



California Applicants Attorneys Association
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**INJURED WORKERS' ADVOCATES:
"Highly Irregular, Inappropriate" Pressure to Deny
Disabled Workers' Fair Compensation**

Sacramento, CA - Injured workers' advocates today questioned the Schwarzenegger Administration's "highly irregular and inappropriate" attempts to influence the outcome of a pending Workers Compensation Appeals Board (WCAB) decision allowing injured workers to challenge the administration's permanent disability rating schedule.

"The WCAB's recent decisions are necessary clarifications of the 2004 statutory changes. The letter from John Duncan, a political appointee of the governor, to the WCAB commissioners, who are also all (except one) appointees of the governor, smacks of an attempt to interfere with the judicial process by exerting improper political pressure on the board to change their unanimous decision interpreting the law," said Todd McFarren, president of CAAA, whose members represent workers injured on the job.

McFarren said the board's recent decisions in the combined *Almaraz/Guzman* cases and the *Ogilvie* case "allow judges to fairly assess injured workers' actual permanent disabilities and lost wages, because the decisions allow the court to look at all the factors of disability."

Judges, however, will "still be handcuffed by the administration's inadequate permanent disability schedule," McFarren said. "The administration has not addressed the fundamental flaws in its disability rating schedule. We've been waiting more than a year for the governor to approve his own administration's proposal to restore a small percentage of the permanent disability compensation he cut by 50% to 70%."

California remains well below neighboring and comparable US states, in compensating permanently disabled workers. “This decision does not fix the harm done to injured workers. California workers permanently disabled on the job would still receive compensation that is among the lowest in the nation under this decision, even if the minor increase proposed by the governor is finally adopted,” said McFarren.

Multiple independent studies, including studies conducted by the California Commission on Health, Safety and Workers Compensation (CHSWC), have documented fifty to seventy percent cuts in compensation for permanent disabilities.

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