

DEPARTMENT OF INDUSTRIAL RELATIONS  
**COMMISSION ON HEALTH AND SAFETY AND  
 WORKERS' COMPENSATION**

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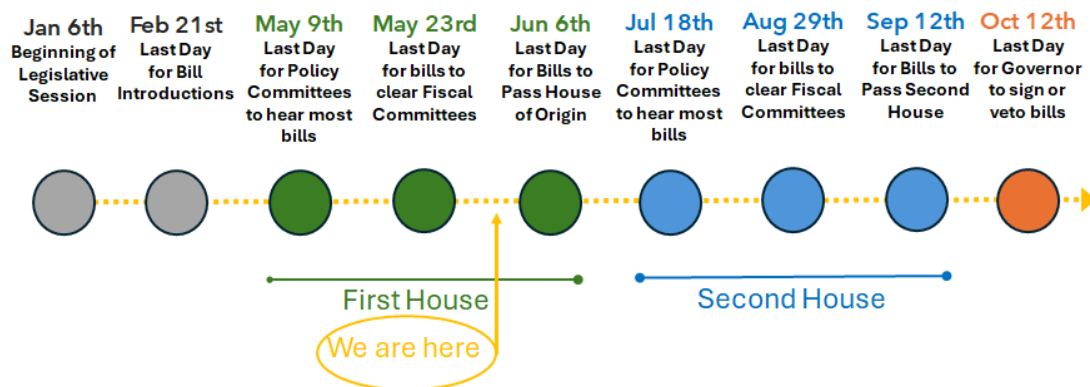
DATE: May 22, 2025

TO: CHSWC Commissioners

FROM: Melissa Flores, Executive Officer

SUBJECT: Legislative Update

The abbreviated legislative calendar below provides a reference to this point in time in the 2025 legislative cycle. Today we are what may be considered nearly the halfway point of this year's session.



Currently, there are no pending bills with Commission on Health and Safety and Workers' Compensation (CHSWC) directly named. However, the bill below may have a direct impact on the Commission. This will remain on our watch list:

**SB 470** – Repeals the teleconferencing provisions of Bagley-Keene Open Meeting Act on January 1, 2030.

Staff has also identified pending bills that may be of interest to the CHSWC. These bills are related to workers' compensation and health and safety issues including administrative actions and changes in how the regulated systems function to protect workers as well as payers. A summary of each bill including its status follows this list.

**AB 694** – Requires DOSH understaffing study by LOSH and LOHP, with an advisory committee for the study.

**AB 841** – Creates working group of State Fire Marshall and DOSH for PPE recommendations related to lithium-ion battery fires.

**AB 845** – Cal/OSHA, Agricultural Labor Relations Board and DLSE enforcement. collaboration on complaints and investigation/enforcement actions related for agricultural workers/employees.

**AB 1048** – Dispute resolution process based on contracts between payers and medical providers in the WC system.

**AB 1110** – DOSH notices for employees to add email address of nearest DOSH office.

**AB 1125** – Adds peace officers at State Department of State Hospitals as among those employees/occupations with a rebuttable presumption for “heart trouble” as occupation-related.

**AB 1163** – Requires workplace violence prevention plan for school employees to include de-escalation techniques training.

**AB 1209** – Cannabis industry and workers’ compensation insurance compliance assistance (due to state/federal laws).

**AB 1326** – Create a right for workers to wear PPE and a protective face mask for the purposes of public health.

**AB 1336** – Heat illness rebuttable presumption for farmworkers. Establishes a Farmworker Climate Change Heat Injury and Death Fund from a one-time transfer of \$5M from WCARF.

**AB 1365** – Creates a CalAccount Program for every Californian to provide for fee-free direct deposit of employee payroll in accounts with financial service providers, along with free access to ATM networks. The bill establishes a CalAccount Fund in the State Treasury.

**AB 1371** – Provides for employee refusal to perform hazardous tasks, contingent upon notification of hazard to employer who fails to address concerns or abate hazard and requires payment of wages until remediated.

**AB 1398** – Requires disclosure of financial interest in workers’ compensation medical care provider entities to third party payers.

**AB 1424** – Requires Cal/OSHA to submit rulemaking proposal to OSHSB related to workers under the jurisdiction of the Department of Corrections and Rehabilitation.

**AB 1442** – Establishes Essential Worker Commission within LWDA to review, investigate and analyze issues related to essential workers, including undocumented workers.

**AB 1498** – Establishes a state-wide medical provider network database, in which physicians are willing and able to treat injured workers in the San Joaquin Valley region.

**AB 1515** – Requires DIR Director to submit its DOSH Annual Report to the Governor and on its website, in addition to the existing law requiring submission to the legislature.

**SB 8** – Expands entitlement of a leave of absence in lieu of temporary disability payments to specified peace officers employed by a county of the eighth class, as defined.

**SB 20** – Restricts dry methods in slab stone countertop installations; requires wet methods. Requires specific training in apprenticeship programs for slab stone fabrication activities.

**SB 230** – Expands cancer and PTSD rebuttable presumption for fire fighters from the Department of Defense installations and NASA installations to firefighters at commercial airports.

**SB 234** – Requires formation of a workgroup by the Department of Forestry and Fire Protection, the Office of Emergency Services, and the Department of Toxic Substances Control on how to avoid exposure to toxic heavy metals after a wildfire, with a report due to the legislature.

**SB 294** – Establishes the Workplace Know Your Rights Act which requires an annual notice to all employees of specific workers' rights, including (federal and state) Constitutional rights when interacting with law enforcement.

**SB 447** – Increases the age from 21 to 26 for survivor health benefits to minor dependents of workers' compensation covered firefighter and peace officer employees, as defined.

**SB 487** – Provides firefighters and peace officers no less than 2/3 of the third-party defendant's liability insurance policy limit.

