

Rosen, Jonathan

Subject: Veto Message Workforce Injury Reduction Act

Here's the veto message for the Workforce Injury Reduction Act.

VETO MESSAGE - No. 6828

TO THE SENATE:

I am returning herewith, without my approval, the following bill:

Senate Bill Number 7500, entitled:

"AN ACT to amend the civil service law, in relation to requiring state agencies to create an action plan to reduce injuries"

NOT APPROVED

Chapter 171 of the Laws of 2007 requires the President of the Civil Service Commission to prepare an annual report detailing injuries, illnesses, and workers' compensation experience for all State agencies. This bill seeks to install a mechanism by which agencies must react to these reports with particular proposals for future injury reduction. Specifically, the bill would require "each state agency referenced in the annual report" to prepare a "written action plan" for reducing injuries within 30 days. Agencies are required to provide for union "participation" when preparing and implementing the plan.

There is no doubt that the State always should strive to reduce the number of workplace injuries. At the same time, we must be extremely wary about placing additional administrative burdens on agencies that are significantly reducing their workforce to address the grave revenue crisis the State faces. Requiring every one of the numerous agencies, departments, and authorities listed in the President's report to submit an action plan would place a significant strain on many agencies. The requirement that the action plans be completed within 30 days of the initial report would exacerbate that burden. Further, the haste with which the plans need to be prepared may result in less effective, less thoughtful plans.

The supporters of this bill contend that this bill would result in savings, via a reduction in workforce injuries. Without doubt, decreasing the number of employees who are hurt on the job both would save money and avoid a great deal of misery and pain. But the claim of savings from this bill presumes that the action plans required by the bill, in fact, would result in a reduction of injuries, and that the agencies are not undertaking - or would not undertake - initiatives to reduce injuries to their workforce absent the plans that the bill would mandate. We often address problems in this State by requiring reports, plans, task forces and studies. The costs of those steps are real and immediate in terms of State resources. The potential benefit is speculative. I must be very wary, given the extraordinary pressures on the agencies at present, to impose additional and permanent burdens on them based only on an assumption that real, positive change will result. Conjecture provides poor guidance for executive decision.

The bill is disapproved.

(signed) DAVID A. PATERSON

