



Representatives Patton & Kelly

House Bill 605 Joint Sponsor Testimony

Chairman Brinkman, Vice Chair Antani, Ranking Member Boggs, and members of the Insurance Committee, thank you for allowing Representative Kelly and I to testify in support of House Bill 605.

House Bill 605 would give workers in grocery stores and food packing and processing facilities access to workers' compensation if they contract COVID-19 while on the job. Under House Bill 605, COVID-19 would be classified as an occupational disease under Workers' Compensation Law. Additionally, this would create the presumption that any food workers who contract COVID-19 while continuing to work during this crisis did so because of their employment.

As essential employees during this pandemic, food workers have served on the front lines of the pandemic at great risk to themselves and their families. They did not sign up for this. Even with all the safety protocols put in place by stores and processing plants, there is still a huge risk to contract the virus. Employees have been working extended hours to restack shelves, opening early to allow seniors, disabled, and at-risk individuals to shop at a dedicated hour, and dealing with panic-buying customers who often take their frustrations out on employees. They are working long hours under extremely difficult and stressful conditions to make sure the public has access to food, prescriptions and medical supplies.

Food workers have played a critical role not only in the health of our economy, but also in the necessary functioning and well-being of our society. We have needed these workers to stay healthy more than ever before and protecting them is essential to our communities and the food supply. We must help these workers for their health, safety and financial security.

Unfortunately, this work, even with all the proper precautions, is done at great risk to these workers and their families:

*"There is a lot of fear in my store because of the virus. Every day, we prepare like we're going into battle with the virus. We are exposed to thousands of people every day for hours and the reality is it only takes one person to expose an entire store."*¹

¹<http://www.uncw.org/2020/05/20/pressconference/>

As food packing and processing plants around the country were (and are) closing down due to high rates of infection, an Executive Order was issued to keep these plants open in an effort to maintain the food supply.² Workers in packing and processing plants work in very close proximity to one another on the line, while clocking in and out and in the breakroom. As a result, they are experiencing greater rates of COVID-19 infections than other industries. In fact, of the 25 rural counties in America with the highest per capita case rates of COVID-19, 20 have a meatpacking plant or prison.³

The people who do these important jobs need coverage if they contract the coronavirus and are unable to work. As you can imagine, it is nearly impossible to pinpoint the exact person or interaction in which the virus is transmitted when you have thousands of interactions with the public or are in an environment where cases are prevalent. That is why food workers should have presumptive coverage should they contract COVID-19; if these workers contract the virus, it should be presumed that it happened as a result of their employment. Alaska, California, Minnesota and Kentucky have enacted similar action, and a number of other states are considering doing the same.⁴

We ask your support of this legislation to provide food workers this important protection. Thank you for the opportunity to testify today; we will be happy to answer your questions.

² <https://www.whitehouse.gov/presidential-actions/executive-order-delegating-authority-dpa-respect-food-supply-chain-resources-national-emergency-caused-outbreak-covid-19/>

³ <https://www.washingtonpost.com/nation/2020/05/24/coronavirus-rural-america-outbreaks/?arc404=true>

⁴ <https://www.ncsl.org/research/labor-and-employment/covid-19-workers-compensation.aspx>