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**Testimony of Kate Burkhart, Director of the Bureau of Labor Standards,  
Maine Department of Labor  
In Support LD 1993, An Act to Increase the Annual Cap on Funds Assessed for  
the Safety Education and Training Fund  
To the Joint Standing Committee on Labor  
Public Hearing, 1/7/2026**

Good afternoon to you, Senator Tipping, Representative Roeder, and members of the Joint Standing Committee on Labor. I am Kate Burkhart, Director of the Bureau of Labor Standards at the Maine Department of Labor. Thank you for the opportunity to testify in support of LD 1993.

This bill offers a prudent and targeted adjustment to ensure that the Safety Education and Training Fund can continue to fulfill its core mission: preventing workplace injuries and illnesses through education, training, and technical assistance. The Safety Education and Training Fund (SETF) was created in 1985 to provide resources for "programs for the education and training of employers, owners, employees, educators and students in the recognition, avoidance and prevention of unsafe or unhealthful working conditions in employment."

SETF funds safety trainings that address the most serious workplace hazards, like Scaffolding and Fall Prevention; Safety and Supervisors, so that they can recognize hazards, know when they have authority to stop a job if an unsafe condition arises, and how to fix or report the hazard; and OSHA-10 classes for construction and general industry. In 2025, over 7,700 Mainers received workplace safety training, thanks to SETF.

I want to share two examples of how the SETF helps employers and workers. First, the on-site consultation and SHAPE/SHARP programs for employers. These programs are funded by OSHA and SETF to help employers provide safe workplaces that are compliant with state and federal standards. The On-Site Consultation Program provides business owners no-cost consultation services to address hazards and improve workplace safety and health without fear of citations or monetary penalties. Employers can request technical assistance and consultation to identify and help mitigate safety hazards in the workplace. The consultation involves a complete hazard identification process that involves employees and employers. The employer agrees to correct all hazards identified in the consultation. While participating in the on-site consultation process, the employer is exempt from random or programmatic OSHA inspections.

This allows employers to address safety issues and achieve compliance with support from the Department, rather than face penalties as a result of a state or federal inspection.

The SHAPE and SHARP programs go further. These programs are an intensive program for private industry and public employers who participate in the on-site consultation program. SHAPE and SHARP participants receive technical assistance to create and maintain a comprehensive workplace safety and health program. Once an employer achieves SHAPE or SHARP recognition, they are exempt from random or programmatic OSHA inspections. We just recognized Everett J. Prescott (EJP) in Caribou yesterday as a SHARP workplace.

Second is the story of a worker whose life was saved because he took a SafetyWorks! training. This worker took a SafetyWorks! training on Fall Prevention early last year. That training covered the importance of harnesses and lanyards, and how the science of how they protect you when you fall. Several months later, the worker went to a worksite and noticed that the fall protection harness was old and had a straight lanyard. So, based on what he'd learned in the class, he got a new harness and shock-absorbing lanyard to use on this tree felling job. And then, there was an accident and he was catapulted from an aerial lift. The harness and shock-absorbing lanyard kept him from hitting the ground and mitigated the trauma that occurs from suspension after a fall. The worker was able to tell responding medical providers that he needed additional screening and treatment, which resulted in his transfer to a facility who could treat the internal hyperinflammation caused by the suspension trauma. This accident could have been fatal, or resulted in even more serious injuries, had the worker not known what he learned from SafetyWorks!

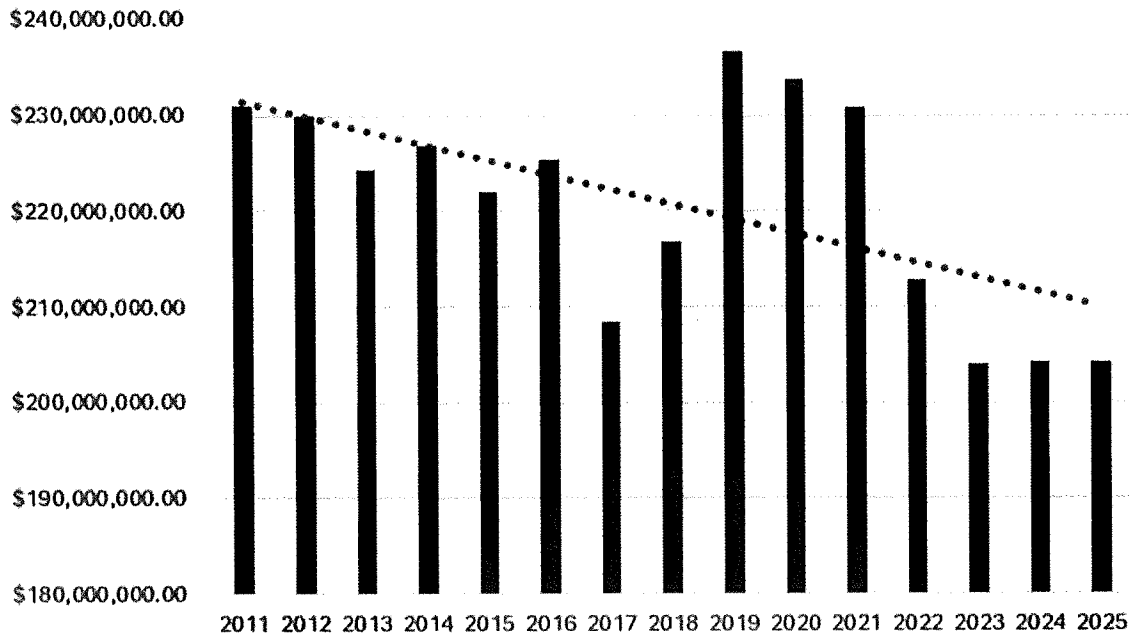
### **Workplace Safety Education Is a Cost-Effective Investment**

Safety education and training protect workers and benefit employers – which extends to the workers' compensation system as a whole. Programs supported by this fund help prevent injuries before they occur, reducing lost work time and productivity, medical costs, and long-term disability. These efforts are especially important for small and medium-sized employers, who often lack in-house safety expertise and rely on the training and consultation provided by the Department at no cost to participants.

