

Socialist candidate John Christopher Burton denounces bipartisan attack on workers' compensation in California

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The following statement was issued September 13 by John Christopher Burton, a civil rights lawyer in Southern California who is running as an independent candidate for governor in the California recall election. Burton, a supporter of the Socialist Equality Party, has been endorsed by the SEP.

I strongly oppose the bill reducing workers' compensation benefits that was passed by the Democrats and Republicans in the California state legislature and signed into law by Governor Gray Davis on September 12. This is not "reform." It is a class-war measure that will cause additional pain and suffering to thousands of workers in California. It has been passed because big business demands lower labor costs and higher profits to support the seven- and eight-figure annual salaries of its top executives.

The passage of this legislation demonstrates once again that, notwithstanding the differences that exist between them, both the Republican and Democratic parties serve the interests of big business. Despite being embroiled in a bitter recall struggle over the governorship, when their corporate paymasters demanded increasing the burden of the economic crisis on the working class, the representatives of the two major parties came together.

These cuts in workers' benefits—for which the corporate elite, the media and the Republican candidates have been buying—were possible only because of the support of Davis and the Democrats. They expose the hypocrisy of Davis, Lt. Governor Cruz Bustamante and Republican candidates Arnold Schwarzenegger and Tom McClintock, all of whom claim to be defending the interests of ordinary Californians.

Late last month, the retail firm Costco and the aerospace giant Boeing threatened to move facilities out of California unless their workers' compensation insurance premiums were reduced. As a result, politicians of both parties scurried between legislative sessions, committee meetings and private get-togethers with lobbyists in a frantic effort to push through a so-called "reform" package before the legislature adjourned Friday for a four-month recess.

The swift passage of the legislation stands in glaring contrast to Sacramento's complacency during the energy and budget crises and the inability of either party to address the chronic social problems—crumbling schools, lack of health insurance, soaring housing costs, inadequate mass transit—that concern tens of millions of Californians.

The workers' compensation bill vindicates my campaign's

warning that whatever the outcome of the October 7 special election—whether Davis remains in the State House or is replaced by Bustamante or Schwarzenegger—the burden of the state's fiscal crisis will be shifted even more brutally onto the backs of the working class.

The most vocal opposition to the workers' compensation legislation has not come from dissident Democrats or the unions—which tacitly support it—but rather from sections of big business that consider the cuts too small and the benefits for workers still too expensive. The Democrats have responded with assurances that the measure is a "down payment," promising further cuts once the October 7 recall election is out of the way.

The new measures will limit the ability of tens of thousands of workers with work-related injuries and illnesses to obtain necessary medical care and rehabilitation, and bar thousands of others from receiving any benefits whatsoever. Every section of California's working class will be affected, from office workers subject to repeated motion injuries, to factory workers forced to operate dangerous machinery and handle toxic substances, to construction and agricultural workers, who face pain and physical impairment as a result of inadequate safety codes and lax enforcement.

The legislation is expected to slash \$5 billion in workers' compensation costs from the current annual budget of \$29 billion through a combination of reimbursement cuts to health care providers and pharmacists, direct reductions in workers' benefits, and new eligibility provisions:

* Fees to doctors and outpatient clinics will be reduced to the Medicare level, and pharmacy charges to the Medi-Cal level. As a result, many providers and pharmacies will refuse to serve workers' compensation beneficiaries, or will force them to make up price differentials out of their own pockets.

* Workers' visits to chiropractic and physical therapy clinics, which presently can continue so long as the treatment is beneficial, will be capped at 24. Like most arbitrary caps, this particular "reform" falls hardest on the most seriously injured workers, who sometimes require months, if not years, of therapy to mitigate the pain and disabling effects of work injuries. For those too disabled to return to their former jobs, unlimited access to vocational training programs will be ended, and replaced with a more restrictive voucher system.

* There will be stricter guidelines on how often workers can file

for benefits and on what kinds of treatments will be available.

