



ALASKA DISTRICT COUNCIL OF LABORERS

Laborers' International Union of North America
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March 19, 2019

Honorable L & C Committee Members
Alaska State House of Representatives
Juneau, Alaska 99801

Re: HB 30 Worker Compensation Amendment on Death Cases and PPI Injuries

Dear Honorable Representatives;

Your support for passage of HB 30 would protect families of **Alaskan workers killed on the job** and also help **Alaskan workers suffering permanent injuries**. Thus, we would graciously appreciate your support for HB 30.

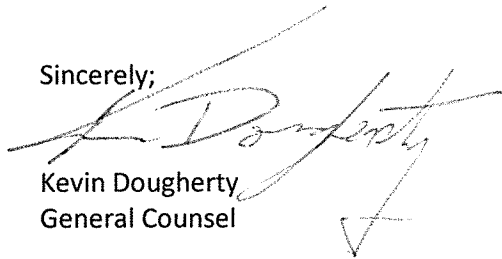
Specifically, this Bill corrects the embarrassing neglect of prior Legislatures for Death cases wherein the worker was single, yet had dependent grandchildren, parents, or siblings. **For over 40 years- since 1968 – this Death benefit has languished at the insulting \$20K for the loss of human life.** Sadly, a number of Alaska families have been subject to this insulting statute. For example, the families of Alaskans such 1). **Kerry Brookman killed** while working for our AKRR by an avalanche, 2). **Tyler Kahle** a construction worker killed in Nome, and 3). Anchorage Laborer **Samuel Rey Damn killed** by a truck -- sadly received this outdated, substandard \$20k for the death on the job!

And even worse, after **Abigail Caudle was killed** on the job in Anchorage, the existing Worker Comp statute was used to provide the family **zero-no** compensation whatsoever-- for their daughter's death. [See Alaska Work Comp Appeals Com'n, Decision No. 215 (2015). That Decision deferred responsibility to the Alaska Legislature to address this tragedy. See footnote 32. Let us be responsible and protect such families.

Secondly, HB 30 also corrects an outdated statute that **unfairly impacts Alaskans disabled from workplace accidents**. Specifically, the Worker compensation amount for a Permanent Disability in A.S. 23.30.190 has not been adjusted since the year 2000- and thus has eroded by inflation! Your HB 30 Bill rightly corrects this inequity for injured Alaskans.

We appreciate your legislative work for Alaska families!

Sincerely;

A handwritten signature in black ink, appearing to read "K. Dougherty", with a large, sweeping flourish extending from the end of the name.

Kevin Dougherty
General Counsel

oners, and providing the necessary expenses of performing such duties, and in the prosecuting of all crimes denounced by Territorial laws the costs shall be paid the same as is now or may hereafter be provided by act of Congress providing for the prosecution of criminal offenses in said Territory, except that in prosecutions growing out of any revenue law passed by the Legislature the costs shall be paid as in civil actions and such prosecutions shall be in the name of the Territory."

DISPOSITION OF TERRITORIAL FUNDS.

The funds of the Territory have been deposited with various banks, and interest is being received upon them at the rate of two per cent. per annum, the funds being deposited as "open accounts." The banks of deposit have in all cases given bonds to the Territory for the safeguarding of the moneys in their hands.

TERRITORIAL MINING LAW.

The Territorial mining law (Chapter 74, Session Laws of 1913) has been and still is, a subject of much discussion for and against. It is urged by some that this law is confiscatory in some of its provisions and therefore should be repealed; others assert with equally strong convictions that the law is sound in principle and should be retained with some minor amendments. You come direct from the people and your course should be guided by what you believe will confer the greatest good upon the greatest number. Mining is the leading industry of the Territory and every legitimate encouragement should be afforded it. To handicap any industry by unjust or repressive restrictions is inimical to development, and upon the development of its resources will depend the growth and prosperity of the Territory and the consequent welfare of its people.

The report of the Territorial Inspector of Mines will be submitted to you, together with a number of recommendations, including amendments to the act relating to the inspection of mines in the Territory, and making the payment of wages to miners more secure and certain.

WORKMEN'S COMPENSATION.

