

M E M O R A N D U M

TO: Members of the Senate Labor Committee

FROM: Hilary Beckett, Manager, Government Affairs, CCSNJ

RE: **S2380 (Sweeney / Singer / Greenstein)**

DATE: May 12, 2020

The Chamber of Commerce Southern New Jersey (CCSNJ) would like to voice our opposition to **S2380 (Sweeney / Singer / Greenstein)**. The CCSNJ understands the need to ensure front-line worker's health and safety, however, we believe this legislation could hurt efforts to maximize the amount of federal assistance that could be obtained.

As currently written, this bill creates a presumption that coronavirus disease 2019 infections contracted by essential employees are work-related for the purpose of employment benefits provided for work-related injuries and illnesses, including but not limited to, workers' compensation benefits. It also provides that an essential employee's absence from work due to the employee contracting or being exposed to coronavirus disease 2019 will be considered on-duty time, and an employer is prohibited from charging the employee any paid leave for the absence.

The CCSNJ has significant concerns with this bill using the workers' compensation system as the primary method to provide these benefits. We are concerned that the possible cost of these claims could overwhelm the system. The CCSNJ believes that workers are already protected from COVID-19 medical costs by recent federal legislation. Federal Pandemic Unemployment Assistance (PUA) provides funding for employees who are unable to work due to COVID-19 related reasons, but who nevertheless remain employed.

The CCSNJ is concerned that the definition of "essential employee" is overly broad and would like to respectfully request that essential employee be limited to those with frontline duties and responsibilities that require interaction with the general public.

The CCSNJ would like to suggest that the presumption shall only apply to an essential employee who tested positive for or was diagnosed with COVID19 within 14 days after a day that the employee performed labor or services at the employee's place of employment at the employer's direction; and the day on which the employee performed labor or services at the employee's place of employment at the employer's direction was on or after March 21, 2020; and the employee's place of employment was not the employee's home or residence; and through a diagnosis of COVID-19, and that diagnosis is confirmed by further testing within 30 days of the date of the diagnosis.

The CCSNJ thanks you for the opportunity to share our testimony on this bill.