MacDonald & MacDonald PLLC
ATTORNEYS AND COUNSELORS
SUITE 208 PATERSON BUILDING
653 SOUTH SAGINAW STREET
FLINT, MICHIGAN 48502

R. DUNCAN MACDONALD
ROBERT J. MACDONALD

REPRESENTING INJURED & DISABLED WORKERS
& THEIR FAMILIES

TEL (810) 234-2204
FAX (810) 234-7186
lawyers@disabledworker.net

June 4, 2014

Re: Support Self-Insurers Security Fund Legislation (HB 5478 through HB5490) and Supplemental Appropriations to Get Injured Workers Paid and to Solve SISF Insolvency

Dear Senators:

Advocates for injured workers join together with some likely and unlikely allies--the UAW, but also the Michigan Chamber of Commerce, the Michigan Manufacturers Association, the Michigan Self-Insurers' Association, and the Administration--in support of the package of bills contained in HB5478-HB5490, along with necessary supplemental appropriations to ensure that hundreds of Michigan workers get the workers' compensation benefits they deserve, and the Self-Insurers' Security Fund avoids potential insolvency. As Chairman of the Michigan Association for Justice's Workers' Compensation Committee, I encourage you to support this legislation in conjunction with supplemental appropriations so that injured workers who have gone without benefits for four years are provided with the financial relief promised in the Michigan Workers' Disability Compensation Act.

When the federal bankruptcy judge unexpectedly permitted the Delphi Corporation in 2009 to emerge from bankruptcy without continuing to provide workers' compensation benefits to its injured workers, it left hundreds of Michigan workers without their statutory workers' compensation benefits and without a way to pay their bills and to support their families. The Michigan Self-Insured Security Fund was created under the Workers' Compensation statute as a fund to pay claims when self-insured employers become insolvent and defunct: unfortunately, the fund has not had the capacity to deal with assumption of liability on the scale involved with the Delphi claims. These injured Delphi workers have suffered tremendous hardship without any workers' compensation benefits during the past four years. The Legislature must act swiftly to repair this hole in the worker' compensation safety net.

Workers' Compensation Director Kevin Elsenheimer has worked diligently, in coordination with Michigan's self-insured employers and Michigan legislators, to develop practical solutions that would assist these Delphi workers and to prevent future similar crises from arising. With additional funding through supplemental appropriations, in conjunction with the passage of the package of bills in HB 5478 through HB 5490, these workers will again have access to the workers' compensation benefits Michigan law provides. The bills recommend reforms which will enable the Fund to be administered and managed with increased accountability and transparency. I encourage you to pass these bills with deliberate speed, along with the necessary appropriations, so that the Self Insured Security Fund is positioned to assist these injured Delphi workers and their families. Thank you for your attention and action on this very important matter.

Robert J. MacDonald