**SB 527** – Extends the exemption for applying the "ABC" test for independent contractors to "sports coaches" at schools, as defined.

**SB 555** – Adjusts how PPD is calculated to include the the amount equal to the cost of living adjustment for federal social security benefits.

**SB 632** – Defines "injury" for hospital workers, including the Covid-19 disease, for which a rebuttable presumption is asserted, and extends the applicable time period after a hospital employee's termination of employment.

**SB 668** – Authorizes the DWC Administrative Director to adjust the med-legal fee schedule every two years, based on specified costs; requires updates also when drugs and pharmacy services maximum fees are updated by the Administrative Director.

**SB 809** – Stipulates that mere ownership of a vehicle used by a person providing labor or services does not make that person an independent contractor.

**SB 847** – Enables the DWC Administrative Director to expand the conditions for filing a lien against the property of an uninsured employer liable for workers' compensation claims.

[AB 694](#)

**(McKinnor D) Department of Industrial Relations: advisory committee: occupational safety and health.**

**Introduced:** 2/14/2025

**Last Amend:** 4/21/2025

**Is Urgency:** N

**Is Fiscal:** Y

**Location:** 5/14/2025. In committee: Set, first hearing. Referred to suspense file.

**Summary:** Existing law establishes the Division of Occupational Safety and Health in the Department of Industrial Relations, and charges the division with the enforcement of various laws affecting safe working conditions, including the California Occupational Safety and Health Act of 1973. Existing law requires the Director of Industrial Relations to prepare and submit to the Legislature an annual report on the activities of the Division of Occupational Safety and Health, as specified. This bill would require the department, upon appropriation by the Legislature, to contract with the University of California, Berkeley Labor Occupational Health Program and the University of California, Los Angeles Labor Occupational Safety and Health Program to conduct a study to evaluate the understaffing and vacancies within the division and make recommendations to the department, the Department of Human Resources, and the Legislature on policies the state shall use to inform the consideration and establishment of career pathways to the Compliance Safety and Health Officer classification. The bill would authorize the University of California to subcontract the responsibility for conducting the study to other specified entities. The bill would require the University of California and its subcontractors, if any, to issue a report that includes certain information about the understaffing and vacancies of Compliance Safety and Health Officers within the division. The bill would further require the University of California to convene an advisory committee consisting of members from specified state agencies, worker advocacy organizations, and other academic institutions, as specified, to make recommendations regarding the scope of the above-described study, and provide specified findings and recommendations to the division, as prescribed. The bill would require the advisory committee, within 60 days of entering into the contract the University of California, to hold at least one meeting, and the department, 18 months after entering into the contract with the University of California, to post the completed report on the division's website and to forward the completed report to the members of the advisory committee, the Governor, and specified legislative committee chairs. The bill would define terms for these purposes, and include finding and declaration relating to these provisions. This bill contains other existing laws.

[AB 841](#)

**(Patel D) State Fire Marshal: personal protective equipment: battery fires.**

**Introduced:** 2/19/2025

**Last Amend:** 4/21/2025

**Is Urgency:** N

**Is Fiscal:** Y

**Location:** 5/7/2025. In committee: Set, first hearing. Referred to APPR. suspense file.

**Summary:** Existing law authorizes the State Fire Marshal to make changes as may be necessary to standardize all existing fire protective equipment throughout the state. This bill would require the State Fire Marshal, in consultation with the Division of Occupational Safety and Health, to develop a working group with specified membership to make recommendations regarding personal protective equipment used in responding to lithium-ion battery fires. The bill would require, at a minimum, the working group to review, and for the purpose of making the recommendations to consider, the latest personal protective equipment to limit exposure to lithium and other heavy metals, technology to clean personal protective equipment, whether different types of personal protective equipment should be used for different types of lithium-ion battery fires, and current decontamination practices at the fire scene, as specified. The bill would require the recommendations to be submitted to the Legislature on or before September 1, 2026.

[AB 845](#)

**(Arambula D) Employment: complaints: agricultural employees.**

**Introduced:** 2/19/2025

**Last Amend:** 4/21/2025

**Is Urgency:** N

**Is Fiscal:** Y

**Location:** 5/7/2025. In committee: Set, first hearing. Referred to APPR. suspense file.

**Summary:** Existing law establishes the Labor and Workforce Development Agency, consisting of various departments and entities, including the Agricultural Labor Relations Board and the Department of Industrial Relations. Existing law requires the Agricultural Labor Relations Board to, among other things, maintain a telephone line, as specified, for the purpose of providing interested persons with information concerning their rights and responsibilities, as prescribed, or for referring persons to the appropriate agency or entity with the capacity to render advice or help in dealing with any situation arising out of agricultural labor disputes. Existing law requires the Department of Industrial Relations to, among other things, perform specified functions, including fostering, promoting, and developing the welfare of the wage earners of California, to improve their working conditions, and to advance their opportunities for profitable employment. Existing law establishes the Division of Labor Standards Enforcement, under the direction of the Labor Commissioner, within the Department of Industrial Relations and sets forth its powers and duties regarding the enforcement of labor laws. Existing law also establishes the Division of Occupational Safety and Health within the Department of Industrial Relations and requires the division to enforce all occupational safety and health standards, as specified. This bill would require the Agricultural Labor Relations Board, Division of Labor Standards Enforcement, and Division of Occupational Safety and Health, upon intake of a complaint from an agricultural employee, to collaborate with each other and take all reasonable efforts to transmit the complaint to the appropriate entity for processing and investigation. The bill would define various terms for these purposes.

