



# CITY OF OCEANSIDE

August 21, 2020

The Honorable Jerry Hill  
California State Senate  
State Capitol, Room 5035  
Sacramento, CA 95814

The Honorable Tom Daly  
California State Assembly  
State Capitol, Room 3120  
Sacramento, CA 95814

**RE: SB 1159 (HILL & DALY): COVID-19 WORKERS' COMPENSATION PRESUMPTION  
OPPOSE – AS AMENDED 8/3/2020**

Dear Senator Hill and Assemblymember Daly,

On behalf of the City of Oceanside, I'm writing to respectfully oppose SB 1159, which would establish two distinct types of Workers' Compensation presumptions for COVID-19 infections that would be effective only after the expiration date of Executive Order N-62-20.

The City of Oceanside values the work and dedication of each and every one of our employees who are called upon to maintain the safety of our citizens during these difficult times, and continues to invest monies in procedures, training, equipment, and facility modifications to protect our employees. A person's place of employment is most likely the safest place, given the ability to ensure employees remain compliant with masking, social distancing, and other protections. There is no data suggesting that employees who have experienced a documented and confirmed workplace exposure are having difficulties accessing care through the Workers' Compensation system. California's Workers' Compensation Program consistently operates in a manner that broadly extends benefits for injuries and illnesses that occur on the job. The presumption policy proposed by SB 1159 further exacerbates a growing problem that costs individual employers throughout the state millions of dollars each year. Claims that fall under the presumptive category significantly reduce an employer's ability to properly investigate to determine, in this case, the location and manner of infection. Adding this presumptive standard for a virus that is more likely to be contracted outside the workplace would inevitably lead to intended or unintended abuse of the Workers' Compensation system, an increase in litigation, and would be superfluous to a system in which employees are already afforded benefits under the law, and may eventually cause employers difficulty providing critical services when they are needed most.

In addition to the above, there are a significant number of issues with SB 1159, including different standards for similarly situated employees, a shortened time period for administrative decisions, as well as significant concerns on the wide range of cost estimates. For nearly all public entities, the costs associated with Workers' Compensation claims comes directly from our annual General Fund budget. For perspective, the City of Oceanside is responsible for the first \$500,000 of every claim, from medical treatment to wage replacement, coupled with increased Permanent Disability ratings particularly associated with sworn public officers. At this time, the focus on rebalancing the State's Workers' Compensation program should be the priority; not adding to the increasing cost burden of employers and ultimately the taxpayers already struggling from the effects of the pandemic.

Sincerely,

Peter Weiss  
MAYOR

Cc: Oceanside City Council; Senator Pat Bates; Assembly Member Tasha Boerner Horvath