



## CITY OF BEVERLY HILLS

455 NORTH REXFORD DRIVE • BEVERLY HILLS, CALIFORNIA 90210

John A. Mirisch, Mayor

September 25, 2019

The Honorable Gavin Newsom  
Governor, State of California  
State Capitol, Governor's Office  
Sacramento, CA 95814

Re: SB 416 (Hueso) Employment: workers' compensation  
**City of Beverly Hills – Request for Veto**

Dear Governor Newsom,

On behalf of the City of Beverly Hills, I write to you to respectfully request you **VETO SB 416 (Hueso)** when it comes before your desk. This bill would expand the classification of peace officers who have the benefit of presumptions within the workers' compensation system that certain illnesses are automatically deemed to be work-related.

California's current workers' compensation system offers some peace officers and firefighters a legal presumption that some injuries – such as cancer, heart trouble, pneumonia, and hernias – are work related. The shift in the burden of proof from the employee to the employer, requires the employer to prove that the injury did not occur at work. Employers pursue this course of action through a court system that is legally bound to liberally construe the laws of the state “with the purpose of extending benefits”. This combination of laws creates a legal environment in which it is virtually impossible for state and local agencies to disprove questionable claims for these types of injuries. Current presumptions apply only to the types of peace officers subject to stresses and strains that are most likely to actually result in those specified injuries.

**SB 416 (Hueso)** would vastly increase the number of employees that are eligible for several presumptions – including hernias, heart trouble, lower-back impairments, meningitis, tuberculosis, cancer, leukemia, and pneumonia. This massive expansion of presumptions will result in employees who face no more risk factors than any other worker having access to the same presumptions enjoyed by active police officers and firefighters. Additionally, as stated in the Assembly Insurance Committee's analysis, there has been no data to evaluate the extent to which

the current workers' compensation system is presently failing the employees covered by this bill. Without evidence that a problem exists, or an analysis of the potential costs to local entities, this legislation is not only unnecessary, but also poses significant potential costs to local governments.

**SB 416 (Hueso)** will result in unnecessary new costs for cities, counties, special districts, universities, the state, and many of the state's various departments, agencies, boards, and commissions. **SB 416 (Hueso)** will also lead to a misuse of millions of dollars of public funds, which will further restrict the ability of cities to administer existing benefits and vital public services from their already constrained budgets. For these reasons, the City of Beverly Hills must respectfully **OPPOSE SB 416 (Hueso)**. Thank you for your consideration.

Sincerely,

A handwritten signature in black ink, appearing to read 'John A. Mirisch', with a stylized, flowing script.

John A. Mirisch  
Mayor, City of Beverly Hills

cc: The Honorable Ben Hueso, 40th Senate District  
The Honorable Ben Allen, 26th Senate District  
The Honorable Richard Bloom, 50th Assembly District  
Andrew K. Antwih, Shaw / Yoder / Antwih, Inc.