#### **AB 1048**

##### **(Chen R) Workers' compensation.**

**Introduced:** 2/20/2025

**Last Amend:** 4/10/2025

**Is Urgency:** N

**Is Fiscal:** Y

**Location:** 5/21/2025. Joint Rule 62(a), file notice suspended.

**Summary:** Existing law establishes a workers' compensation system, administered by the Administrative Director of the Division of Workers' Compensation, within the Department of Industrial Relations, to compensate an employee for injuries sustained in the course of their employment. Among other things, the workers' compensation system provides for medical and hospital treatment, disability payments, and death benefits, as specified. Existing law requires the administrative director to contract with one or more independent bill review organizations to conduct reviews of medical providers in accordance with specified criteria. Existing law authorizes a provider under certain circumstances, including when the amount of payment is in dispute, to request an independent bill review within a specified timeframe. Existing law requires that the medical provider pay to the administrative director a fee to cover the reasonable estimated cost of the independent bill review and the administration of the independent bill review program. Existing law requires the administrative director to adopt and revise periodically an official medical fee schedule establishing reasonable maximum fees paid for medical services other than physician services, drugs and pharmacy services, health care facility fees, home health care, and all other treatment, care, services, and goods. This bill would define a payment dispute to include a contract dispute involving any discount or reduction from the official medical fee schedule. The bill would also require, if the dispute only involves a percentage discount or reduction that results in the independent bill review upholding the decision, the independent review organization to provide a written decision to the medical provider and include the medical provider contract relied upon to uphold the decision.

#### **AB 1110**

##### **(Ortega D) Safety rules and regulations: notice.**

**Introduced:** 2/20/2025

**Last Amend:** 3/13/2025

**Is Urgency:** N

**Is Fiscal:** Y

**Location:** 4/3/2025-A. APPR.

**Summary:** Existing law requires the Division of Occupational Safety and Health of the Department of Industrial Relations to prepare a notice, to be posted by employers, containing information regarding safety rules and regulations in the workplace. Existing law requires the notice to contain specified items of information, including, among other things, the address and telephone number of the nearest division office. This bill would also require the notice to contain the email address of the nearest division office.

#### **AB 1125**

##### **(Nguyen D) Workers' compensation: peace officers.**

**Introduced:** 2/20/2025

**Last Amend:** 4/21/2025

**Is Urgency:** N

**Is Fiscal:** Y

**Location:** 5/15/2025. Read second time. Ordered to Consent Calendar.

**Summary:** Existing law designates various persons as peace officers, including officers of a state hospital under the jurisdiction of the State Department of State Hospitals or the State Department of Developmental Services. Existing law establishes a workers' compensation system, administered by the Administrative Director of the Division of Workers' Compensation, to compensate an employee for injuries sustained in the course of their employment. Existing law creates a disputable presumption, applicable to officers and employees in the Department of Corrections and Rehabilitation, that heart trouble that develops or manifests during a period when the employee is in the service of the department arose out of and in the course of employment. This bill would add to the above-described presumption a peace officer, as defined, employed by the State Department of State Hospitals and would make other conforming and technical changes.

#### **AB 1163**

**(Elhawary D) Employees: workplace violence prevention plans: topics and trainings.**

**Introduced:**2/21/2025

**Last Amend:**5/5/2025

**Is Urgency:** N

**Is Fiscal:** Y

**Location:** 5/14/2025-In committee: Set, first hearing. Referred to APPR. suspense file.

**Summary:** Existing law establishes the system of public elementary and secondary schools in this state, and provides for the establishment of the local educational agencies, including school districts, that establish and operate the schools and provide instruction to pupils throughout the state. Existing law also establishes the system of public higher education in this state, including the operation of community colleges. This bill, contingent upon an appropriation for its purposes, would require the State Department of Education to, on or before January 1, 2027, develop a de-escalation training and make it publicly available on its internet website. The bill would require, commencing in the 2026-27 academic year, and annually thereafter, a school district, county office of education, charter school, or community college to, for employees who regularly interact with pupils or students, require training on de-escalation techniques designed to minimize the likelihood of pupils or students committing violent acts, as provided. By imposing additional duties on local educational agencies, the bill would impose a state-mandated local program. This bill contains other related provisions and other existing laws.

#### **AB 1209**

**(Rodriguez, Michelle D) Workers' compensation: cannabis industry.**

**Introduced:**2/21/2025

**Last Amend:** 4/10/2025

**Is Urgency:** N

**Is Fiscal:** Y

**Location:** 5/1/2025-A. 2 YEAR

**Summary:** Existing law, the Control, Regulate and Tax Adult Use of Marijuana Act (AUMA), approved by the voters at the November 8, 2016, statewide general election, regulates the cultivation, distribution, transport, storage, manufacturing, testing, processing, sale, and use of marijuana for nonmedical purposes by people 21 years of age and older. The existing Medicinal and Adult-Use Cannabis Regulation and Safety Act (MAUCRSA), among other things, consolidates the licensure and regulation of commercial medicinal and adult-use cannabis activities. This bill would authorize the administrative director or their agent to require an employer that is licensed or required to be licensed under MAUCRSA to provide proof that it has secured payment of workers' compensation to the administrative director or their agent. The bill would authorize the administrative director or their agent to establish a schedule for compliance that includes dates for when a licensee may be required to comply with these requirements. The bill would require the administrative director to provide assistance to any employer or entity that notifies the administrative director that it has been unable to obtain coverage and authorize the administrative director to extend the deadline for compliance, and would exempt any employer that secures the payment of workers' compensation pursuant to these provisions from civil or criminal liability for prior failure to secure the payment of compensation. The bill would authorize the administrative director to contract with one or more agents to assist employers in complying with these provisions, as specified. This bill contains other existing laws.