What are known as workmen's compensation or employers' liability laws have been enacted by the Federal government and in many states, and are being favorably considered everywhere. Whether the time has come when this Territory should provide legislation for such compensation

for industrial accidents, as may be considered just to both labor and capital, employer and employe, is a matter worthy of consideration, in view of our limited industries and the cost of administration that such law would entail. Of its advantages there can be no doubt, however, for in this way alone can the unfortunate employe, and sometimes the equally unfortunate employer, be protected from those who speculate upon the misfortunes of others. The subject must be approached in a spirit of fairness, with broad views of the dignity and importance of the laborer, aside from the labor that he performs, and also with a true conception of the rights of capital in its relation to industrial affairs. Each to a great extent, under our system of government, is dependent upon the other, but we must never forget the human equation. Money is for the use and support of the man, not to rule him. It is merely a measure of value, and those who have much of it should never be permitted to use it in such a way as to control the man, or the government which is established by him for his use and advancement.

AN EIGHT-HOUR DAY.

A law passed by the First session of the Legislature provides for an eight-hour day in all hard-rock and coal mines. This law I believe has been generally observed and has proved generally satisfactory. Under its operations placer mines are excepted, but there would seem to be no legitimate reason why the eight-hour day should not be extended to all kinds of underground and other mining. Speaking by and large, experience has demonstrated that a man who works eight hours a day will do as much work as he who works ten hours, and he will probably do it better.

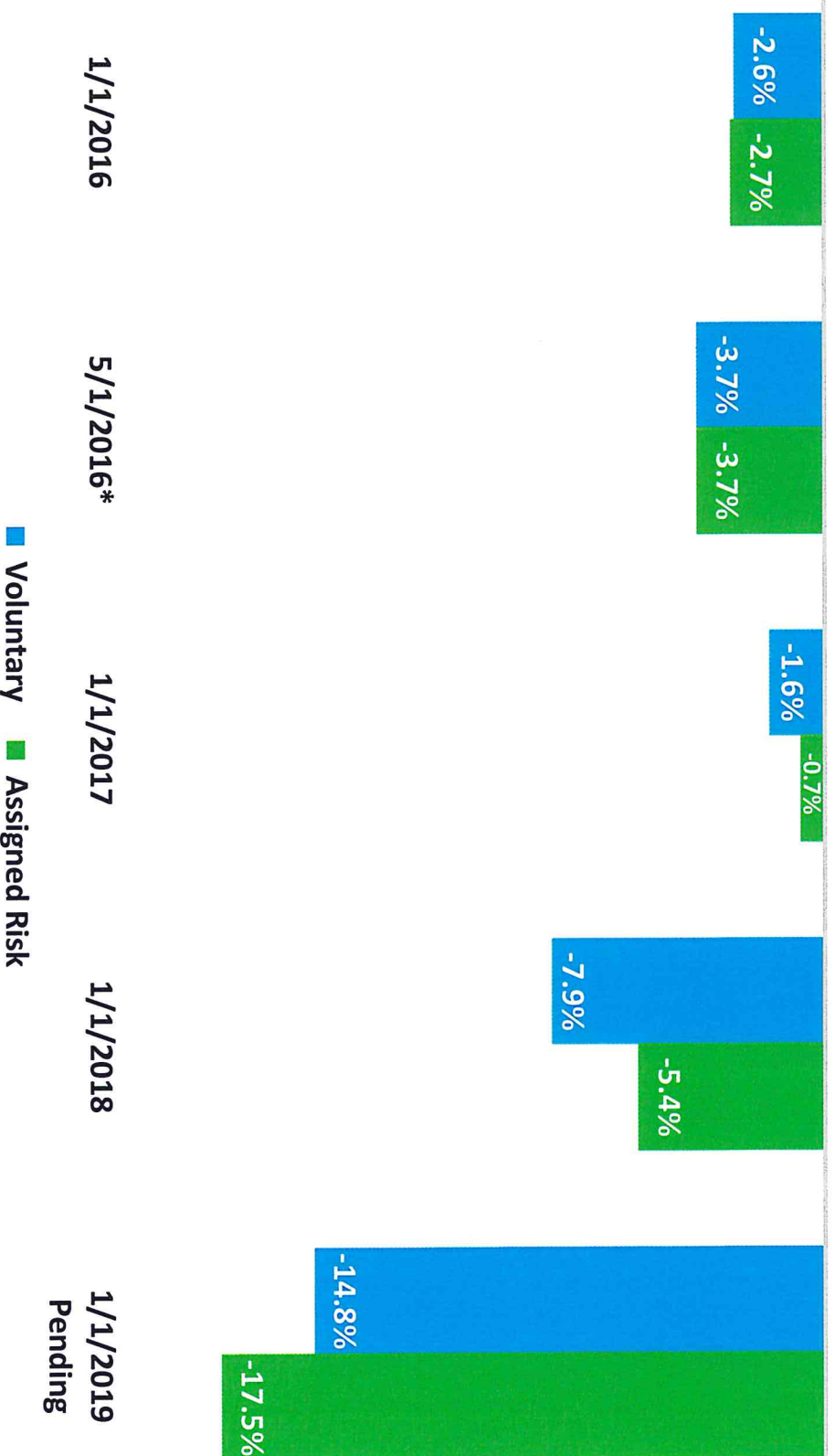
ELECTIONS.

