



September 19, 2017

The Honorable Edmund G. Brown  
Governor, State of California  
State Capitol  
Sacramento, CA 95814

**Subject: AB 570 (Gonzalez Fletcher) – Apportionment to Pre-existing Disability  
REQUEST FOR VETO**

Dear Governor Brown,

The organizations listed above OPPOSE AB 570, which would require California employers to pay injured workers permanent disability indemnity benefits for disability that everyone agrees was not caused by a workplace injury or illness. We respectfully request that you VETO AB 570.

We oppose AB 570 because it is a violation of the fundamental agreement between workers and their employers that establishes the foundation of our workers' compensation system. That agreement holds that employers will accept responsibility for all injuries and illnesses that occur in the course and scope of employment, even when they would otherwise have no legal liability. The workers, in exchange for the guaranteed coverage, relinquish the right to sue their employers in civil court. AB 570 violates that agreement by requiring employers to compensate injured workers for disability that has not, with medical certainty, resulted from a workplace injury.

The sponsor, the California Applicant Attorneys Association, has advanced legislation with substantially similar provisions for years, and vetoing these measures has thankfully been a bipartisan affair. The author and sponsors have yet to establish a rational basis for seeking a workers' compensation benefit to compensate for disability with clearly non-industrial causation. The sponsors of this bill claim unfairness, but can't get past the very simple reality that the workers' compensation system treats every single injured worker the same with respect to apportionment (industrial disability is compensated, and non-industrial disability is not).

AB 570 expands the purpose of California's workers' compensation system – already the most expensive among the 50 states – to pay injured workers' a cash benefit to compensate for permanent impairment that is in no way related to employment. We have reviewed past veto messages on prior versions of AB 570, and it is our strong opinion that none of the weaknesses previously identified have been addressed by the author or sponsor.

For these reasons, and many more, we respectfully request that you VETO AB 570.

Sincerely,

California Coalition on Workers' Compensation  
California Chamber of Commerce  
American Insurance Association  
Association of California Insurance Companies  
California State Association of Counties  
CSAC Excess Insurance Authority  
National Federation of Independent Business  
California Manufacturers & Technology Association  
California Association of Joint Powers Authorities  
Association of California Healthcare Districts  
California Special Districts Association  
California Grocers Association