The Authorities
PENNSYLVANIA MUNICIPAL AUTHORITIES ASSOCIATION

House Labor and Industry Committee
Subcommittee on Workers Compensation and Worker Protection
Public Hearing on HB 2860 P.N. 3530

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Testimony of:
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Good morning, Chairman Cox, Chairman Mullery, Subcommittee Chairman Nelson and members of the House Labor and Industry Committee's Subcommittee on Workers Compensation and Worker Protection. Thank you for your invitation to provide testimony on HB 2860 P.N. 3530.

My name is Jennie Shade, and I am testifying on behalf of the Pennsylvania Municipal Authorities Association (PMAA). For the past 80 years, PMAA has represented over 700 municipal authorities across the Commonwealth, which collectively provide drinking water, wastewater treatment, waste management, stormwater as well as other community projects and services to more than six million of its citizens. If you live in Pennsylvania, you are likely within the service area of at least one authority. In addition, PMAA has over 500 associate members, such as CPAs, engineers, and solicitors, who provide services to authorities.

HB 2860 P.N. 3530 establishes the Public Sector Worker Safety Data Analysis Act and directs the Pennsylvania Department of Labor and Industry to establish a program to require public sector employees to record and report work-related injuries and illnesses required by private employers under 29 CFR Pt. 1904. To be clear, PMAA agrees that ensuring workplace safety for public sector employees is critical. However, we question the method of data collection (OSHA 300) required under this bill, whether it was developed with the public workplace in mind, and whether it alone can "meaningfully compare the safety outcomes for public sector employees with the outcomes for private sector employees in similarly situated occupations." In addition, PMAA asks whether the Pennsylvania Department of Labor and Industry has reviewed existing data on workplace injuries from states that already have state OSHA plans covering public employees and if so, what has that analysis shown?

If the goal of collecting data is meaningfully comparing the two sectors' outcomes, several questions and concerns come to mind:

- Will the record keeping, and reporting required under this bill provide the information being sought?
- Will the data be useful?
- How complicated will the recording and reporting requirements be for municipal authorities?
- How will the department ensure records and reporting will be accurate?
- What will the ultimate outcome of the record keeping exercise provide?
- Will the data compiled come with an explanation as to what it means for municipal authority work safety?
- Will the data show what caused an injury or illness?
- Will the data show whether workplace safety is improving or simply just show the number of employee injuries and illnesses?

Other concerns beyond the scope of the bill are whether method of collection is electronic and whether security is in place to protect the confidentiality of the data being collected and transmitted. The proliferation of cyberattacks, data breeches, fraudulent activities, hacking and phishing has prompted Pennsylvania governments to take extra steps to secure their systems. Do we really want to be collecting data electronically, especially employee data that is medical in nature, when cybersecurity incidents leading to compromised records is still a concern? Is now the right time to add another mandate and for what benefit to Pennsylvania's public workforce?

Furthermore, if this bill becomes law, what will be different? How will the data reported show there may be a problem with municipal authority employee injuries, especially as accurate reporting of workplace injuries remains a significant problem? It is important to note that municipal authorities already have structured safety and health management programs in place and devote resources to such programs, including programs for compliance with other health and safety regulations. In fact, PMAA provides training and seminars throughout the year on a variety of workplace safety topics to support our members' efforts in this area and incentives provided by workers compensation and insurance systems exist to invest in better health and safety practices.

In conclusion, we ask that you please take into consideration the fact that municipal authorities already address a number of unfunded mandates, and as currently written, this bill could lead to yet another, which would ultimately be borne by the ratepayers. To reiterate, PMAA believes workplace safety is of great importance; however, due to the concerns with the bill stated above, we think more work needs to be done, and we look forward to being a part of that process.

Again, thank you for the opportunity to testify today. I am happy to answer any questions.