



CITY OF LAVERNE CITY HALL

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April 4, 2024

Senate Labor, Public Employment, and Retirement Committee
1021 O Street, Room 6740
Sacramento, CA 95814

Submitted via the Legislative Position Letter Portal

RE: Opposition to Senate Bill 1299 (SB 1299) Farmworkers: benefits

Dear Honorable Senate Labor, Public Employment, and Retirement Committee Members:

On behalf of the City of La Verne, I am compelled to express our concerns and opposition to the proposed bill regarding the creation of a disputable presumption for heat-related injuries within the agriculture industry, the establishment of the Farmworker Climate Change Heat Injury and Death Fund, and the associated financial implications for cities and other employers. While we support the goal of enhancing protections for farmworkers against heat-related injuries, our opposition stems from the financial mechanisms the bill employs, particularly the leveraging of funds from entities like ours that will not directly benefit from the provisions of this bill.

The bill mandates a one-time transfer of \$5,000,000 from non-general funds of the Workers' Compensation Administration Revolving Fund to support administrative costs associated with implementing this new presumption. This allocation, while aimed at bolstering support for farmworkers, indirectly imposes financial burdens on cities and municipal entities contributing to the Workers' Compensation Administration Revolving Fund. These contributions are made with the understanding that they will be used to support workers within our own jurisdictions, not to fund sector-specific initiatives from which our employees and constituents do not directly benefit.

Our primary concern lies in the precedent this legislation sets for future legislative sessions. By establishing a framework that allows for sector-specific funds to be supported by the broader pool of employers, including cities, without direct reciprocation or benefits, we risk opening the door to further legislative actions that could impose additional financial burdens on municipal governments. These actions could potentially divert resources away from critical local services and projects essential to the welfare of our communities.

Introducing a new presumption to the workers' compensation system risks setting a precedent that may prompt various sectors to seek similar benefits, potentially straining the system and shifting the focus away from essential safety measures. For municipalities like the City of La Verne, which have committed to maintaining safe work environments and contributed significantly to the Workers' Compensation Administration Revolving Fund with the expectation of supporting local workers, this change could result in financial pressures and dilute resources meant for injury prevention efforts.

Emphasizing the importance of a proactive safety strategy, particularly for preventing heat-related illnesses, is crucial. The City of La Verne has already taken substantial steps towards implementing preventive measures, showing a commitment to addressing workplace hazards early on. We advocate for the Legislature to prioritize these preventive measures over compensatory approaches like presumptive workers' compensation benefits. Such a focus not only adheres to sustainable worker welfare principles but also ensures the effective use of resources to prevent incidents, benefiting employees and employers alike. Cultivating a prevention-focused culture offers a more balanced, fair, and economically sensible method to manage worker safety, especially concerning heat-related challenges.

We urge the legislature to reconsider the funding mechanisms employed by this bill to ensure they are equitable and do not disproportionately impact cities and other non-agricultural employers. We advocate for a model that ensures those directly benefiting from specialized funds contribute proportionately to their support. Furthermore, we encourage the Legislature to give precedence to preventive strategies rather than compensatory methods such as presumptive workers' compensation benefits.

Thank you for considering our position on this matter. We look forward to the opportunity to discuss this further and to finding a path forward that aligns with the interests of all parties involved.

Sincerely,

A handwritten signature in black ink that reads "Tim Hepburn". The signature is written in a cursive, flowing style.

Tim Hepburn
Mayor

C: City Council
Ken Domer, City Manager