



March 21, 2023

The Honorable Dave Cortese
California State Senate
1021 O Street, Room 5640
Sacramento, CA 95814

RE: SB 631 (Cortese) – Gender Equity Comparative Analysis
OPPOSE UNLESS AMENDED / SUPPORT IF AMENDED

Dear Senator Cortese,

The undersigned organizations representing a broad range of California's employers would be willing to support your **SB 631** if it were amended, but unfortunately must oppose the bill until that time. In recent years there have been a variety of bills considered by the legislature that touched on the workers' compensation system and issues of gender equity, but objective evidence, data, and sound analysis have been lacking and subjective anecdote has taken center stage. While subjective factors have a role in policymaking, the history of California's workers' compensation system demonstrates that policymakers should instead focus on data and analysis to maintain an effective, affordable, and stable workers' compensation system. SB 631 appears designed to investigate a potential problem in the system and provide objective information to policymakers. While our organizations are confident that the workers' compensation system doesn't suffer from problems related to gender equity, we are not opposed to analyzing the system to inform the decisions of policymakers. Our organizations would change our position from "oppose" to "support" with some minor amendments that are intended to ensure that the data and analysis resulting from SB 631 are as informative and unbiased as possible.

The California State Legislature created the Commission on Health and Safety and Workers' Compensation (CHSWC) in 1993 as part of a comprehensive reform effort. CHSWC was established as a joint labor-management body charged with examining the health and safety and workers' compensation systems in California and recommending administrative and legislative changes to improve their operation. The Commission is comprised of eight members – four representing employers and four representing labor – who are appointed by the Governor, Senate Pro Tem, and Speaker. CHSWC has a demonstrated history of providing high quality studies and policy analysis on the workers' compensation system to help inform policy decision in the legislature.

Instead of proposing that a study of gender equity be conducted by CHSWC, SB 631 requires the state to collaborate on this study with the University of California, Berkeley. It appears that the study would be conducted or significantly informed by the UC Berkeley Center for Labor Research and Education (Labor

Center), which was not established to provide objective information and advice to California policymakers. Instead, the Labor Center was founded in 1964 with the purpose of educating “a diverse new generation of labor leaders” and is does not benefit from having both labor and management perspectives.

We would respectfully request that SB 631 be amended to remove collaboration with the University of California, Berkeley and instead have the study shaped and conducted by CHSWC through their normal process. This would be a more objective collaboration and this amendment would be consistent with policy already established by the legislature. CHSWC is also fully funded and pursuing the study through CHSWC would have less state cost as we struggle with growing deficits. We would also respectfully request that the bill be amended to provide a minimum scope of the study, but leave flexibility to the appointed experts on CHSWC to work with a research organization to more appropriately scope the study to best inform the legislature on relevant policy questions. We would be happy to meet with you and discuss these proposed changes in more detail.

Thank you for considering our request for amendments. If we can collaborate on amendments to address the issues we’ve identified, we would be happy to remove opposition to SB 631 and instead support the bill.

Sincerely,

American Property Casualty Insurance Association
Association of Claims Professionals
California Association of Joint Powers Authorities
California Coalition on Workers’ Compensation