



Legislative Update

Presentation prepared for the Commission on Health and Safety and Workers' Compensation by Sulma Guzmán

Dec. 13, 2024

Office of Legislative and Regulatory Affairs (OLRA)

2024 Legislative Session

- The second year of a two-year session.
 - OLRA tracked 129 bills.
 - OLRA worked with divisions to prepare and submit 75 bill analyses to LWDA.
- 44 bills enrolled and sent to the Governor's desk.
 - 35 signed.
 - 9 vetoed.



What does this mean for CHSWC?

- 9 health and safety bills
- 3 workers' compensation bills

Workers and industries:

- Children's camps
- Fast food
- Medical
- Janitorial
- Venues and theme parks
- Refineries
- Domestic workers
- And more...



AB 262 (Holden) – Children’s camps

- Intended to address a gap in regulation of “children’s camps,” which are not defined in current law.
- Requires the Department of Social Services to report on approaches to children’s camp health and safety regulation and oversight.
- CDSS must submit its report within 24 months of the Legislature appropriating funds.
- The report must recommend: 1) a “children’s camp” definition; 2) enforcement, including a licensing program; 3) minimum safety and health requirements; and 4) implementation costs and benefits.
- Requires stakeholder input and CDSS consultation with DIR.



AB 610 (Holden) – Fast food industry

- Exempts additional restaurants from the definition of “fast food restaurant” in existing labor law (AB 1228, Holden, Chapter 262, Statutes of 2023) – e.g., airport restaurants, event centers, theme parks, museums, and certain other locations.
- AB 1228 created a Fast Food Council to establish minimum labor standards in the industry and raised the minimum wage for fast food employees to \$20/hour, effective April 1, 2024.
- For more information on the Fast Food Council:
<https://www.dir.ca.gov/AB1228/AB1228.html>

AB 1843 (Rodriguez) – EMS employees

- Requires private emergency ambulance providers (EAPs) to offer peer support services to employees upon request.
- Expands coverage for EAP mental health treatments from 10 to 20 sessions.
- Adds post-traumatic stress disorder (PTSD) treatment as a covered issue and clarifies that employees are entitled to workers' compensation for mental health illness.



AB 1976 (Haney) – Opioid Antagonists

- Addresses the sharp increase in workplace deaths from opioid overdoses.
- Requires DOSH to propose rulemaking to include nasal spray naloxone hydrochloride or another FDA-approved opioid antagonist in all workplace first aid kits.
- The rulemaking proposal must provide guidance on proper storage “in accordance with the manufacturer’s instructions.”
- Rulemaking is due by December 1, 2027; OSHSB must consider the draft regulations for adoption by December 1, 2028.



AB 1996 (Alanis) – Opioid antagonists

- Amends existing Health and Safety Code Section 11871.
- Specifies that stadiums, concert venues, and amusement parks must ensure that opioid antagonists are easily accessible to emergency responders and others on the premises.



AB 2364 (L. Rivas) – Property service workers

- Requires DIR to contract with the UCLA Labor Center to study opportunities for improving worker safety and safeguarding employment rights in the janitorial industry.
- Tasks DIR with establishing an advisory committee to recommend the scope of the UCLA study. Members must include representatives from state agencies, labor and management groups in the janitorial industry, and other relevant subject-matter experts.
- Key dates: The advisory committee must be established by June 15, 2025, and the report is due to the Legislature by May 15, 2026.

AB 2975 (Gipson) – Hospitals and workplace violence

- Requires OSHSB to amend the workplace violence prevention standards for hospitals to include that hospitals must have a weapons detection screening policy.
- Requires certain hospital entrances to be equipped with weapons detection devices that automatically screen a person's body, unless the hospital is specifically allowed to use handheld metal detectors.
- Hospitals must:
 - 1) Have alternative screening protocols for people who refuse screening by device.
 - 2) Train personnel to implement screening policies.
 - 3) Adopt protocols for responding to detection of weapons.
 - 4) Post a notice of the screening policy.

AB 3258 (Bryan) – Alternative Fuel Refineries

- Amends the definition of “refinery” to include establishments that process non-petroleum or alternative feedstock.
- Expands the scope of the California Refinery and Chemical Plant Worker Safety Act of 1990.
- Enhances worker and community protections.



SB 1350 (Durazo) – Domestic Workers

- Replaces the domestic service exclusion in the CA occupational safety and health statute with a more limited exclusion.
- Exempts: 1) publicly-funded domestic work; 2) family daycare homes; and 3) workers hired directly by a private household to perform ordinary household tasks.
- Allows DOSH to exercise jurisdiction over non-exempt domestic workers.
- Aligns California law with federal law.



AB 1239 (Calderon) – WC disability payments

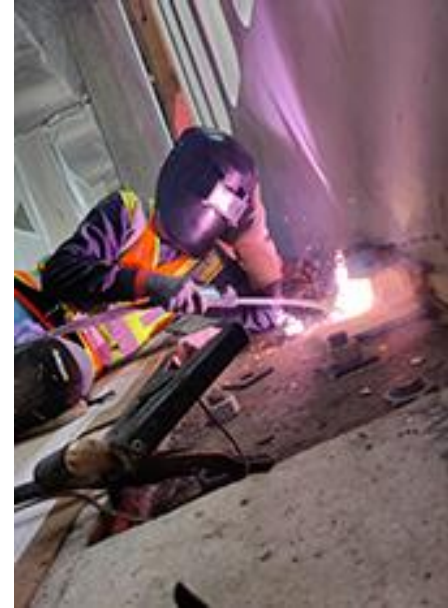
- Extends the authorization to deposit indemnity payments in a prepaid card account until January 1, 2027.
- Existing law (Labor Code Section 4651) allows both temporary disability (TD) and permanent disability (PD) indemnity payments to injured workers by check, electronic funds transfer (EFT), or a prepaid card account (until January 1, 2025).
- The Commission on Health and Safety and Workers' Compensation (CHSWC) is working on a report to the Legislature on the use of prepaid card accounts by injured workers.

AB 1870 (Ortega) – Employee notices

- Amends existing Labor Code Section 3550 to require workplace notices on workers' compensation to include information on an injured employee's ability to consult a licensed attorney to advise them of their rights under workers' compensation laws.

AB 2337 (Dixon) – Electronic Signatures

- Allows an “electronic signature,” as defined, on workers’ compensation documents.
- Brings signature practices for CA workers’ compensation proceedings in line with existing court, business, and other government practices.
- Expedites benefits to injured workers.





**More on these bills
can be found on the
California Legislative
Information website:**

<https://leginfo.legislature.ca.gov/>