

Testimony HB1271

Representative Marvin E. Nelson, District 9

House Industry, Business, and Labor Committee, Representative Mike Lefor, Chairman

HB 1271 has the goal of protecting essential businesses from lawsuits resulting from workplace injuries produced by the Covid-19 epidemic.

As you know, North Dakota was hit very hard and many essential workers were greatly stressed.

How prevalent injury is in North Dakota would be speculative. But clearly, across the country, workers were injured.

I include examples of articles on the subject, the complete articles are in the online testimony. I'm sure you have seen multiple articles about the stresses the pandemic has created for workers.

The real question for this committee is how do you desire injured workers to proceed? Should they bear the cost themselves, putting as much as they can on their health insurance? Should they sue their employer for their injuries, their exposed employer? Or should we provide for coverage of their injuries under WSI and protect the employers from liability?

What research has been done shows a significant amount of injuries, but it's very variable depending on working conditions, work climate, their age, and even whether they smoke.

We know that a significant percentage of injured workers will heal without intervention, but we also know a significant number won't. In addition to the healthcare costs of injury, there will be the future costs as workers leave the workforce. We have already heard many times of the difficulties in ND of getting doctors, of shortages of nurses, of the difficulties nursing homes have in staffing. How many of these valuable workers can we afford to lose? What would we do to replace them?

There is a real need for systematic action to handle the mental health problems in North Dakota including workplace injury. We could lose workers and businesses to this. It is going to require real commitment of resources, funds and societal support to overcome this.