



CITY OF BEVERLY HILLS

455 NORTH REXFORD DRIVE • BEVERLY HILLS, CALIFORNIA 90210

Lili Bosse, Mayor

August 11, 2022

The Honorable Anthony Portantino
Chair, Senate Appropriations Committee
California State Senate, 25th District
1021 O. St, Suite 7630
Sacramento, CA 95814

**Re: AB 1751 (Daly) Workers' compensation: COVID-19: critical workers
City of Beverly Hills – OPPOSE**

Dear Chair Portantino,

On behalf of the City of Beverly Hills, I write to inform you of our respectful **OPPOSITION** to AB 1751 (Daly). This bill would extend the sunset date on the existing worker's compensation presumptions for COVID-19 as initially enacted by Senate Bill 1159 (Hill, 2020) from January 1, 2023, to January 1, 2025. The proposed AB 1751, again, places the burden on California employers to prove specified employees did not contract COVID-19 at the workplace.

Early into the pandemic, California chose to implement a COVID-19 presumption to ensure that employees would have access to the workers' compensation system in the event of an infection. The City of Beverly Hills opposed this imposition because COVID-19 is a community spread virus, and there was no reason to believe that employment posed a heightened risk or that such presumption was/is needed. Additionally, the City was particularly concerned with the "outbreak" provision in SB 1159, which arbitrarily provides for a presumption for workers' compensation purposes based on the four employees/four percent threshold standard that is not tied to any rational or scientific explanation. The numbers are arbitrary and are not backed by data.

According to an ongoing analysis from the California Workers' Compensation Institute, California employers have received over 250,000 workers' compensation claims for COVID-19

since the start of the pandemic. Health care providers and taxpayer-funded public agencies have been especially hard hit, accounting for over 50% of all claims and over 60% of the accepted claims. And the data suggests that employers have accepted most of these claims and provided benefits.

It is our belief that the COVID-19 presumption should be allowed to sunset as agreed upon in SB 1159, as California is no longer sheltering in place and the workplace does not represent a unique risk in most situations. California has implemented an Emergency Temporary Standard for COVID-19 and for most of Californians their place of employment is the safest environment in which they spend time. Additionally, when SB 1159 was enacted, vaccinations were not accessible to individuals as they are now. AB 1751 fails to protect employers from individuals that may choose to not be vaccinated, which pose a risk of outbreaks in the workplace.

For these reasons, the City of Beverly Hills must respectfully **OPPOSE AB 1751**. Thank you for your consideration.

Sincerely,

A handwritten signature in cursive script that reads "Lili Bosse".

Lili Bosse

Mayor, City of Beverly Hills

Cc: The Honorable Tom Daly, Assemblymember 69th District
Members and Staff, Senate Committee on Appropriations
The Honorable Ben Allen, Senator 26th District
The Honorable Richard Bloom, Assemblymember, 50th District
Andrew K. Antwih, Shaw Yoder Antwih Schmelzer & Lange