**AB 1326**

**(Ahrens D) Masks: individual or public health.**

**Introduced:** 2/21/2025

**Last Amend:** 4/3/2025

**Is Urgency:** N

**Is Fiscal:** N

**Location:** 5/21/2025-A. Referred to Coms. on HEALTH and JUD.

**Summary:** Existing law sets forth various provisions on the wearing of a mask for health purposes. These circumstances include, among others, a statewide stockpile of personal protective equipment (PPE) in the event of a pandemic, wildfire smoke event, or other health emergency; employer-supplied PPE to employees who provide direct patient care in a general acute care hospital; employees of commercial cannabis businesses wearing a mask for respiration; and providing peace officers with an appropriate portable manual mask and airway assembly for use when applying cardiopulmonary resuscitation to prevent the spread of communicable disease. Under this bill, an individual would have the right to wear a mask on their face in a public place for the purpose of protecting their individual health or the public health, with regard to communicable disease, air quality, or other health factors. The bill would define a mask and a public place for purposes of this provision. Under the bill, the above-described right would not be construed as limiting or otherwise modifying the application or implementation of certain requirements for the removal of a mask relating to, among other contexts, security protocols to identify an individual, a bona fide occupational qualification, or emergency health care protocols, as specified.

**AB 1336**

**(Addis D) Farmworkers: Benefits**

**Introduced:** 2/21/2025

**Is Urgency:** N

**Is Fiscal:** Y

**Location:** 5/21/2025-A. In committee: Set, first hearing. Referred to APPR. suspense file.

**Summary:** Existing law establishes a workers' compensation system to compensate employees for injuries sustained in the course of their employment. Existing law creates a disputable presumption that specified injuries sustained in the course of employment of a specified member of law enforcement or a specified first responder arose out of and in the course of employment. Existing law authorizes the Department of Industrial Relations to expend moneys that have been appropriated for the administration and enforcement of laws under its jurisdiction, as well as for the maintenance of any commission or office of the department, as specified. Existing law establishes the Workers' Compensation Administration Revolving Fund within the State Treasury. Existing law requires the director to levy a surcharge upon employers in order to fund, among other things, the Workers' Compensation Administration Revolving Fund. Upon appropriation by the Legislature, existing law authorizes funds to be expended for, among other things, the Return-to-Work Program and the enforcement of the insurance coverage program. This bill would create a disputable presumption that a heat-related injury that develops within a specified timeframe after working outdoors for an employer in the agriculture industry that fails to comply with heat illness prevention standards, as defined, arose out of and came in the course of employment. The bill will require the appeals board to find in favor of the employee if the employer fails to rebut the presumption. The bill would specify that compensation awarded for heat-related injury to farm workers is to include, among other things, medical treatment and disability. The bill would establish the Farmworker Climate Change Heat Injury and Death Fund that would consist of a one-time transfer of \$5,000,000 derived from non-general funds of the Workers' Compensation Administration Revolving Fund for the purpose of administrative costs associated with this presumption. The bill would make related findings and declarations.

**AB 1365**

**(Garcia D) CalAccount Program.**

**Introduced:** 2/21/2025

**Last Amend:** 4/28/2025

**Is Urgency:** N

**Is Fiscal:** Y

**Location:** 5/14/2025-A. In committee: Set, first hearing. Referred to APPR. suspense file.

**Summary:** Existing law requires the Treasurer to convene the CalAccount Blue Ribbon Commission and requires the commission, on or before July 1, 2024, to conduct a market analysis to determine if it is feasible to implement a CalAccount Program, which, if implemented, would have certain characteristics, including offering Californians access to a voluntary, zero-fee, zero-penalty, federally insured transaction account known as a CalAccount, and related payment services at no cost to accountholders. This bill would repeal those provisions and would establish the CalAccount Program, which would provide every Californian with access to a voluntary,



zero-fee, zero-penalty, federally insured transaction account and related payment services at no cost to accountholders. The bill would require the CalAccount Commission, which would continue in existence the former CalAccount Blue Ribbon Commission, to administer the program. The bill would require the commission to, among other things, enter into contracts with financial institutions to ensure access to ATM networkers and locations where accountholders can deposit funds. The bill would require the commission to solicit proposals for and select a financial services network administrator and establish their duties and functions, and establish a mechanism by which an accountholder may deposit funds into or withdraw funds from a CalAccount account. The bill would allow for participation in the program by providers of in-home supportive services, subject to specified requirements. The bill would establish the CalAccount Fund in the State Treasury, and would make moneys in the fund available upon appropriation by the Legislature. The bill would require all employers and hiring entities to maintain a payroll direct deposit arrangement that enables voluntary worker participation in the program, and would require all employers and hiring entities to take specified actions in that regard, including coordinating their payroll process with the CalAccount Program to facilitate payment by direct deposit. The bill would require the commission to submit an annual report by August 1 to the Governor and the Legislature, among other entities, that contains specified information relating to the CalAccount Program. The bill would require the commission to market the program to the residents of the state if funds are available. The bill would require the Labor Commissioner to investigate complaints of employers or hiring entities failing to allow workers to participate in the CalAccount Program, and would impose a civil penalty for a violation. The bill would require those civil penalties to be deposited into the CalAccount Fund. The bill would require the commissioner to reimburse the Labor Commissioner for the costs of enforcement. This bill contains other related provisions and other existing laws.

