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December 6, 2007

Dear Members of the Assembly Labor Committee:

**RE: OPPOSE A-3424
EXEMPTS DIRECT SELLERS FROM THE WORKERS' COMPENSATION LAW**

The New Jersey State AFL-CIO opposes S-463 and urges you to vote “No” on this bill. This legislation would eliminate one of the core workplace protections provided to a specific group of working men and women that has been in effect for almost a century. In addition, the legislation has the potential to subject employers to tort liability resulting in even more litigation, while setting a dangerous precedent for other industries to attempt to avoid their responsibility to provide Workers' Compensation coverage.

Currently, there are **no** specific industry exemptions in New Jersey's Workers' Compensation law. Proponents of this legislation argue that direct sellers are “independent contractors” and, therefore, should be exempt from Workers' Compensation. But, to statutorily exempt the members of a specific industry will open the flood-gates to attempts by other industries to win exemptions.

By eliminating Workers' Compensation coverage, employers will open themselves to tort and civil liability for workplace injuries. In part, employee difficulties in proving employer negligence led to the enactment of Workers' Compensation laws, as did the societal burden of injured workers unable to support themselves or recover from their injuries.

New Jersey's Workers' Compensation system is extremely effective. Let's not change that by enacting industry specific exemptions that fail to protect workers.

Charles Wowkanech
President

Sincerely,

Laurel Brennan
Secretary-Treasurer

CW/LB:tec
OPRIU:153