Employers will have a full year, rather than 30 days, to contest a worker's claim. Employers will, moreover, have the right to compel workers to obtain a second opinion on back injuries.

If one took the politicians and the media at their word, one would think that the workers' compensation system had become a haven for gold-bricking employees exploiting an overly indulgent program. In fact, the existing system already fails to meet the needs of many injured and disabled workers. According to a recent study by the state Division of Workers Compensation, 40 percent of injured workers received no workers' compensation benefits at all. Those who do obtain compensation are, for the most part, paid much less than someone injured off the job by negligence, such as in an automobile accident.

The catchword used to attack workers' compensation benefits is "fraud." The system is indeed riddled with fraud, but not at the hands of workers. Insurance companies, health care providers and drug firms inflate prices, bill unnecessarily, wrongfully deny claims, and milk billions of dollars out of the system. They should be penalized, not the workers who are victimized by their unscrupulous methods.

The other mantra for attacking workers' compensation benefits is the need to "save jobs" by preventing businesses from moving out of state. This old chestnut is always used to justify new concessions to corporate interests and new attacks on the working class. One might just as well call for government subsidies to burglars to dissuade them from breaking into people's homes and stealing their goods!

The unstated premise behind the claim of "saving jobs" is the complete subordination of human needs and the social good to corporate profit, the outcome of which is a never-ending decline in the standard of living of working families. The implication is that workers have no legitimate interests or needs that are in conflict with, or in any way independent of, the profit requirements of the bosses. In other words: "What's good for the master is good for the slave!"

Wage cuts, speedup, the gutting of working conditions and health and safety rules, abolition of the eight-hour day, an end to restrictions on child labor, elimination of environmental regulations—surely these measures would create an even more "business-friendly" environment to "save jobs" in California!

And if California implements cuts in workers' compensation to reduce business costs, what is to stop Arizona, New Mexico or Texas, or any other state, from following suit, thus setting in motion yet another round of cuts in workers' benefits?

This identification of the interests of workers with those of big business is the road to disaster for the working class. It is the road on which the trade union bureaucracy travels in its alliance with the Democratic Party. The basic purpose of my campaign is to outline for working people a new and fundamentally different strategy—the unification of the working class across state and national boundaries in a political struggle against the corporate oligarchy, and both of its parties, to defend and extend workers' rights and living standards.

This means rejecting the existing economic system and fighting for a socialist program dedicated to the satisfaction of human

needs and the realization of social equality, rather than the accumulation of corporate profit and personal wealth by a few large businesses and a handful of individuals.

On this basis, I propose the following steps to reform the workers compensation system:

* Safeguard workers' health and safety.

Rigorously enforce all existing standards and laws to protect workers against injury and illness

Strengthen health and safety provisions to reduce on-the-job injuries and minimize worker exposure to toxic substances

Allow employees to refuse to work under unsafe conditions

Vigorously prosecute in civil, and where appropriate, criminal court, all employers found in substantial breach of health and safety regulations

* Eliminate fraud by taking profit out of health care. Establish a government-managed system to provide quality health care for all.

Transform the big insurance firms, health care giants and pharmaceutical monopolies into public utilities, run under the democratic control of the working people

Build new health and rehabilitation facilities, and train new health care workers to meet the needs of injured and disabled workers

Pay injured workers full salaries until they can return to work

I call on all working people in California to draw the appropriate conclusions from this latest bipartisan attack on your living standards. Vote "no" on the recall, to beat back the drive by the extreme right to overturn the November election. Vote for me, John Christopher Burton, in the replacement election, to strike a blow against the two parties of big business and take forward the struggle for the political independence of the working class. Read and study the election statement issued by the Socialist Equality Party, and make the decision to join and build the SEP as the mass socialist party of the working class.

To contact the WSWS and the
Socialist Equality Party visit:

<http://www.wsws.org>