#### **AB 1371**

##### **(Sharp-Collins D) Occupational safety and health: employee refusal to perform hazardous tasks.**

**Introduced:** 2/21/2025

**Is Urgency:** N

**Is Fiscal:** Y

**Location:** 5/1/2025-A. 2 YEAR

**Summary:** Existing law, the California Occupational Safety and Health Act of 1973, requires employers to comply with certain safety and health standards, as specified, and charges the Division of Occupational Safety and Health in the Department of Industrial Relations with enforcement of the act. Existing law prohibits an employer from laying off or discharging an employee for refusing to perform work that would violate prescribed safety standards where the violation would create a real and apparent hazard to the employee or other employees. Existing law defines "employee" for purposes of those provisions to include a domestic work employee, except as specified. This bill would revise and recast those provisions to, among other things, allow an employee, acting in good faith, to refuse to perform a task assigned by an employer if it would violate those prescribed safety standards or if the employee has a reasonable apprehension that the performance of the assigned task would result in injury or illness to the employee or other employees. The bill would make the employee's refusal contingent on the employee or another employee, if reasonably practical, having communicated or attempted to notify the employer of the safety or health risk and the employer having failed to provide a response that is reasonably calculated to allay the employee's concerns. The bill would require the employer to pay the employee full wages during their scheduled work hours until, among other things, the employee can reasonably conclude that the task will no longer result in the risk of serious injury or illness to the employee or other employees. The bill would prohibit an employer from using an employee's refusal to perform an assigned task as grounds for any disciplinary action, and would make certain retaliation protections applicable to the bill's provisions. The bill would delete the provision defining "employee" to include a domestic work employee.

#### **AB 1398**

##### **(Valencia D) Workers' compensation.**

**Introduced:** 2/21/2025

**Last Amend:** 4/24/2025

**Is Urgency:** N

**Is Fiscal:** Y

**Location:** 5/14/2025-A. In committee: Set, first hearing. Referred to APPR. suspense file.

**Summary:** Existing law establishes a workers' compensation system, administered by the Administrative Director of the Division of Workers' Compensation, to compensate an employee, as defined, for injuries sustained in the course of employment. Existing law provides that it is unlawful for a physician to refer a person for specified medical goods or services whether for treatment or medical- legal purposes if the physician or their



immediate family has a financial interest with the person or in the entity that receives the referral, except in prescribed circumstances. Existing law requires all interested parties, as defined, to disclose any financial interest in any entity providing services. A violation of these provisions is a misdemeanor. This bill would require all interested parties to provide written disclosure of their financial interest, if any, to a third-party payer or other entity to whom a claim for payment is presented for services furnished pursuant to a referral. By changing the definition of a crime, this bill would impose a state-mandated local program. This bill contains other related provisions and other existing laws

#### **AB 1424**

##### **(Rodriguez, Celeste D) Corrections.**

**Introduced:** 2/21/2025

**Last Amend:** 3/24/2025

**Is Urgency:** N

**Is Fiscal:** Y

**Location:** 5/7/2025-A. In committee: Set, first hearing. Referred to APPR. suspense file.

**Summary:** Under existing law, the California Occupational Safety and Health Act of 1973, the Division of Occupational Safety and Health investigates complaints that a workplace is not safe and may issue orders necessary to ensure employee safety. Under existing law, certain violations of those provisions or a standard, order, or special order authorized by those provisions are a crime. This bill would require the division, by December 1, 2026, to submit a rulemaking proposal for the Occupational Safety and Health Standards Board's review and adoption, specifically applicable to workers in any prison or institution under the jurisdiction of the Department of Corrections and Rehabilitation, as specified. This bill contains other related provisions and other existing laws.

#### **AB 1442**

##### **(Ávila Farías D) Essential Worker Commission.**

**Introduced:** 2/21/2025

**Last Amend:** 3/28/2025

**Is Urgency:** N

**Is Fiscal:** Y

**Location:** 5/1/2025-A. 2 YEAR

**Summary:** Existing law establishes the Labor and Workforce Development Agency, consisting of various offices and entities, including the office of the Secretary of Labor and Workforce Development, the Agricultural Labor Relations Board, and the California Workforce Development Board. This bill would establish the Essential Worker Commission within the Labor and Workforce Development Agency, to review, investigate, and analyze issues relating to essential workers in the state, including workplace safety and health protections and wages and benefits for undocumented workers. The bill would require the Essential Worker Commission, based on that review, investigation, and analysis, to establish the Essential Worker Legal Work Program to provide essential workers with legal pathways to remain in California and work lawfully.

#### **AB 1498**

##### **(Soria D) Workers' compensation: medical treatment.**

**Introduced:** 2/21/2025

**Is Urgency:** N

**Is Fiscal:** Y

**Location:** 5/1/2025-A. 2 YEAR

**Summary:** Existing law establishes a workers' compensation system, administered by the Administrative Director of the Division of Workers' Compensation, to compensate an employee, as defined, for injuries sustained in the course of employment. Existing law requires an employer to provide medical treatment that is reasonably required to cure or relieve an employee from the effects of the injury. Existing law allows employers to create networks of medical treatment providers to send employees to for treatment. Existing law sets out criteria for these networks and exceptions for when an employee may be treated outside of the network. This bill would require the administrative director to establish a statewide medical provider network database, consisting of physicians who are willing and able to treat injured employees in the San Joaquin Valley region. The bill would require an employee to first seek treatment within their employer's or insurer's network, unless the employer's or insurer's network is unable to treat the employee within 30 days of the request for medical treatment. The bill would require physicians, in order to be included in the network, to, among other things, be in good standing with the Medical Board of California and agree to comply with the official medical fee schedule, as specified. The bill would require the administrative director to implement the network on or before January 1, 2027. This bill contains other related provisions.

**AB 1515**

**(Committee on Labor and Employment) Division of Occupational Safety and Health: report.**

**Introduced:** 3/10/2025

**Is Urgency:** N

**Is Fiscal:** Y

**Location:** 5/15/2025-A. In Senate. Read first time. To Com. on RLS. for assignment.

**Summary:** Existing law establishes the Division of Occupational Safety and Health in the Department of Industrial Relations, and charges the division with the enforcement of various laws affecting safe working conditions, including the California Occupational Safety and Health Act of 1973. Existing law requires the Director of Industrial Relations to prepare and submit to the Legislature an annual report on the activities of the division, as specified. This bill would additionally require the director to submit the report to the Governor and post the report on the department's internet website. This bill would also make non-substantive changes to those provisions.

