



MassCOSH

Tesimony in support of
An act providing for burial benefits under the workers' compensation
(HB1698, SB866)

Submitted by Marcy Goldstein-Gelb, Executive Director
Massachusetts Coalition for Occupational Safety and Health (MassCOSH)

Good afternoon. Chairman Conroy, Chairman Wolf, Members of the committee: My name is Marcy Goldstein-Gelb. I'm the Executive Director of the Massachusetts Coalition for Occupational Safety and Health, a non profit workplace health and safety organization representing 150,000 workers, labor and community groups, and health and safety professionals.

No one expects to get that call, that a family member will never return home from work. The loss is devastating – leaving a deep hole in the hearts of the family.

MassCOSH is often one of the first organizations a family member contacts after suffering a loss. We hear stories of husbands, wives, fathers and mothers, who on a moment's notice must begin to prepare to bury their loved one. They don't want to think about this loss being a burden – this is their loved one. Yet they are suddenly thrust in the position of needing to find several thousand dollars to ensure that they can bury their family member.

In Massachusetts, the burial benefits allotment under workers compensation has remained at \$4,000 for decades. According to the National Funeral Directors Association, a typical adult funeral costs more than twice that.

Burial benefits in several states are substantially higher than Massachusetts, including Georgia, Florida, Indiana, Louisiana and New Mexico (\$7,500); Illinois (\$8,000); North Dakota (\$10,000) and Minnesota (\$15,000).

The Families of Fallen Workers Burial bill, which would raise the burial benefits to \$8,000 will ensure that no family has to shoulder the financial burden of a burial. The increase adds up to very little for the workers compensation insurance system – and will mean a huge difference for families in mourning across the Commonwealth.

Thank you for your consideration.

Deborah King, Widow of Paul King

Testimony in support of An act providing for burial benefits under the workers' compensation (HB1698, SB866)

Thank you for the opportunity to submit testimony on behalf of An act providing for burial benefits under the workers' compensation

July 27th, 2005 was the worst day of my life. I received a phone call from the hospital that my husband had been injured at work and I had to get there quickly. When I arrived, I learned that he had been electrocuted and he had not survived. My husband and I had not discussed what our final wishes would be because we were only 50. How could we have imagined this would happen...but there I was planning a funeral, buying a burial plot, burying my husband.

My children and I struggled to get through the ensuing months and years. I was unable to work for a while but unfortunately, the bills did not stop coming just because we were grieving. Among my son's college tuition bills and the mortgage were the funeral bills. We received the workers' comp check but that covered less than half of the total funeral costs.

My husband was the hardest working man I knew. He often worked three jobs so that we could provide for our 3 children and give them the best education possible. Since his passing my family and I have volunteered with MassCOSH to fight for workers' safety and have met many families in similar situations to ours. These workers were doing everything they could to support their families...saving money for their funeral is not (and should not) be on their mind.

Increasing the burial benefit would not have made everything ok after my husband passed away but it would have been one less concern, one less bill that weighed on my mind. My family and I will continue to fight for workers safety until no other family loses their loved one on the job but until that day comes, I ask that you pass this bill so that families will have one less thing to deal with during such a tragic time in their lives.

Thank you,

Deborah King

Testimony of Marsha V. Kazarosian, President- Elect, Massachusetts Bar Association

Good morning. My name is Marsha Kazarosian and I am President-Elect of the Massachusetts Bar Association. The Massachusetts Bar Association is a voluntary membership association comprised of attorneys from every area of practice and every corner of the state. I am a practitioner from Haverhill and represent clients from all walks of life including workers and business owners.

I believe the Mass. Bar Association offers a unique perspective when we offer testimony in this historic building. We do not set foot in this building to advocate a position until it is endorsed by our governing board, an esteemed group of over 80 attorneys representing every corner of the commonwealth, every area of practice and numerous specialty and practice bar associations. Last spring, the Mass Bar unanimously endorsed House Bill No. 1698 and Senate Bill No. 866 which would increase the burial benefits under the workers' compensation statute from the sum of four thousand dollars to eight thousand dollars. Doubling the burial benefit to eight thousand will do much to alleviate the financial burden for families who are faced with the shocking and sudden death of a loved one while on the job. Support for working families should not end when someone dies on the job; that's precisely when they need it the most.

I am here today in strong support of the affected family members you will hear compelling testimony from this afternoon. Their testimony says it all and is what I hope you listen to and weigh when considering this important and long overdue legislation.

I would be happy to answer any questions you have. However, I suspect the testimony offered by the affected family members is a strong statement for the need for this legislation. Particularly, when you compare Massachusetts' burial benefit to that of many other states like Florida and South Dakota, with more generous benefits whose economies and costs do not come close to those here in the Commonwealth.

Thank you for the opportunity to be heard. On behalf of working families I ask you to vote favorable on House Bill No. 1698 and Senate Bill No. 866.

Testimony of Kimberly Flynn, mother of Stephanie Moulton

To whom it may concern:

My name is Kimberly Flynn I am working with MassCOSH and other committees to explain to you why the death benefits of \$4,000 is unacceptable this amount does not even help families pay to funeral expense for their loved ones.

I know this because I lived it.

My daughter Stephanie Moulton was 25 when she was murdered on January 20, 2011, while she was working as a social worker. Planning a funeral is hard enough but when you have to make a decision but when you don't have money it is harder. I had to make a decision I still lose sleep over. And that was I had to have my daughter cremated because it was less expensive than a casket.

This should never happen. When all the arrangements when finalized for just her wake it came to \$7,600 so at this time I was unable to bury her because I did not have any money. So that left me with another problem: how to bury her and put her to rest. A burial plot costs \$2,800 dollars so my family and I had to plan a fundraiser. This took over three months; finally on May 3, 2011. This type of situation should never have to happen. The guilt I feel over not being able to take care of my daughter probably should not be a feeling you should have to carry while you're grieving. I hope I've shed some light on these situations and will help other family members dealing with loss at their workplace