



Opening Statement

COMMITTEE ON EDUCATION & LABOR

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The Hon. Robert C. "Bobby" Scott • Chairman

Opening Statement of Chairman Robert C. "Bobby" Scott

House Committee on Education and Labor Full Committee Markup

H.R. 1320 – Protecting Older Workers Against Discrimination Act

H.R. 1309 – Workplace Violence Prevention for Health Care & Social Service Workers Act

H.R. 397 – Rehabilitation for Multiemployer Pensions Act

2175 Rayburn House Office Building

Tuesday, June 11, 2019 at 10: 15 a.m.

Today, the Committee is considering three bills that will protect the dignity, income security, and safety of workers and retirees:

The first bill before us, ***H.R. 1320, the Protecting Older Workers Against Discrimination Act, or POWADA***—will improve the lives of America’s older workers by restoring protections for age discrimination in the workplace.

Since the 1960s, Congress has recognized the federal government’s responsibility to ensure older workers are not forced out of jobs or denied work opportunities because of their age.

Unfortunately, a 2009 Supreme Court decision increased the burden of proof needed to successfully challenge workplace age discrimination, making it harder for victims to achieve redress.

This bill restores the pre-2009 evidentiary threshold for age discrimination claims and aligns the burden of proof with standards applied to discrimination cases based on sex, race, religion, and national origin.

The second bill we will consider today, ***H.R. 1309, the Workplace Violence Prevention for Health Care and Social Service Workers Act***, will help protect our nation’s caregivers from workplace violence.

Research shows that health care and social service workers suffer injuries from workplace violence at far higher rates than other workers. According to the Government Accountability Office, workplace violence is a serious concern for the approximately 15 million health care workers in the United States.

Unfortunately, the Occupational Safety and Health Administration, known as OSHA, has not been given the tools to ensure workers are adequately protected. OSHA does not have a standard that requires employers to implement workplace violence prevention programs. Merely, they have a voluntary guideline program. The data show that voluntary efforts alone are not working. The rates of serious injuries to our nation’s caregivers from workplace violence are rising nearly every year.

The *Workplace Violence Prevention for Health Care and Social Service Workers Act* requires OSHA to implement a standard requiring that health care facilities and social service providers to develop and implement a workplace violence prevention plan.

The third bill before us—*H.R. 397, the Rehabilitation for Multiemployer Pensions Act*, known as the *Butch Lewis Act*—will address the multiemployer pension crisis and ensure that hardworking Americans can retire with dignity and security.

While most of the 1,400 multiemployer pension plans in the U.S. are not in any danger of collapse, roughly 130 plans, which cover over a million participants, and involve thousands of employers across the country, are currently projected to collapse within 20 years. Some will be insolvent far sooner.

If Congress does not intervene to stop these collapses:

- A wave of retirees will be forced to rely on taxpayer funded social safety net programs,
- Participating employers will have to cut tens of thousands of jobs, and
- Employers will *continue* to suffer from costly and growing withdrawal liability, which is already impairing their access to credit, increasing the cost of borrowing and undermining their ability to grow. This is not a problem of tomorrow. This is a problem of today.

Allowing the multiemployer system to collapse will cost taxpayers hundreds of billions of dollars. In other words, doing nothing to address this crisis is the worst and most expensive option we have.

The bipartisan *Rehabilitation for Multiemployer Pensions Act* will help mitigate the multiemployer pension crisis by financing loans for eligible multiemployer pension plans that need the most help. Simply put, this bill will protect retirees' pensions without cutting back benefits.

This bill was originally named for Butch Lewis – a retired truck driver from Ohio who was a leader in this fight to protect pensions, and who passed away more than three years ago at the age of 64. We are honored to be joined today by his wife, Rita Lewis, and many other retirees and advocates who have traveled great distances to be with us today.

The three bills under consideration this morning reflect our commitment to ensuring that all Americans have access to safe workplaces where they can work free from discrimination and retire with dignity.

I encourage all Members of the Committee to support them and now yield to the Ranking Member, Dr. Foxx, for the purposes of making an opening statement.