**SB 8**

**(Ashby D) Peace officers: injury or illness: leaves of absence.**

**Introduced:** 12/2/2024

**Last Amend:** 3/27/2025

**Is Urgency:** N

**Is Fiscal:** N

**Location:** 3/27/2025-S. THIRD READING

**Summary:** Existing law establishes a workers' compensation system, which generally requires employers to secure the payment of workers' compensation for injuries incurred by their employees that arise out of and in the course of their employment. Existing law entitles, among others, local law enforcement and probation officers and firefighters employed on a regular full-time basis to a leave of absence without loss of salary while disabled by injury or illness arising out of and in the course of their duties. Existing law provides that a leave of absence under those provisions is in lieu of temporary disability payments or maintenance allowance payments otherwise payable under the workers' compensation system. This bill would expand these provisions to entitle specified peace officers who are employed on a regular, full-time basis by a county of the eighth class, as defined, to this leave of absence. This bill contains other existing laws.

**SB 20**

**(Menjivar D) Occupational safety: fabrication activities on stone slab products.**

**Introduced:** 12/2/2024

**Last Amend:** 3/27/2025

**Is Urgency:** N

**Is Fiscal:** Y

**Location:** 5/16/2025-S. Set for hearing May 23.

**Summary:** Existing law establishes the Department of Industrial Relations in the Labor and Workforce Development Agency and requires the department to be conducted under the control of an executive officer known as the Director of Industrial Relations. Existing law states that the function of the department, among other things, is to foster, promote, and develop the welfare of the wage earners of California, to improve their working conditions, and to advance their opportunities for profitable employment and vests the department with responsibility for administering the state plan for the development and enforcement of occupational safety and health standards relating to issues covered by corresponding standards adopted pursuant to federal law. Existing law establishes the Occupational Safety and Health Standards Board within the department to promulgate occupational safety and health standards for the state, including standards dealing with exposure to harmful airborne contaminants. Existing law requires the Division of Occupational Safety and Health within the department to enforce all occupational safety and health standards, as specified. A violation of these standards and regulations under specific circumstances is a crime. This bill would impose restrictions on specified fabrication activities on certain stone slab products that are used for countertop installation or customization. Specifically, a person or entity engaged in those fabrication activities would be prohibited from using dry methods, and would be required to use effective wet methods, as specified. The bill would make a violation of these provisions' grounds for, among other disciplinary action, an immediate order by the division prohibiting continued fabrication activities on those stone slab

products, but would specify that violation is not a crime. This bill contains other related provisions and other existing laws.

#### **SB 234**

##### **(Niello R) Wildfires: workgroup: toxic heavy metals.**

**Introduced:** 1/28/2025

**Last Amend:** 4/9/2025

**Is Urgency:** N

**Is Fiscal:** Y

**Location:** 5/16/2025-S. Set for hearing May 23.

**Summary:** Existing law requires the Department of Forestry and Fire Protection to do certain things with respect to fire prevention, including organizing fire crews and patrols. This bill would require, upon appropriation by the Legislature, the Department of Forestry and Fire Protection, the Office of Emergency Services, and the Department of Toxic Substances Control, in consultation with specified entities, to form a workgroup related to exposure of toxic heavy metals after a wildfire. The bill would require the workgroup to do certain things, including establishing best practices and recommendations for wildfire-impacted communities, first responders, and other personnel engaged in wildfire response and cleanup to avoid exposure to heavy metals after a wildfire, including outreach. The bill would authorize the Department of Forestry and Fire Protection to contract with public universities, research institutions, and other technical experts to support the work of the workgroup. The bill would require the Department of Forestry and Fire Protection, the Office of Emergency Services, and the Department of Toxic Substances Control to report their findings to the Legislature on or before January 1, 2027.

#### **SB 294**

##### **(Reyes D) The Workplace Know Your Rights Act.**

**Introduced:** 2/6/2025

**Last Amend:** 5/1/2025

**Is Urgency:** N

**Is Fiscal:** Y

**Location:** 5/20/2025. Set for hearing May 23.

**Summary:** Existing law establishes the Division of Labor Standards Enforcement, headed by the Labor Commissioner, within the Department of Industrial Relations, for the purpose of enforcing labor laws. Existing law prescribes the duties and rights of employers and employees relating to specified labor laws, including, among other things, paid sick days, workers' compensation, and notice requirements related to inspections conducted by an immigration agency. This bill would establish the Workplace Know Your Rights Act. The bill would require an employer, within 30 days after the Labor Commissioner posts a template notice on its internet website, and annually thereafter, to provide a stand-alone written notice to each current employee of specified workers' rights, including, among other things, the categories described above, as well as the constitutional rights of employees when interacting with law enforcement at the workplace, as defined by the bill. The bill would also require the employer to provide the written notice to each new employee upon hire and to provide the written notice annually to an employee's authorized representative, if any. This bill contains other related provisions.

#### **SB 447**

##### **(Umberg D) Workers' compensation: death benefits.**

**Introduced:** 2/18/2025

**Is Urgency:** N

**Is Fiscal:** Y

**Location:** 5/16/2025-S. Set for hearing May 23.

**Summary:** Existing law establishes a workers' compensation system, administered by the Administrative Director of the Division of Workers' Compensation, to compensate an employee for injuries sustained in the course of employment. Under existing law, when a local employee who is a firefighter or peace officer, as specified, and that employee is killed or dies as a result of an accident or injury caused by external violence of physical force incurred in the performance of their duty, the employer is required to continue providing health benefits to the deceased employee's minor dependents under the benefits extended to the surviving spouse, or if there is no surviving spouse, until the minor dependent is 21 years of age. This bill would increase

that age to 26 years of age.

