina Baldwin, American Property Casualty Insurance Association (APCIA):** Opposes the bill. States APCIA represents the broadest cross-section of home, auto, and business insurers of any national trade association. States they oppose because bill would overturn "coming and going" doctrine for determining whether an injury took place "in the course of employment" changing to coverage for while traveling to work or work to home in certain circumstances. States Workers' compensation provides no-fault coverage for all workplace injuries, and that expanding the coverage would make the system financially unstable. Long-established law is work does not begin until the employee arrives at work and ends when they leave work. States there is no compelling to make an exception for public works department employees.

**Betsy Gara, Executive Director Connecticut Council of Small Towns:** Opposes the bill. States expanding coverage to include public works employees traveling to and from work undermines the framework of the system. States that Workers' Compensation is meant for injuries on the job and not for injuries while commuting. This is an unfunded mandate that will increase costs for local governments, that will make it difficult to provide critical programs to residents.

**Zachary McKeown, Connecticut Conference of Municipalities:** Opposes the bill. States appreciation for the important work public works employees have but states the effects of this bill would likely generate a significant increase of claims unrelated to work, resulting in significantly increase the affordability of Workers' Compensation insurance. Police and Firefighters have these benefits already because they may need to respond to an emergency while traveling to work. Public Works employees do not have similar requirements. Expanding coverage will be an unfunded mandate on local governments.

**Brooke Foley, General Counsel Insurance Association of CT:** Opposes the bill. States the IAC is a state-based trade association representing Connecticut's property and casualty insurance industry and Connecticut's life insurance and financial security industries, and many other insurance products. States bill will increase workers' compensation insurance rates and burden employers. States currently a worker who suffers a work-related injury or illness must demonstrate that the injury or illness "arose out of and in the course of employment" in order to receive workers' compensation benefits. This bill expands the definition of "arising out of and in the course of employment" to specifically name public works department. States injuries must arise out of and in the course of the employment, under what is known as the "coming and going" rule a worker injured during a normal commute to or from their place of employment is generally not entitled to workers' compensation. There are already limited exceptions to this rule under the case law, so this bill is unnecessary. Amending the statute to specifically single out another group of employees sets a concerning precedent that would lead to further expansions, continued expansion of workers' compensation law threatens to undermine the integrity of the workers compensation system.

**Paul Lombard, Retired Walmart Greeter:** Opposes the bill. States disagreement with giving more benefits to Public Works Employees. States that a private company should take over public works in the state.

**Randy Murch, Transparency expert:** Opposes the bill for various reasons largely unrelated to the content of the bill.

**Allan Roff:** Opposes the bill for various reasons largely unrelated to the content of the bill.

**Reported by: Ian Graves**

**Date: 3/18/2025**