

Straight From the Senate - Senator Dennis Hisey

Fire Fighting Foam and Equal Pay for Equal Work

As the only legislator drinking from the aquifer contaminated by PFAS it seemed fitting that I'd be part of HB19-1259, the bill trying to bring some transparency to their use. PFAS is short hand for a manmade family of chemicals with about a 6-syllable name that is or was found in everything from Teflon to Scotch Guard to Firefighting Foam. So, the truth is it can be found in almost every human and has even been found in polar bears.

There is more antidotal than scientific evidence about its effects on humans but it is generally agreed in the scientific and medical community it is not good for the body and in high enough concentrations can lead to serious ailments including cancer and tumors.

As a firefighting foam it is used primarily on liquid fuel fires, jet fuel and diesel being the two most common applications. What this bill does is prohibit the use of PFAS for training purposes. It also requires an inventory of PFAS materials on hand as well as requiring manufacturers of fire-retardant materials such as the protective gear firefighters wear to disclose whether the personal protective gear they sell contains PFAS chemicals.

What this bill does not do – it does not ban the use of PFAS foam in the case of an actual fire. If a plane full of passengers catches fire, the firefighters will extinguish it in the most expedient manner possible and then we'll deal with any contamination issues.

Most if not all fire departments have or are transitioning away from PFAS foam but an inventory of what's in storage will let us know what kind of disposal issues we may be facing.

Shifting to an absolutely great sounding bill, Equal Pay for Equal Work (SB19-085), it actually takes away one of the simplest tools workers now have to deal with discrimination.

What this bill takes away is the ability to start with the Department of Labor and Employment. Currently, a simple phone call starts an investigation and that leads to a decision. If you don't like the decision then you go to court.

With this bill your first step is to file a complaint in District Court. When your only tool is a hammer everything looks like a nail, when your only tool is the courts everything looks like lawsuit. The courts have always been an option.

By implication, SB-085 has the potential to open an employer up to lawsuits if they wish to reward top performers that make the company more profitable. The more we restrict employer's flexibility to reward exemplary work the more we encourage mediocracy – not a good combination for recruiting companies that are looking for the best and brightest. Hated to vote against something that sounds so good but it's the details and not the title that matter.

I welcome your thoughts and comments on the happenings here at the Capital. Lots of ways to stay in touch; Office phone: 303-866-4877, Mobile phone: 719-351-2121, Email: SenatorHisey@gmail.com, Twitter: [@SenDennisHisey](https://twitter.com/SenDennisHisey), Facebook: [Senator Dennis Hisey](https://www.facebook.com/SenatorDennisHisey)