**SB 470**

**(Laird D) Bagley-Keene Open Meeting Act: teleconferencing.**

**Introduced:** 2/19/2025

**Last Amend:** 4/10/2025

**Is Urgency:** N

**Is Fiscal:** Y

**Location:** 4/29/2025-S. THIRD READING

**Summary:** Existing law, the Bagley-Keene Open Meeting Act, requires, with specified exceptions, that all meetings of a state body be open and public and all persons be permitted to attend any meeting of a state body. The act authorizes meetings through teleconference subject to specified requirements, including, among others, that the state body post agendas at all teleconference locations, that each teleconference location be identified in the notice and agenda of the meeting or proceeding, that each teleconference location be accessible to the public, that the agenda provide an opportunity for members of the public to address the state body directly at each teleconference location, and that at least one member of the state body be physically present at the location specified in the notice of the meeting. This bill would instead repeal these provisions on January 1, 2030.

**SB 487**

**(Grayson D) Workers' compensation.**

**Introduced:** 2/19/2025

**Last Amend:** 4/21/2025

**Is Urgency:** N

**Is Fiscal:** Y

**Location:** 5/20/2025-S. Set for hearing May 23.

**Summary:** Existing law establishes a workers' compensation system, administered by the Administrative Director of the Division of Workers' Compensation, to compensate an employee for injuries sustained in the course of employment. Existing law requires an employer to provide all medical services reasonably required to cure or relieve the injured worker from the effects of the injury. Existing law establishes a Workers' Compensation Appeals Board and sets forth various proceedings that are required to be brought forth before the board. Existing law authorizes an employer who pays or becomes obligated to pay compensation, salary in lieu of compensation, or an amount to the Department of Industrial Relations to make a claim or bring an action against a third person who caused the injury or death of an employee that gave rise to the employer's obligations. Existing law relieves the employer from an obligation to pay further compensation to or on behalf of the employee if the employer has paid litigation expenses, attorney's fees, and the employer's lien. Existing law requires any release or settlement of a claim to include notice to both the employer and employee, as specified, and the written consent of both the employer and employee, in order for the release or settlement to be valid. Existing law authorizes the appeals board to credit the employer with an amount equal to the recovery by the employee that has not been applied to certain expenses, to be applied against the employer's liability for compensation, as specified. Existing law authorizes an employer to enforce payment of a lien against a third party, or against the employee, if damages have been paid to the employee, in the manner provided for enforcement of money judgments. This bill would state that when the injured employee is a peace officer, as defined, or a firefighter, they are entitled to receive no less than 2/3 of the third-party defendant's liability insurance policy limit, if the employee establishes that their total damages exceed the net recovery after satisfaction of the employer's claim and that the total liability insurance limits available are insufficient to fully compensate the employer and employee's proven damages. The bill would limit an employer's right to reimbursement, subrogation, or lien to the minimum recovery threshold, as specified. The bill would prohibit an employer from asserting any recovery by one of these injured employees as a credit or offset against future workers' compensation benefits and would require a settlement or release to limit an employer's claim for reimbursement to the portion of the settlement not allocated to the employee pursuant to these provisions. This bill contains other existing laws.

**SB 527**

**(Alvarado-Gil R) Worker classification: employees and independent contractors: athletic coaches.**

**Introduced:** 2/20/2025

**Last Amend:** 4/7/2025

**Is Urgency:** N

**Is Fiscal:** Y

**Location:** 5/1/2025-S. 2 YEAR

**Summary:** Existing law, as established in the case of *Dynamex Operations W. v. Superior Court* (2018) 4 Cal.5th 903 (*Dynamex*), creates a presumption that a worker who performs services for a hirer is an employee for purposes of claims for wages and benefits arising under wage orders issued by the Industrial Welfare Commission. Existing law requires a 3-part test, commonly known as the "ABC" test, to determine if workers are employees or independent contractors for those purposes. Existing law establishes that, for purposes of the Labor Code, the Unemployment Insurance Code, and the wage orders of the Industrial Welfare Commission, a person providing labor or services for remuneration is considered an employee rather than an independent contractor unless the hiring entity demonstrates that the person is free from the control and direction of the hiring entity in connection with the performance of the work, the person performs work that is outside the usual course of the hiring entity's business, and the person is customarily engaged in an independently established trade, occupation, or business. This test is known as the "ABC" test, as described above. Existing law charges the Labor Commissioner with the enforcement of labor laws, including worker classification. Existing law exempts specified occupations and business relationships from the application of the ABC test described above. Existing law, instead, provides that these exempt relationships are governed by the multifactor test previously adopted in the case of *S. G. Borello & Sons, Inc. v. Department of Industrial Relations* (1989) 48 Cal.3d. This bill would extend the above-specified exemption to a sports coach for an elementary or secondary private school or local education agency, as prescribed, and would define terms, including "sports coach," for these purposes.

#### **SB 555**

##### **(Caballero D) Workers' compensation: average annual earnings.**

**Introduced:** 2/20/2025

**Last Amend:** 4/1/2025

**Is Urgency:** N

**Is Fiscal:** Y

**Location:** 5/16/2025-S. Set for hearing May 23.

**Summary:** Existing law establishes a workers' compensation system, administered by the Administrative Director of the Division of Workers' Compensation, to compensate an employee for injuries sustained in the course of employment. Existing law provides for temporary disability, permanent total disability, or permanent partial disability benefits, among other benefits, for an injured employee and requires the computation of an injured employee's average annual earnings and average weekly earnings for purposes of determining those disability benefits. Existing law requires, for computing average annual earnings for purposes of permanent partial disability indemnity, that average weekly earnings be taken at various amounts, including between \$240 and \$435 for injuries occurring on or after January 1, 2014, except as specified. This bill would additionally require that the above-described limits be adjusted by the amount equal to the cost-of-living adjustment for federal social security benefits for that year, as specified.

