

STATE SENATOR • HANSEN CLARKE • 1ST DISTRICT

# Clarke Press Release

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## **Tobocman, Clarke Introduce Legislation Protecting Workers' Compensation Benefits for All Michigan Workers**

*Legislation will promote workplace safety and a fair workers' compensation system*

LANSING – Majority Floor Leader **Steve Tobocman** (D-Detroit) and Senator **Hansen Clarke** (D-Detroit) today introduced legislation that would allow all workers in Michigan who pay into the workers' compensation fund to receive benefits if they are injured on the job, regardless of their residency status. Currently, the Michigan Workers' Disability Compensation Act does not expressly exclude undocumented workers. Since 2003, however, the Michigan Supreme Court ruled that injured, undocumented workers whose wages had been taxed to pay into the fund could not receive lost wages.

“This legislation ensures that every worker who is taxed and pays into the workers compensation fund can access the benefits when injured on the job,” Tobocman said. “Injured workers and Michigan Taxpayers should not have to foot the bill for workplace injuries.”

“All Michigan workers should be properly protected from the physical and financial risks of workplace injury, especially when they are all paying into the fund regardless of their immigration status,” said Sen. Clarke. “This legislation will better protect all Michigan workers and make sure that any one injured on the job in this state is eligible for compensation.”

The legislation helps promote safer and healthier work environments in Michigan. Researchers at the University of California found that the Midwest region had the highest rate of worker abuse and that laborers were most likely to face physical risk. The Michigan Occupational Safety and Health Administration reported 52 employment-related deaths in 2006 and 31 deaths so far in 2007. The Bureau of Labor Statistics for all Michigan industries, including state and local government, reported 175,100 injuries in 2006.

“All employees working in the United States are entitled to basic human and labor rights. By denying these basic benefits to injured immigrant labor, Michigan is encouraging employers to hire undocumented workers,” Tobocman added.

“Michigan is marginalizing workers by allowing bad employers to break work safety laws and cut costs to make a few extra pennies,” said Father Fabio Garzon of St. Joseph Catholic Church of Battle Creek and a member of the coalition supporting the bills. “Our coalition is advocating for a justice system that will not give bad employers unfair advantages for cutting the bottom line and avoiding paying workers compensation to injured immigrant workers,” he added.

UNITE HERE of Michigan State Council (Hotel Employees and Restaurant Employees International Union), Metropolitan Organizing Strategy Enabling Strength (MOSES), Southeast Michigan Coalition for Occupational Safety & Health (SEMCOSH), the Sugar Law Center for Economic & Social Justice and El Centro Obrero de Detroit (Worker Center) are advocating for this legislation.

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