



**Public Testimony Prepared For
The House Labor and Industry Committee
on
House Bill No. 1909**

**By the Delaware Valley Municipal Management
Association on behalf of the Delaware Valley
Workers' Compensation Trust**

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Date: October 1, 2018

Dear Chairman Kauffman and Committee Members:

My name is Robert G. Solarz, Executive Director for the Delaware Valley Municipal Management Association (“DVMMA”) and the Delaware Valley Workers’ Compensation Trust. The Trust is a public employer group fund that provides workers’ compensation coverage for 89 townships, boroughs and authorities in Southeastern and Central Pennsylvania.

I would like to note our serious concerns about House Bill No. 1909. We understand this legislation broadens the definition of “employee” in Section 104 of the Pa. Workers’ Compensation Act to include “*officers, directors, firefighters and any other*” members of volunteer fire companies as well as their counterparts in volunteer ambulance corps and lifesaving squads. Although it does not change the kinds of activities for which injuries are compensable under the Act, it does not define what it means to be a “member” of a volunteer fire company. For clarity, we strongly recommend this legislation contain a definition of “member” so that the Trust’s and any commercial insurer’s underwriters and actuaries would then be better able to estimate any new potential losses for rate-setting purposes.

Our principal concern is that this legislation may be construed as providing workers’ compensation benefits for those who are not actively engaged in firefighting or closely related operational support activities. As a result, compensable activities could unintentionally be broadened to include fundraising, social events, parades and ancillary administrative tasks undertaken by social or auxiliary members of a volunteer fire company.

We therefore respectfully urge the Committee to:

1. Add a definition of “member” so that the classes of covered employees and volunteers are clearly stated; and
2. Add a list of those activities which are not compensable, such as those described above.

The Trust stands ready to work with the Committee in fashioning legislation that will address your core concerns without creating any unnecessary ambiguities that will compromise the Trust’s or an commercial insurer’s ability to underwrite these risks.

Thank you for your consideration.

Respectfully,

A handwritten signature in black ink, appearing to read 'R. Solarz', written over a horizontal line.

Robert G. Solarz
Executive Director

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