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Assembly California Legislature



LIZ ORTEGA
ASSEMBLYMEMBER, TWENTIETH DISTRICT

COMMITTEES
CHAIR, LABOR AND EMPLOYMENT
ARTS, ENTERTAINMENT, SPORTS, AND
TOURISM
BUDGET
INSURANCE
PRIVACY AND CONSUMER PROTECTION
BUDGET SUBCOMMITTEE NO. 5 ON
STATE ADMINISTRATION

October 28, 2026

Melissa Flores, Executive Officer
California Commission on Health and Safety and Workers' Compensation
1515 Clay Street, Suite 1540
Oakland, CA 94612

RE: Legislative Request for Evaluation / Study on Amazon Warehouses

Dear Executive Officer,

As the California Legislature continues its work to preserve the integrity and fairness of the state's workers' compensation system, we must frequently rely on the objective, data-driven research provided by the Commission on Health and Safety and Workers' Compensation (CHSWC).

We are most interested in the Commission's interest in "health and safety" which is too often overlooked by a focus on "workers' compensation." This is further illustrated by the Chamber of Commerce's written documents that only refer to cumulative trauma "claims" and never use the words cumulative trauma "injuries." This is not an oversight only by the Chamber, it is an oversight by state government and its policymakers.

Stakeholders in my district and across the state have recently raised critical concerns regarding the increase in automation in AI-controlled Amazon warehouses. My recent review of Chamber of Commerce findings regarding cumulative trauma injuries led me to ask for the UCLA Labor Center to investigate what may actually be going on in our state. By definition, AI changes the relationship between workers and machines by requiring workers to keep up with the machines, and not the other way around.

The way to reduce "cumulative trauma claims" is to reduce "cumulative trauma injuries". CHSWC is uniquely positioned to refocus this extremely important issue on the wellbeing of the workforce.

The Chamber asserts abuse of the Work Comp system. The UCLA data points to other factors that create the increase...

- A 50% growth in the number of Californians working over the age of 50;
- A 250% increase in Californians working in automated, AI-controlled warehouses;
- Amazon's 2024 California cumulative trauma injuries were 2 times higher than its California competitors;
- Amazon terminates over 100,000 California warehouse workers every year.

To effectively address these concerns through prospective legislative or administrative modifications, a comprehensive analysis is required of the disparate impact these injuries at Amazon are having on the costs in California's workers compensation system. This will require a determination regarding what has happened to Amazon's Experience Modification over the last decade. What is the amount of money their Experience Modification Rating results in today and what would be a fair adjustment to that amount?

As the WCIRB calculates the Experience Modification for all employers in California, and as they have been asked to present at the Commission's October 28 meeting, we are asking that they co-operate in providing the following data to the Commission.

Pursuant to the Commission's core charge under the California Labor Code, I am formally requesting that CHSWC initiate a study to examine:

1. What was the calculated Experience Rating Modification for policies in effect for Amazon warehouses in California in 2025? 2026? Can this be calculated over the last 10 years to provide a comparison of Amazon Warehouses pre- and post-AI automation?
2. What numbers were used to determine actual injuries v. expected injuries for the Ex-Mod formula for each year provided? What injuries, if any, were excluded?
3. For any year that the Ex-Mod was less than 1.0 for Amazon warehouses, what was the overall injury rate per 100 workers? Was this higher or lower than the industry average?
4. For any year that the Ex-Mod was more than 1.0, was there any other warehouse employer with a higher Ex-Mod in California?
5. Can you provide quantifiable recommendations to improve occupational safety and reduce injuries at Amazon Warehouses?

As our partner, I will pursue UC Health to help provide the Commission and the Legislature with analysis of Amazon's practices and patterns that are the root cause of the Chamber's expressed concern over claims.

Please provide an update to my office regarding the projected timeline, scope of work, and budgetary requirements for this study at your earliest convenience. We look forward to working with you and reviewing the Commission's findings.

Sincerely,

A handwritten signature in black ink, appearing to read "Liz Ortega", followed by a long horizontal flourish.

Assemblymember Liz Ortega

California State Legislature