



August 6, 2021

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

RE: S.1195 and H.2042

Dear Chair Jehlen, Chair Cutler, and Members of the Committee:

The New England Power Generators Association (NEPGA)¹ provides this letter in response to S.1195, *An Act Providing Hazard Pay and Protection for Essential Workers During a “State of Emergency” Declaration* and H.2042, *An Act Providing Hazard Pay and Protection for Essential Workers During a “Declaration of a State of Emergency.”*

NEPGA recognizes and appreciates the efforts of all essential workers during the COVID-19 public health crisis. The last 17 months have been an extraordinary period of time in which a wide array of businesses sustained operations to maintain essential services. A variety of industries took tailored steps to preserve safe operating conditions with employees meeting the call in a unique, and different, work environment. Those unique differences require consideration based on the circumstances faced by workers and industries.

It is for that reason that NEPGA urges the Committee in its consideration of S.1195 and H.2042 to distinguish between essential workers on the front lines of the pandemic and others, like those in the power generation industry, who provide essential services in isolated settings, with little or no contact with the general public, and exempt power generation industry employees from the proposed legislation

NEPGA is the trade association that represents competitive electric generating companies in New England. NEPGA’s member companies account for over 90% of all generating capacity throughout New England with over 8,000 MW in Massachusetts. NEPGA companies provide well-paying, highly skilled jobs to the Massachusetts workforce, pay millions of dollars in taxes to the Commonwealth and its cities and towns, and millions of dollars more in income taxes paid by employees.

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

As the trade organization that represents companies whose personnel were deemed “essential employees” under Governor Charlie Baker’s March 23 Executive Order COVID-19 No. 13 and related executive actions, NEPGA values the continued 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 2020, 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.

In addition to following U.S. Centers for Disease Control and Prevention guidance, NEPGA member companies 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. NEPGA also facilitated the availability of onsite testing of plant employees from a Boston-based biotechnology company for interested member companies.

NEPGA is proud of the essential role that the power generation industry has and continues to play in supporting our region’s economy and health care system, especially during times of crisis when “keeping the lights on” is so important.

For purposes of S.1195 and H.2042, there are critical differences that should be appropriately recognized among different economic sectors. NEPGA believes it is important to distinguish between frontline essential workers, whose work in public-facing jobs puts them at greater risk of exposure to COVID-19 or similar hazards, and essential workers who perform their duties in more isolated settings. As explained above, NEPGA company employees typically work away from the general public, and therefore face substantially 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 objectives of S.1195 and H.2042, NEPGA urges the Committee to consider these important distinctions between essential workers and exclude power generation industry employees from the proposed legislation before advancing either of these bills.

NEPGA is grateful for the work of all essential workers, particularly during challenging times. 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 S.1195 and H.2042 and stands ready to provide additional information or assistance to the Committee.

Respectfully,

A handwritten signature in black ink, appearing to read "Dan", is positioned above a horizontal line.

Dan Collins
Director of Government Affairs