



Riverside County

AGRICULTURE

The official publication of Riverside County Farm Bureau, Inc.

A private, nonprofit organization serving farmers throughout Riverside County since 1917

REFORMING THE WORKERS' COMPENSATION SYSTEM

Where does one begin when sorting through the list of problems facing California farmers and ranchers today?

A good start would be the workers' compensation situation confronting business in California. The California legislators have done too little, too late to save many farmers and ranchers in California from the rising workers' compensation rates. Despite claims that reforms have been made in the workers' compensation crisis, it will not take long before it is apparent that these reforms will not solve the problems associated with years of escalating workers' compensation rates. In California, workers' compensation is a constitutional right (Article XIV, Section 4) and not a benefit.

In order to begin solving the workers' compensation problem, the legislators must find a way to save \$11 billion. In the final night of the legislative session, the legislators passed a plan that claimed they would save \$10 billion. The Workers' Compensation Insurance Rating Bureau, nevertheless, states that the current plan is only a "...one-time savings (and is) \$3 billion less than claimed. The annual savings are \$2 billion less than needed." Simply stated, workers' compensation premiums will continue to rise.

The current workers' compensation plan has several key obstacles that must be overcome before workers' compensation insurance in California can begin to be changed. According to State Senator Dennis Hollingsworth, some of the obstacles are:

- "Inflated claims of savings to the system. Savings in AB 227 and SB 228 fall far short; as much as \$5 billion short of the \$11 billion in total savings necessary to begin to repair the system and bring premiums back to 2002 rates."
- "New Employer Tax – The AB 227 conference report raises taxes on employers by forcing them to fully fund the Division of Workers' Compensation. Currently, they only pay 20% of the costs while the state's General Fund covers 80%. By shifting the 80% burden to employers, a new tax of \$80 million annually is imposed on employers."
- "No Objective Standards – California is the only state that allows employees to receive permanent disability awards based on subjective complaints of pain. All other states require objective medical findings be demonstrated through a medical examination as criteria to receive a monetary award."
- "No Apportionment Reform – Apportionment is the process of attributing a certain portion of an injured worker's permanent disability to a previous injury. Many physicians don't take into account prior injuries of pre-existing illnesses. Employers end up providing benefits for injuries that were not suffered at their workplace. When denying apportionment, the Workers' Compensation Appeals Board (WCAB) should consider these prior injuries in order to reduce the number and extent of claims."

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News in Brief...

LIVESTOCK HELP WILDLIFE IN NEW PROJECT

Cattle have returned to a state-owned wildlife area near the North Coast, and managers hope migrating birds will follow. After the state bought the Mad River Slough Wildlife Area near Arcata, it banned livestock grazing. But the land became overgrown, and birds stopped visiting. At a news conference yesterday (Wednesday), groups announced they've completed the first part of a project to improve wildlife habitat through use of managed livestock grazing.

UC PLANS TO CONSOLIDATE PROGRAMS

The impact of budget cuts is beginning to become clear for the University of California's statewide agricultural programs. Directors of the various programs have been meeting with UC administrators this week to discuss possible consolidations. Administrators must eliminate another \$3,000,000 to meet this year's budget. A UC spokeswoman says decisions will be made early next month. Some layoffs have already occurred.

CHRISTMAS TREE GROWERS GET READY

You may not have started thinking much about Christmas yet ... unless you grow Christmas trees. This is the time of year when growers do their annual pruning, to get the trees ready for consumers in December. And Christmas tree growers will gather in Redlands this weekend for a pre-season trade show, to discuss how to grow and market the trees. Christmas tree growers in California generate more than \$10 million dollars in annual sales.

ISABEL DRIVES UP SWEET POTATO PRICES

Hurricane Isabel has affected California sweet potato growers. They say prices have increased since the hurricane hit North Carolina, which grows more than half of the nation's sweet potatoes. California is the number-two state. North Carolina farmers say the hurricane actually spared most of the sweet potato-growing areas. But the state's production will be less this year because of crop damage during a wet spring.

