



MAINE AFL-CIO

A Union of Unions Standing for Maine Workers
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Testimony of Adam Goode, Maine AFL-CIO Legislative & Political Director, In Support of LD 82 “An Act to Amend the Workers’ Compensation Laws by Extending Indefinitely the Presumption Applying to Law Enforcement Officers, Corrections Officers, E-9-1-1 Dispatchers, Firefighters and Emergency Medical Services Persons Diagnosed with Post-traumatic Stress Disorder”

Senator Tipping, Representative Roeder and members of the Joint Standing Committee on Labor, my name is Adam Goode. I am the Legislative & Political Director of the Maine AFL-CIO. We represent 40,000 working people in the state of Maine. We work to improve the lives and working conditions of our members and all working people.

Workers’ Compensation is the result of a historic grand bargain between labor and management. In the early 20th century, management was given complete immunity from suit in tort. Never having to answer to a jury about negligence is very valuable to employers. In exchange, labor was supposed to receive adequate and prompt wage replacement and medical coverage for workplace injuries.

In 2017, a former version of this committee recognized that the original promise of Workers’ Compensation was not being met for working people serving the public in various law enforcement jobs. During that legislature, a law was passed that created a rebuttable presumption for post-traumatic stress disorder. The public hearing on that bill (LD 848) was moving and powerful with countless stories of the job based traumas that firefighters, police and first responders experience.

Fast forward to 2022 and we went through the same process again. The bill that passed in the 128th and was signed by Governor LePage had a sunset clause that expired in 2022. In the 130th, the legislature reauthorized the bill and Governor Mills signed it. That legislation will sunset on October 1, 2025.

The unfortunate stereotype in these professions is of a “tough” professional who helps other people with their problems. Too often, the worker lacks support to talk about what they experience at work, resulting in missed opportunities to improve outcomes from post-traumatic stress disorder through early intervention.

Making the rebuttable presumption for PTSD for these workers permanent will help keep people working and safe. The right to have good medical treatment will keep people from unhealthy coping mechanisms like drugs, alcohol and suicide. In addition to ensuring that there is access to good treatment for PTSD, a rebuttable presumption helps encourage workers to seek treatment by giving them greater confidence that their efforts to seek help will be successful and will not result in more challenges in the Workers’ Compensation system.

We close by reminding you that this is the third hearing on this issue during which firefighters, police and first responders will recount traumatic experiences in front of this committee. Delivering moving and very powerful testimony of on the job traumas is certainly helpful in passing legislation, but we would respectfully remind you that this law has worked well for 8 years. We should indefinitely extend this rebuttable presumption as we see no need to continue having this hearing every few years.

We ask that you support LD 82.