



**Connecticut Education Association**

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WRITTEN TESTIMONY OF  
MELANIE I. KOLEK, LEGAL COUNSEL  
CONNECTICUT EDUCATION ASSOCIATION  
BEFORE THE  
LABOR AND PUBLIC EMPLOYEES COMMITTEE  
REGARDING  
RAISED HOUSE BILL NO. 6954

“AN ACT ADDING WITNESSING A SERIOUS PHYSICAL INJURY AS A  
QUALIFYING EVENT FOR PURPOSES OF POST-TRAUMATIC STRESS  
INJURY WORKERS' COMPENSATION COVERAGE”

February 20, 2025

Senator Kushner, Representative Sanchez, and members of this esteemed committee, my name is Melanie I. Kolek. I am legal counsel for the Connecticut Education Association, proudly representing public school teachers across our state. A majority of my practice is before the Workers' Compensation Commission.

While I strongly agree with the proposed language of this bill, it does not go far enough. As I have been testifying about for many years now, our Workers' Compensation Act needs to be expanded to include mental and emotional impairments for all employees arising out of and in the course of one's employment, not just for certain witnessed events. Nearly 50% of my clients suffer from some component of mental or emotional damage as a result of the injury occurring. In representing teachers, I have found that the types of actions that cause these unseen injuries include, but are not limited to, being bitten, scratched, pulled, shoved to the ground, and punched by the students they are charged to care for and

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educate. The fear of returning to school every day after having been emotionally traumatized and/or having suffered a physical injury, especially when the student remains in the classroom, remains a consistent concern for our Connecticut school teachers.

We have heard over the course of at least the last fourteen years of the many arguments against this expansion, including cost and abuse factors that were discussed before the 1993 Workers' Compensation Act Reforms. Taking a closer look at the statutes and case law, however, checks and balances to prevent abuse are already in place, which can simply be converted to mental and emotional impairment claims. There are significant burdens placed upon the employee to prove a physical injury, and emotional impairments would similarly fall under this requirement, allowing the employer to challenge the compensability and causality of that impairment just as they now do with physical claims.

This is a fundamental mental health issue. With advances in medical science, we must make mental health services available, not deny that treatment to our working population who suffer in silence without the opportunity or resources for treatment. Inclusion of mental and emotional claims for all employees under any circumstance is necessary, timely, and in the very best interest of all of our working citizens.