#### **SB 632**

##### **(Arreguín D) Workers' compensation: hospital employees.**

**Introduced:** 2/20/2025

**Last Amend:** 4/10/2025

**Is Urgency:** N

**Is Fiscal:** Y

**Location:** 5/16/2025-S. APPR. Set for hearing May 23.

**Summary:** Existing law establishes a workers' compensation system, administered by the Administrative Director of the Division of Workers' Compensation, to compensate an employee for injuries sustained in the course of employment. Existing law creates a rebuttable presumption that specified injuries sustained in the course of employment of a specified member of law enforcement or a specified first responder arose out of and in the course of employment. Prior existing law, until January 1, 2024, created a rebuttable presumption of injury for various employees, including an employee who works at a health facility, as defined, that included an illness or death resulting from COVID-19, if specified circumstances applied. This bill would define "injury," for a hospital employee

who provides direct patient care in an acute care hospital, to include infectious diseases, cancer, musculoskeletal injuries, post-traumatic stress disorder, and respiratory diseases. The bill would include the 2019 novel coronavirus disease (COVID-19) from SARS-CoV-2 and its variants, among other conditions, in the definitions of infectious and respiratory diseases. The bill would create rebuttable presumptions that these injuries that develop or manifest in a hospital employee who provides direct patient care in an acute care hospital arose out of and in the course of the employment. The bill would extend these presumptions for specified time periods after the hospital employee's termination of employment.

#### **SB 668**

##### **(Hurtado D) Workers' compensation: medical-legal expenses: fee schedule.**

**Introduced:** 2/20/2025

**Last Amend:** 4/24/2025

**Is Urgency:** N

**Is Fiscal:** Y

**Location:** 5/16/2025-S. Set for hearing May 23.

**Summary:** Existing law establishes a workers' compensation system, which provides for comprehensive medical-legal evaluations to assist in the resolution of contested claims. Under existing law, fees for medical-legal evaluations are charged at a rate not to exceed a physician's regular fee, or the fee schedule set by the Administrative Director of the Division of Workers' Compensation, whichever is lower. Existing law requires that the schedule set fees for procedures according to relative values and a conversion factor, allowing for modifiers, as specified. Existing law requires the medical-legal fee schedule to be revised at the same time the fee schedule for medical treatment is revised. This bill would authorize the administrative director to adjust the fee schedule every 2 years based on an evaluation of certain medical practice costs, including increases in the conversion factor and the per-page cost of reviewing records, as specified. The bill would require the administrative director to update the fee schedule at the time they adopt and revise the reasonable maximum fees for, among other things, drugs and pharmacy services provided to an injured employee.

#### **SB 809**

##### **(Durazo D) Employees and independent contractors: construction trucking.**

**Introduced:** 2/21/2025

**Last Amend:** 4/24/2025

**Is Urgency:** N

**Is Fiscal:** Y

**Location:** 5/20/2025-S. Set for hearing May 23.

**Summary:** Existing law, as established in the case of *Dynamex Operations W. v. Superior Court* (2018) 4 Cal.5th 903 (*Dynamex*), creates a presumption that a worker who performs services for a hirer is an employee for purposes of claims for wages and benefits arising under wage orders issued by the Industrial Welfare Commission. Existing law requires a 3-part test, commonly known as the "ABC" test, to determine if workers are employees or independent contractors for those purposes. Existing law establishes that, for purposes of the Labor Code, the Unemployment Insurance Code, and the wage orders of the Industrial Welfare Commission, a person providing labor or services for remuneration is considered an employee rather than an independent contractor unless the hiring entity demonstrates that the person is free from the control and direction of the hiring entity in connection with the performance of the work, the person performs work that is outside the usual course of the hiring entity's business, and the person is customarily engaged in an independently established trade, occupation, or business. This test is commonly known as the "ABC" test, as described above. Existing law charges the Labor Commissioner with the enforcement of labor laws, including worker classification. Existing law exempts specified occupations and business relationships from the application of *Dynamex* and the provisions described above. This bill would provide that mere ownership of a vehicle, including a personal vehicle or a commercial vehicle, used by a person in providing labor or services for remuneration does not make that person an independent contractor. This bill contains other related provisions and other existing laws.

#### **SB 847**

##### **(Reyes D) Workers' compensation: uninsured employer: transfer of real property.**

**Introduced:** 2/21/2025

**Is Urgency:** N

**Is Fiscal:** Y

**Location:** 5/13/2025-S. Read second time. Ordered to third reading.

**Summary:** Existing law establishes a workers' compensation system, administered by the Administrative Director of the Division of Workers' Compensation, to compensate an employee for injuries sustained in the course of employment. Under existing law, an employer is required to provide for the payment of workers' compensation and if the employer has not secured the payment of compensation or is illegally uninsured, a lien may be filed against the employer's property or the property of any person found to be parents or substantial shareholders of the employer. This bill would authorize the director to determine whether a conveyance of real property by an uninsured employer or a substantial shareholder after a date of injury in a claim and prior to the recording of a certificate of lien was intended to retain a beneficial interest in that real property for the uninsured employer or substantial shareholder, resulting in a trust for the benefit of the uninsured employer. The bill would authorize the director to make a prima facie finding that the transaction resulted in a beneficial trust for the uninsured employer when specified circumstances are present, such as the deed indicates that the transfer was made as a gift or that no transfer tax to the county was paid, among others. The bill would require that when the director determines that such a trust exists, a certificate of lien shall be attached to the resulting trust and would require the director to mail written notices of that determination to the transferor and transferee, as prescribed.

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