



July 1, 2020

Joint Committee on Labor and Workforce Development
State House
24 Beacon Street Rooms 424/472
Boston, MA 02133

RE: H.4739, *An Act Creating a Presumption of Relatedness for Essential Workers Suffering from COVID-19*

Dear Chair Jehlen and Members of the Committee:

The New England Power Generators Association (NEPGA)¹ wishes to provide this letter in response to H.4739, *An Act Creating a Presumption of Relatedness for Essential Workers Suffering from COVID-19*. NEPGA recognizes and appreciates the efforts of all essential workers during the COVID-19 public health crisis. NEPGA asks the Committee to amend H.4739 so that it distinguishes between essential workers that have public facing positions and responsibilities during the pandemic from others, like those in the power generation industry, who provide essential services in isolated settings, with little or no contact with the general public.

NEPGA's member companies represent approximately 90% of the electric generating capacity throughout New England, including nearly 10,000 megawatts of generation in Massachusetts. As the trade organization that represents companies whose personnel are deemed "essential employees" under Governor Charlie Baker's March 23 Executive Order COVID-19 No. 13, NEPGA values the ongoing dedication and skill of its member companies' employees to ensure a reliable supply of electricity, especially during the COVID-19 public health emergency.

Since March, NEPGA member companies have implemented an array of procedures and protocols to prevent the transmission of COVID-19 in their Massachusetts power plants and maintain a safe and healthy workforce. Those efforts include restricting access to generating facilities to critical staff and limiting visitors to those who perform essential services, such as facility maintenance. Member plants are rotating shifts, staggering rotations, providing personal protective equipment (PPE), and requiring social distancing. Member companies have also directed non-plant workers to work from home, reduced or barred work-related travel wherever possible, and canceled or postponed non-essential projects during the pandemic, all to reduce physical contact and the chance of transmission between employees and others.

¹ The comments expressed herein represent those of NEPGA as an organization, but not necessarily those of any particular member.

In addition to following U.S. Centers for Disease Control and Prevention guidance, NEPGA member companies have instituted temperature testing and health screening of their employees and contractors at plant sites and offices, increased deep cleanings and sanitizing of their facilities, and increased hygiene education programs. NEPGA member companies have also increased internal communications to foster greater engagement with staff and share important health and safety information. Recently, NEPGA facilitated the availability of onsite testing of plant employees from a Boston-based biotechnology company for interested member companies.²

NEPGA is proud of the role that the power generation industry has held and continues to play in supporting our region's economy and health care system. For purposes of H.4739, there are critical differences that should be appropriately recognized among economic sectors. NEPGA believes H.4739 is intended to address the needs of public-facing frontline essential workers – like those who work in health care settings and grocery stores – whose jobs put them at greater risk of exposure to COVID-19.

NEPGA member company employees typically work away from the general public, and therefore face less risk of exposure. Plant employees are also subject to comprehensive health and safety procedures in addition to the normal security protocols at their respective facilities. In light of these facts, and the objective of H.4739, NEPGA urges the Committee to consider these important distinctions between essential workers and amend H.4739 accordingly.

NEPGA is grateful for the work of all essential workers during this unprecedented time. NEPGA pledges to continue to do its part to support its members' efforts to adopt best practices and provide the resources needed to ensure the health and safety of Massachusetts plant employees.

NEPGA appreciates the opportunity to provide these comments on H.4739 and stands ready to provide additional information or assistance to the Committee.

Respectfully,

/s/

Dan Collins
Director of Government Affairs

² <https://www.prnewswire.com/news-releases/orig3n-announces-comprehensive-solution-to-provide-covid-19-testing-for-the-new-england-power-generators-association-301066421.html>