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Testimony of Art Martynuska, President,
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Good morning. My name is Art Martynuska, and I am proud to serve as President of the Pennsylvania Professional Fire Fighters Association, which represents 10,000 active and retired professional fire fighters and emergency responders throughout the Commonwealth of Pennsylvania. I am equally proud to have served 20 years as a Firefighter in the City of Johnstown, from which I retired as an Assistant Fire Chief in 2010.

Like my colleagues on this panel, I would also like to thank the Joint Committee for convening this hearing on a matter that I consider the single most important issue facing firefighters in our Commonwealth – maintaining the longstanding and effective collective bargaining protections afforded to Firefighters under Act 111.

At the outset of my testimony I would first like to endorse the comments of FOP President Neri. Like him, I agree that the Act 111 process works well for public safety employees, their employers and the citizens that we risk our lives to protect and serve. It has worked well for more than 40 years since more than a million Pennsylvanians amended the Constitution to provide for binding arbitration. And my experience under Act 111 is very similar to President Neri's – most negotiations settle without arbitration, and all settlements reflect the economy and the employer's fiscal condition.

That goes for arbitration awards, too, where our experience since the recession has been one of concessions and sacrifices. In fact, if anyone should be complaining about arbitration awards these days it is probably us. Perhaps that explains why the Municipal League and their lawyers have been urging cities to go to arbitration over the past few years in order to win concessions. I must admit that I am a bit confused that the special interest groups that are arguing that we need Act 111 "reform" because there are too many arbitrations, are the very same groups that are advocating employers force their firefighters into arbitration. It seems like they want it both ways, if you ask me. It also seems like Firefighters and Police Officers deserve a little better in light of the sacrifices that we make each day.

It should be evident, and it clearly was evident when the Constitution was amended to provide for the Act 111 bargaining process, that Firefighters and Police Officers are different. Our members perform the very dangerous work that allows the government to satisfy its first and most sacred obligation to citizens – to keep them and their families safe. It is precisely because our work is so important that society cannot allow us to strike, and instead provides the Act 111 process.

The proponents of SB 1111 and HB 1845 would have you ignore the nature of our work, and the incredibly valuable role that our members play in this Commonwealth. So let me remind you of the most basic fact of firefighting and policing – our members risk their lives every day for your constituents. Our members are wounded and maimed, and contract terrible diseases that will follow them into their retirements, in order to

protect your constituents. And most importantly, our members make the ultimate sacrifice – they give their lives – in defense of your constituents.

Each year we bury – *bury* – several law enforcement officers and firefighters in our Commonwealth who have lost their lives in the line of duty. President Kovel, President Neri and myself have each gone to far too many funerals, said goodbye to far too many brave men and women, and comforted far too many grieving spouses and children of heroes during our careers. At every one of those funerals, citizens and elected officials pay their respects and say that "we can't do enough" for our heroes. But I will respectfully suggest to you that the time to honor our Firefighters and Police Officers should not be limited to funerals and memorial services. The time to show our gratitude and respect are all of the other days, when our members get up, go to work and put their lives on the line to keep Pennsylvanian's safe. And from my perspective, the single best way to show our gratitude and respect is to maintain our Act 111 protections for Firefighters and Police Officers. In fact, I can virtually guarantee that if any one of you asked a fireman or a cop on the street the one thing that the legislature could do to help them, the answer would be "protect Act 111." It's that important to us.

Perhaps the most offensive thing about SB 1111 and HB 1845 – and there are many – is that it will make Firefighters jobs even more dangerous. The bill doesn't just assault our dignity or make it harder to support our families, as if that wouldn't be bad enough. No, the bill will actually make us less safe in a number of ways.

First, by weakening our overall position in negotiations, SB 1111 and HB 1845 will make it more difficult for Firefighters to negotiate safety and health protections for our members. You may not know this, but most firefighter contracts contain negotiated safety protections, from staffing requirements, to equipment and gear protections, to hazardous exposure protocols. You might think that we shouldn't have to bargain over these basic safety protections, but we do it all the time, and we sacrifice wages and benefits for those protections. So by weakening our overall bargaining position, SB 1111 and HB 1845 weaken firefighters' ability to maintain or improve contractual safety protections.

Second, the bills virtually ensure a generation of 60-year old firefighters, by eliminating most pensions and all retiree medical benefits. The bill says that pensions and retiree medical benefits can only be the minimum required by statute. Well, unlike Police Officers, there is no requirement that firefighters in Townships or Boroughs have any pension at all. So say goodbye to pensions in those communities. And as for retiree medical benefits, there is no statute that requires retiree medical benefits for firefighters. So say goodbye to those benefits, too.

This provision of the bill exemplifies not just the callousness of the sponsors, but also their shortsightedness. It might sound great from a dollars and cents perspective to simply wave a magic wand and eliminate pensions and retiree medical benefits. But has anyone actually considered what would happen? I'll tell you what will happen. Firefighters won't retire. They will work until they drop, because they won't be able to afford to live otherwise. We will have a generation of 62 year old firefighters getting hurt, getting killed, and placing citizens at increased risk, because somebody had the brilliant

idea to just get rid of their pensions and medical benefits. And don't forget the lucky ones, who don't get injured or killed, will drive up the cost of healthcare for everyone else because their benefit utilization will be higher. Really, has anyone even considered those impacts? My guess is no.

So when I say to this Committee that SB 1111 and HB 1845 will result in increased risk of injury and death to Firefighters, I mean it. It is a horrible bill that solves a problem that doesn't exist, insults the men and women who risk their lives every day for Pennsylvania's citizens, and actually makes their jobs more dangerous and will result in more injuries and more deaths.

If reform is the order of the day, I respectfully suggest that we finish the work started this session on reforming Act 47. Let's focus on revenue, let's focus on tax-exempts paying their fair share, let's focus on regionalization. But, on behalf of 10,000 firefighters and their families, let's not waste our time and energy forcing a one-size fits all, statewide solution to a problem that really doesn't exist.

We ask that you oppose SB 1111 and HB 1845. Thank you.