



LOCAL LODGE S-89
P.O. Box 481, Bath, Maine 04530

DISTRICT LODGE 4
INTERNATIONAL ASSOCIATION OF MACHINISTS & AEROSPACE WORKERS

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5/8/19 Public Hearing

Testimony of Carol L. Sanborn, President IAMAW Local Lodge S-89 In support of LD 1253 "An Act to Fairly Compensate for Fatal Accidents under the Maine Workers' Compensation Act of 1992"

Senator Bellows, Representative Sylvester, and members of the Committee:

I am a resident of Dresden and a paralegal working in Topsham at a law firm with a State-wide practice in representing injured workers. I've worked there 35 years as a workers' compensation specialist. I am President of Local S-89 of the International Association of Machinists and Aerospace Workers (IAM). We have eight bargaining units in four counties. I am testifying in support of LD 1253 and encourage you to vote "ought to pass" so that after a fatal work accident, compensation to the surviving spouse and dependents will be less unfair.

In my work over the years, I've assisted many surviving spouses and their families with the aftermath of their worker's death. I also assisted my own mother with this system when she was widowed and left alone with two minor children after my father died. Unfortunately, I don't have to imagine what this might feel like.

An employee's work-related death should leave the surviving spouse in no worse financial position than the one he or she was in before the fatal injury occurred. Had the deceased employee lived, the surviving spouse could have counted on the benefit of the deceased employee's earnings over the remainder of his/her lifetime (or until remarriage). The 500-week cap is not only arbitrary, but is also punitive, which is not consistent with the overall purpose of the Workers' Compensation Act.

My father died more than 30 years ago—long before the current Section 215 was enacted—and even back then the law wasn't what anyone would consider "great." Aside from the emotional loss, there are many things that a wage replacement check does not cover... It does help with groceries and a few other routine expenses. Those things do matter very much. However, my father and others like him do more for their families than bring home a paycheck. He also cut our firewood, provided the venison that got us through the winter, repaired the house, maintained and repaired our vehicles, etc. As a result of the untimely death of any worker, the repercussions are felt deeply and the law even at its best will not help with everything. At its worst—which is what we have now—it punishes families in ways that it should not. After 500 weeks, my father was still dead.

ADDENDUM:

An injured worker called me last night from the ICU and asked me to relay a message to this Committee. He told me he wanted to be here in person, but had a heart attack earlier, and had just had heart surgery. The doctor told him it was from the stress of his work injury and WC claim. He said:

I try very hard to take good care of myself. I exercise, eat healthy food, and am not overweight. I don't drink, smoke, or do drugs. But I was almost dead when a friend found me today and I'm only in my 50's. Please tell the Committee that benefits and money do you no good if you're dead and this system is killing people like me.