



March 22, 2021

Dear Members of the Senate Judiciary & Public Safety Committee –

Thank you for providing ABC with the opportunity to respond to the Department of Labor & Industry's (DLI) letter regarding SF 1384 prior to moving the bill forward. We appreciate Chair Latz's respect for process, and the willingness to gather all facts and hear from all affected parties. We did not see that SF 1384 was going to be taken from the table until the last minute, and we were unable to review DLI's letter before then. I wanted to provide the Committee with ABC's response for the public record.

While the description in DLI's letter as to the MNOSHA citation is fairly accurate, our members would dispute the claim that the citation always includes adequate descriptions of what specific equipment or practice was alleged to be in violation of the standard, where the equipment or practice was located, and how or why it violates the standard. In practice, how or why the standard was violated is not always clearly described. Additionally, MNOSHA has often withheld pictures taken or accusations from third parties who make claims against our contractor members. It is only until *after* the case is closed that we could request to see those documents.

ABC continues to oppose efforts to make MNOSHA citation data public before the claims are fully adjudicated. We remain concerned that such information will be used in public smear campaigns against contractors who may later be found to not in violation, which has more often than not been the case for ABC contractors in the past.

Again, we sincerely appreciate the fairness that has been displayed toward the committee process and we appreciate the opportunity to provide this response. We remain opposed to SF 1384 and encourage a NO vote. Thank you again for the opportunity to submit this testimony.

Sincerely,

Jon Boesche
Director of Government & Public Affairs
Associated Builders and Contractors MN/ND Chapter