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**TESTIMONY ON 21-H 5474,  
RELATING TO LABOR AND LABOR RELATIONS -- WORKERS' COMPENSATION--  
OCCUPATIONAL DISEASES  
March 1, 2021**

This bill would establish a presumption in favor of workers' compensation benefits for any individual in a variety of "essential worker" occupations who contracts Covid-19.

The ACLU of Rhode Island has no position on the key part of this legislation. However, we do wish to express our strong support for the second section of the bill, which would bar employers or the state from reporting these claims or the identity of claimants to federal immigration officials (mistakenly referred to in the bill as the disbanded Immigration and Naturalization Service instead of "Immigration and Customs Enforcement").

It is important that undocumented immigrants feel comfortable applying for these benefits when they are entitled to them so that they and their families are able to survive when loss of employment occurs in one of these essential occupations. Without the protection that Section 2 of the bill provides, some workers may be very hesitant to report their disability to the state.

This concern is not based on paranoia; to the contrary, the need for this protection is clear. Stories are prevalent about the extreme lengths to which ICE officials have gone to track down undocumented immigrants – including those who have committed no crime, but who simply may be civil violators of the law for overstaying their visas. In fact, just last week the *Washington Post* reported the following:

U.S. Immigration and Customs Enforcement officers have tapped a private database containing hundreds of millions of phone, water, electricity and other utility records while pursuing immigration violations . . .

ICE's use of the private database is another example of how government agencies have exploited commercial sources to access information they are not authorized to compile on their own. It also highlights how real-world surveillance efforts are being fueled by information people may never have expected would land in the hands of law enforcement.

If the committee looks favorably on granting essential workers the compensation presumption proposed by this legislation, we urge the inclusion of Section 2 of the bill. Thank you for considering our views.