



July 14, 2022

Governor Kathy Hochul
New York State Capital Building
Albany, NY 12224

Re: Problematic Workers' Compensation Legislation

Dear Governor Hochul:

This session, the Legislature passed numerous bills related to Workers' Compensation. The Buffalo Niagara Partnership, on behalf of its members who employ over a quarter million people in the region, has significant concerns with this legislation. We urge you to consider these bills not individually, but rather, that you assess the entire slate based on its aggregate impact on employers in our state. These bills include:

- **S.6373 (Savino)/A.2020 (Reyes)**, which would provide coverage for post-traumatic stress disorder from work-related stress. This benefit, currently afforded to police officers and firefighters, would be extended to workers in any industry.
- **S.2138 (Ramos)/A.8930 (Woerner)**, which would provide Workers' Compensation coverage for massages.
- **S.8271 (Sanders)/A.7178 (Joyner)**, which would perpetually increase the minimum benefit by indexing it to average wages around the state.
- **S.768 (Gounardes)/A.1118 (Bronson)**, which would provide workers' compensation benefits to any worker at a "total disability" rate regardless of the severity of their disability.
- **S.9149(Gounardes)/A.10349 (Joyner)**, which would ban the collateral estoppel doctrine and increase liability for third parties.

While each of these bills may have merit on their own, enacting this entire package at once would mean a sudden, drastic expansion of the Workers' Compensation system. Accordingly, employers would face a sudden, drastic expansion of their Workers' Compensation rates.

At a time when employers are facing painful inflation, and are also soon to see rising unemployment insurance premiums due to the state's inaction, the last thing they need is another cost increase on another budget line. These increases would also undermine the modest Workers' Compensation reforms that employers fought for in 2017.

These bills would make running a business in New York even more expensive, and our state less competitive. The BNP urges you to veto this slate of legislation.

Sincerely,

A handwritten signature in black ink, appearing to read "Dottie Gallagher".

Dottie Gallagher
President and CEO, Buffalo Niagara Partnership