The need of a modified form of the Australian ballot system is imperative in this Territory. Under the present method many kinds of ballots are now used and it is frequently impossible for the voter to cast an independent ballot and maintain his sovereign right of citizenship. A simple, practical law that will meet present requirements is recommended. A law for the registration of voters in Territorial elections in all incorporated towns would be a logical concomitant of an improved ballot law.

In this connection I may be permitted to point out that a corrupt practices act would tend to promote purity of elections. Fortunately Alaska has been comparatively free from corruption in elections, but it has not been unknown.

Alaska Filing Activity

Voluntary Loss Cost and Assigned Risk Rate Changes



* Law-only filing

Workplace Deaths in Alaska

Long-term decline in fatalities continues

Alaska's size, remoteness, and abundant fisheries make it especially dependent on boats and aircraft. Alaska has one of the nation's largest commercial fishing industries, and commuter and air taxi operators are the main link to much of the state, transporting people, cargo, and mail to more than 250 off-road villages. This means Alaska's workers often face different hazards than in the rest of the United States.

Alaska's working conditions have become safer overall than they were two decades ago, with 2012's fatalities roughly a third of what they were in 1992, the first year these cases were recorded. Alaska's rates have also declined relative to the U.S. rates over the past 20 years.

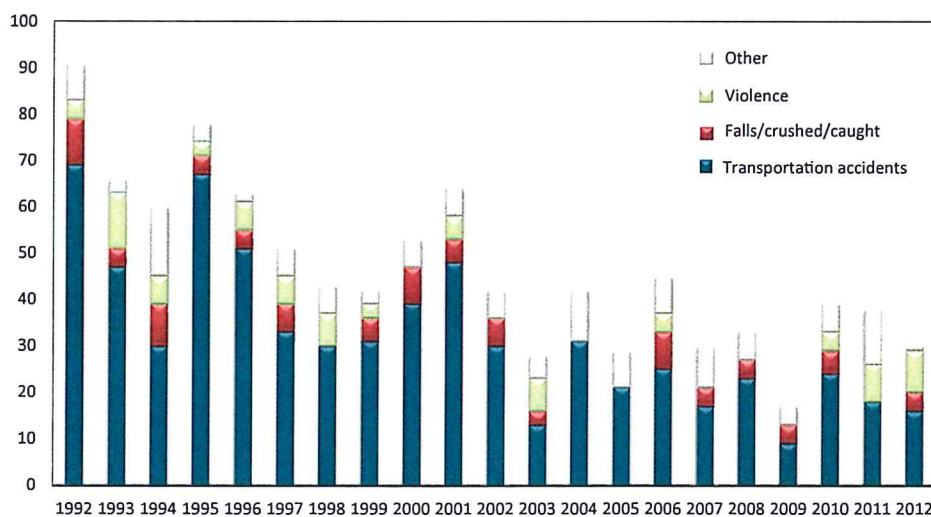
Down by two-thirds since 1992

The number of job fatalities in 2012 was also down from the prior year, but because of the state's relatively small labor force, a change from the prior year is unlikely to signal a trend. With such small numbers of annual deaths, a single accident might claim numerous lives at once, spiking the overall death rate for that year. However, looking at the totals over time shows a long-term decline. (See Exhibits 1 and 3.)

During 2012, 30 work-related deaths were recorded in Alaska, down from 38 in 2011. National fatalities declined about 7 percent over the same period, from 4,693 deaths to 4,383.

1 Workplace Deaths Decline Over Two Decades

Alaska, by cause, 1992 to 2012



Sources: Alaska Department of Labor and Workforce Development, Research and Analysis Section; and U.S. Bureau of Labor Statistics