NURSERIES FIND HELP AGAINST SHARPSHOOTER

They've been saddled with losses because of quarantine rules, but nursery-crop growers are finding help to fight the glassy-winged sharpshooter. Nurseries must take extra steps to assure that the insect doesn't hitchhike on young plants. Researchers are studying new treatments, including the use of "decoy plants," treated with pesticide, to attract sharpshooters. More than 60 California nurseries have applied for federal money to help offset the costs of sharpshooter control.

VALENCIA ORANGE GROWERS REPORT MORE LOSSES

For many farmers, their harvests of valencia oranges will end in a loss, again. Prices for valencia oranges have slumped in recent years, as the fruit faces increased competition from imported oranges. The grower group California Citrus Mutual says growers report earning low prices for valencias again this season. The group says it expects more farmers to remove their valencia groves and replace them with other crops this fall and winter.

BRUSSELS SPROUTS HARVEST NEARS PEAK

The volume of California-grown brussels sprouts will accelerate next week. Farmers along the Central Coast say machine harvesting will begin Monday, about a week and a half behind the typical starting time. Hand picking has been underway since July, but when machines come into use, the volume increases dramatically. Hot weather caused brussels sprouts to develop more slowly this year. Farmers say they expect the total crop size to be at least average.

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-- News items credited to California Farm Bureau Federation.

.....Cont. from Front Cover.

On the other hand, according to David Justin Lynch, an injured workers' attorney, "The answer to improving the business climate is to make the cost predictable and uniform." He states that workers' compensation is an "...entitlement, not a benefit an employer graciously provides." He goes on to say, "The answer to improving the business climate is to make the cost predictable and uniform and that workers' compensation should not be subject to market forces." Furthermore, Mr. Lynch says, "The workers' compensation system inefficiently delivers benefits because it is a paper-based dinosaur in a digital world not applying existing technology to streamline claims processing. Premiums are high because not all employers pay their share. Some do not report their entire payroll. Others misclassify workers as independent contractors. Still others employers don't have workers' compensation insurance at all."

No matter where you stand on workers' compensation reform or what your opinion is on how to correct the problem, I'm sure everyone can agree that the system needs a major overhaul and needs to be brought into the 21st Century. California lawmakers need to make some hard decisions to reform the workers' compensation system. These lawmakers need to do it quickly before more and more farmers and ranchers reach the "point of no return" because of high workers' compensation costs.

Today, workers' compensation in California is a \$30 billion industry. Governor Davis, under pressure from labor unions, signed a \$3.5 billion boost in workers' compensation. Because of this boost and the size of the industry, our elected officials have a long and hard road to go down before they can begin to reform workers' compensation in California. Already several businesses in California have either closed their doors or simply moved out of the state. Our economy and or livelihoods depend on getting the workers' compensation cost under control. I encourage each of you to write to your state senators and assembly members about the disaster waiting for California farmers and ranchers if workers'

compensation is not reformed immediately.

-----Article written by Steven A. Pastor,
RCFB Executive Director



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Dunn-Edwards and Kelly-Moore offer a full range of architectural and specialty coatings for virtually every application, including farms/outbuildings, water tanks/water treatment, plant maintenance/floors, concrete water proofing, and coatings for wood, ferrous, and nonferrous metals. Farms or ranches with large or continuous purchasing needs may qualify for additional discounts, and individual sales representation.

“Farm and ranch families always strive to keep their homes and farms in the best possible condition,” said California Farm Bureau Federation Director of Membership Development, John Dedo. “Being able to purchase quality paint products through this new member benefit will certainly help them in those efforts. To take advantage of the program, Farm Bureau members simply show their current membership card.”

Dunn-Edwards and Kelly-Moore operate 115 convenient store locations in California. For more information and store locations, visit www.paintamerica.com, or call Dunn-Edwards at 888-DE-PAINT, Kelly-Moore at 888-MR-PAINT, or the California Farm Bureau Help Desk at 800-698-FARM.

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- Cindy Domenigoni as President
- Brad Scottas 1st Vice President
- Bruce Scottas 2nd Vice President
- Sid Sybrandyas 3rd Vice President

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