

**Testimony in SUPPORT with Amendment of Senate Bill 813  
Workers' Compensation – Occupational Disease Presumptions – COVID-19**

**Senate Finance Committee  
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The Maryland State Education Association supports Senate Bill 813, which presumes that educators and other workers who contract COVID-19 after reporting to the job site to have suffered an occupational disease in the line of duty. MSEA respectfully asks, however, that the Committee consider amending the bill to take effect retroactively.

MSEA represents 75,000 educators and school employees who work in Maryland's public schools, teaching and preparing our 896,837 students for careers and jobs of the future. MSEA also represents 39 local affiliates in every county across the state of Maryland, and our parent affiliate is the 3 million-member National Education Association (NEA).

MSEA strongly supports this bill that would help to ensure that educators who are forced back into school buildings are able to access workers compensation benefits.

As MSEA's President wrote to Dr. Salmon, "No one wants to get back to school safely and sustainably more than educators. We, the educators working daily with students and families, are painfully aware of the effects of this year's challenges and trauma upon our students and their families. We are frustrated by the lackadaisical implementation of, and resources for, safety measures in our schools. We are frustrated by the lack of availability of vaccines after being told how important it is for us to get vaccinated. We want to be back in our schools, safely and sustainably, for our students."

Passage of this bill would provide an incentive for school systems and other employers to implement re-opening health and safety protocols with fidelity. While educators have been told they would be provided with adequate personal protective equipment and that schools would have thorough health and safety procedures, that is not what our educators are seeing on the ground. This bill adds another layer of accountability to ensure that local education agencies are actually implementing these policies appropriately to avoid unnecessary exposure to COVID-19.

MSEA respectfully requests one amendment to this bill:



Retroactivity back to the Governor's State of Emergency, March 5, 2020

MSEA is grateful for this legislation and that the committee is considering moving forward with this concept. We urge the committee to consider amending Section 2 of the bill and to allow this to be applied retroactively from March 5, 2020, the day the Governor declared a State of Emergency.

Many of our members never left or returned to the school buildings during the shutdown. The staff included custodial staff, technology assistants, food and nutrition workers, to name a few. Unfortunately, some of these frontline heroes contracted COVID-19 during that time. They should not be excluded from protections and benefits that this bill would provide while at the same time limiting the school system's potential exposure to costly litigation.

**MSEA urges a Favorable Report with an Amendment on Senate Bill 813.**