

Kansas AFL-CIO



TO: Chairman Senator Rick Wilborn & Senate Judiciary Committee
From: Andy Sanchez, Executive Secretary-Treasurer, KS AFL-CIO
Re: Written Testimony in Opposition to Proposals to Absolve Liability of Employers

Chairman Wilborn and Members of the Committee:

The urgency for a quick return to a vibrant economy must not come at the expense of common people, namely workers. Proposing new legislation that would “shirk” any responsibility for the safety of their employees is just blatantly wrong. We urge responsibility be maintained regarding claims of liability for exposure to COVID-19, and especially now. It is our understanding the intent of the legislation would be for businesses to bear no responsibility for their negligence of a worker’s safety.

No one wants to get back to work more than our members. However, this is not a time to return to “normal”, this is a moment in time to prove we can do better to protect workers. Our organization is concerned that often, big business in Kansas has persisted to utilize employees with only profit in mind and compromise their safety. That is not a track record to continue to pursue during the COVID-19 Pandemic. We can do better.

Consumers and workers are at risk here for losing out on protections that we look to government for, to uphold some level of minimum standards. Both consumers and employees must have a sense of security that adequate Personal Protection Equipment (PPE’s) are available and in use. This is the price of doing business that should not change, but instead be heightened during the pandemic emergency. Reopening the Kansas economy is the responsibility of us all and that is what we are trying to do here. But, absolving liability to businesses shouldn’t come at the expense of anyone seeking justice.

The hopes and aspirations of a Kansas economy do not sacrifice its people to secure profits for a business. Working conditions are not without any guideline of measure, that is why the Occupational Health and Safety Act (OSHA) was created. Kansas Lawmakers must recognize the rights to which our residents are justly entitled and make sure the practices of business are responsible and accountable. When this does not occur, the public must have recourse. We ask that you maintain the rights to a remedy for negligence when a business goes astray. Please oppose proposals that give employers total immunity.