



Testimony of

**Tom Kuroski, President
Newtown Federation of Teachers, AFT Local 1727, AFL-CIO**

Workers' Compensation Informational Forum

Labor & Public Employees Committee
March 5, 2014

Good afternoon Senator Holder-Winfield, Representative Tercyak and members of the Labor & Public Employees Committee. My name is Tom Kuroski and I am proud to be the President of the Newtown Federation of Teachers, AFT Local 1727. I am here today, on behalf of my members, to share with you changes that we believe should be made to our workers' compensation laws.

My life and the lives of my members changed forever on December 14, 2012. It is unthinkable that any community should endure a tragedy like the one that took place at Sandy Hook Elementary School. Our road to healing has begun, but it will be a long journey littered with uncertainties. Each person's path is different. Mine has included advocating for changes for my members that are long overdue, such as improved school security and expanded workers' compensation benefits that cover treatment for mental and emotional injuries in the workplace.

Our members at Sandy Hook Elementary School experienced the most horrific workplace trauma any of us could ever imagine. As most huddled quietly with small children hiding in classroom corners, closets and bathrooms, they heard the commotion and gunshots that killed six of their colleagues and 20 innocent, young students. After first responders arrived, teachers escorted their students out of the building through blood splattered hallways, past gruesome sights and into a chaotic scene of distraught families and emergency personnel.

My immediate concern was for the children and the staff who were in that building. In addition to the loss of precious life, we also lost our sense of security. All of a sudden, teachers didn't feel we were teaching in a safe environment. All of a sudden, we experienced feelings of helplessness and vulnerability. Many of us no longer felt capable of taking charge of students. For some of us, when we returned to our schools and classrooms, we felt insecure about doing our most sacred duty: teaching and nurturing our students while keeping them safe.

Our members went to work on December 14, 2012, just like every other day in their careers. Yet those who survived will never be the same. They now carry the emotional scars and burdens from that event. They are nervous and anxious. They are worried about their safety. They have experienced survivor's guilt. They are worried about the well-being of their students and their families. They don't know if they can continue to teach and be responsible for the safety of an entire classroom ever again. Their world has turned upside down. They are suffering from post-traumatic stress disorder. And yet, they don't qualify for workers' compensation benefits.

Several teachers from Sandy Hook Elementary School filed workers' compensation claims. They were all denied because the current statute does not require workers' compensation to cover their injuries. As a result, they have paid out of pocket costs for treatment, approached or exceeded the maximum coverage limits on their personal and family health insurance coverage and used sick, personal or vacation time to receive such treatment. Had they been shot or suffered another kind of physical injury, their time and treatment would have been covered. They would have job and they wouldn't have to think about if they could afford the care they need. Instead they were left to cobble together do-it-yourself plans to treat their workplace injuries when they were at their most vulnerable.

Modern scientific research has shown that human beings, though they often can withstand and recover from the most debilitating of physical injuries, are often far more harmed by the emotional impact of the circumstances in which those physical injuries were sustained. We know now about post-traumatic stress disorder and that it can be a completely debilitating condition.

Even in the aftermath of the most horrific workplace violence, there was not enough political will in the General Assembly to make this change last session. Instead, our union and other employee representatives had to work with the bipartisan leadership of both chambers to establish a privately funded secondary fund to aid impacted workers as quickly as possible. We are grateful for these efforts, but it would not have been necessary if workers' compensation covered post-traumatic stress disorder. No worker should have to rely on the mercy of the General Assembly and the generosity of charitable organizations for treatment for mental and emotional injuries.

The Sandy Hook Workers' Assistance Fund was created by Public Act 13-1 and became effective April 1, 2013. It is administered by the Connecticut Judicial Branch and the Office of Victim Services and was intended to provide immediate financial help to approximately 200 Sandy Hook Elementary School employees, emergency responders, and medical professionals who are suffering mental or emotional distress as a result of the tragedy. It is not funded with any public dollars. Rather, it is funded exclusively by the voluntary contributions of individuals, corporations, non-profit organizations and other private donors. Legislators estimated that several hundred thousand dollars in donations had been pledged and would be collected.

Actual donations received by the Sandy Hook Workers' Assistance Fund were far below expectations. Several corporations and other organizations pledged their assistance and stood at a press conference announcing the creation of the Fund, but not all followed up with a contribution. As of September 30, 2013, just over \$218,000 had been contributed to the Fund. Approximately \$75,000 has been paid out in claims, leaving a balance of roughly \$143,000 for all new and pending applications. The deadline for submitting applications for reimbursement is June 30, 2014 and the Fund is prohibited from paying claims after August 30, 2015.

Now that media attention has all but ceased and workers focus on healing, for some, their injuries are just beginning to be diagnosed or treated. PTSD can take a long time to present and even longer to be successfully managed. What will happen to my members and other eligible workers who require help after August 30, 2015? What will happen when the Fund is depleted? The state has walked away, believing that it satisfied its commitment to these workers. That couldn't be further from the truth. What the state in fact did was to create an

underfunded, short-term solution to a long-term problem that *puts the entire recovery burden on the individual worker*. It is unacceptable.

I implore you to not let the Sandy Hook shooting be in vain. If good can come from this tragedy, one of the most important things would be to recognize the importance of mental healthcare, both for those struggling with mental illness and for those who have been impacted by violent events during the course of their employment.

I encourage you all to embrace any and every effort that would require workers' compensation to cover these workplace injuries, including offering your vocal and visible support for SB 56 An Act Concerning Severe Mental or Emotional Impairment and Workers' Compensation. When injuries occur in the workplace, whether they are physical, mental or emotional, we must provide parity of coverage and treatment in our workers' compensation statute.

Thank you for the opportunity to speak with you today on this very important issue.