



FOR IMMEDIATE RELEASE

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**California's workers' compensation system designed to serve all workers
regardless of their gender, race, age or other characteristic**

The Workers' Compensation Action Network made the following statement today regarding the introduction of legislation barring apportionment for certain disabilities in California workers' compensation system. The statement may be attributed to WCAN spokesperson Jerry Azevedo.

"Disability apportionment in California's workers' compensation system cannot be based on gender. Period.

"In the very limited case law on this subject, the courts have been clear that apportionment must be based on medical conditions that contribute to disability – not to age, race or gender. Any cases in which apportionment was inappropriately made to such factors would be barred by the courts.

"The protections already in state law were cited when similar gender-based legislation was vetoed in 2008. In the seven years since SB 1115 (Migden) was vetoed, no research or analysis has been produced showing gender discrepancies in access to workers' compensation benefits or permanent disability ratings.

"The fact is plaintiffs lawyers have sought to roll back California's apportionment statute for a decade because they see it as a roadblock to their historical efforts to expand workers' compensation benefits beyond work-related disabilities. Today, they would have state lawmakers radically alter apportionment policy with a few anecdotes – some of which have nothing to do with apportionment – and claims of gender equity.

"In a system that provides for more than a half million work injury claims each year among women and men, state policy should be based on a more thoughtful and systematic approach."

About WCAN

The Workers' Compensation Action Network (WCAN) is a statewide, broad-based coalition representing California employers, insurers and brokers/agents on issues relating to the state's workers' compensation system.

Website: www.fixworkerscompnow.org