LD 1993 is a maintenance of effort bill. Currently, the assessment is capped at 1% of "actual annual workers' compensation paid losses, excluding medical payments," paid in the prior year. The total SETF assessment paid in SFY25 was \$2.043m. The total SETF assessments for SFY26 are \$2.230m. Of that, 7-8% is allocated to indirect costs. Approximately 180 insurers pay into the SETF. Most of the SETF is funded by assessments paid by 10 large insurers.

Workers Compensation claims paid (inclusive of all benefits) have declined over time, even with higher years in 2019-2021. The trend line shows a steady decline since SFY2011, when \$231,143,259.29 was paid out. In SFY25, \$204,307,664.00 was paid out, a decrease of 11.6%.

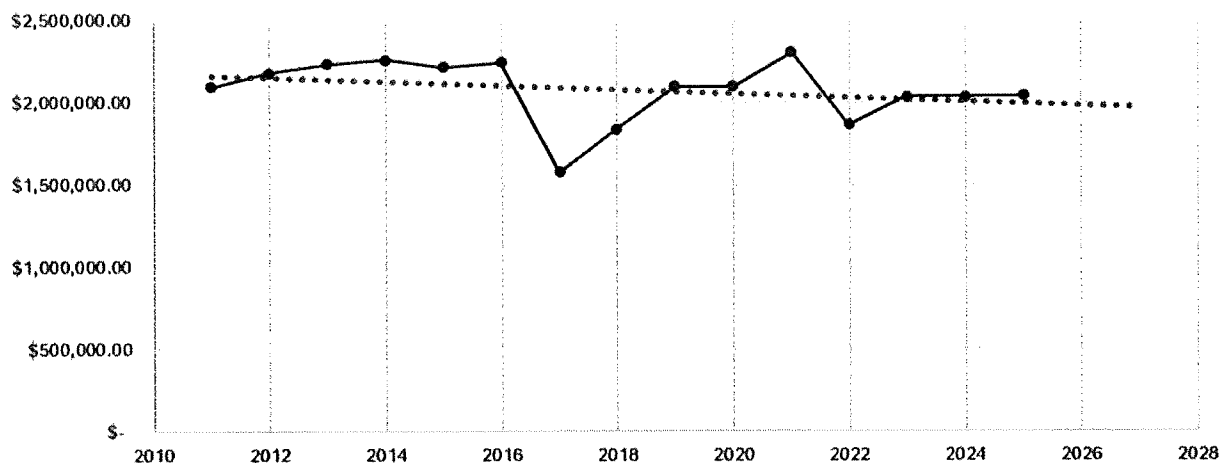
## Workers Compensation Claims Paid



### SETF Assessments Have Decreased Over Time

Workers' Compensation costs have decreased substantially since 2011, which is the outcome we all want. The SETF assessment has followed that trend. The assessment in SFY2011 was \$2,103,044.57. In SFY2025, it was \$2,042,302.67 – a 2.8% reduction. The most ever assessed was \$2,386,293 in SFY2001 and SFY2002. The least ever assessed was \$1,580,558.12 in SFY2017, an outlier attributed to underreported claims that year.

### SETF Assessments 2011-2025



### The Impact of Flat Funding

SETF assessments have remained relatively flat, decreasing less than 3% in 15 years. However, inflation affects government operations the same way it does businesses and families. Rising personnel and operations costs reduce our ability to provide the training, technical

assistance, and services that have helped increase workplace safety and drive down the costs of workplace injuries to workers and employers.

Currently, employers requesting an on-site consultation are waiting months before a consultant can begin the process. We have 22 employers who are waiting at least 30 days, and we are booking new consultations in April right now. Without the option to assess up to 2% of "actual annual workers' compensation paid losses, excluding medical payments, paid in the most recent calendar year for which data is available," we will continue to see fewer trainings delivered, longer wait times for employers and workers seeking assistance, reduced capacity to update training materials and address emerging hazards, and strain on staff and resources that reduce program effectiveness.

### **Conclusion**

LD 1993 does not create a new program or expand the Department's authority unnecessarily. It simply adjusts the SETF assessment to provide resources to maintain the highly effective safety education and training programs provided – at no cost – to Maine workers and employers.

LD 1993 is measured, reasonable, and tied directly to workers' compensation benefit levels. It ensures that funding remains proportionate to the system it supports and provides flexibility to respond to current and future needs.

LD 1993 is a commonsense approach to maintaining the State of Maine's partnership with employers to make sure that every worker goes home safe after a day's work.

Thank you for the opportunity to testify. I'd be happy to answer any questions now, or at a future work session.

The Maine Department of Labor is committed to serving Maine workers and businesses by helping employers recruit and train a talented workforce, providing workers with skills needed to compete in our economy, assisting individuals when jobs are lost, aiding people with disabilities reach career goals, ensuring safe and fair workplaces for people on the job and providing research and analysis of employment data to support job growth.