WORKSAFE

safety, health, and justice for workers

seguridad, salud y justicia para los trabajadores

March Newsletter

Worksafe Turns 41!

Save the date! Our 41st Anniversary Celebration Fundraiser will be held at historic Preservation Park in Oakland on the evening of June 1st from 6-9 pm!

The theme this year, **A Foundation of Respect: Rising Together from the Strength of Community,** was chosen to emphasize the need for a basic level of dignity for all those who contribute to the functioning of society, as well as to honor and celebrate the increase in unionization over the past year!

The event will be held outdoors at Preservation Park in Oakland. Please join us for drinks, hors d'oeuvres, a raffle, the pleasure of sharing space with comrades in worker safety, and to celebrate this year's **Health & Safety Heroes: Laura Stock, the Black Cultural Zone,** and **the California Domestic Workers Coalition**

We look forward to seeing you there!

The Fight Continues for California Domestic Workers

The California Domestic Worker Alliance enters its third year of fighting to remove the exclusion of domestic workers and day laborers from occupational health and safety regulations.

Worksafe and LOHP celebrate the premiere of the film "Dignidad - CA Domestic Workers' Journey for Justice" (photo credit: LOHP)

Last year, after Governor Newsom made it clear he would veto the proposal, the CA Domestic Workers steering committee voted to put forward an amended version requiring Cal/OSHA to develop voluntary guidance with an Advisory Committee made up of stakeholders.

The Advisory Committee published their recommendations at the end of January. Now Senator Durazo has reintroduced the bill to remove the exclusion. The proposed amendment would exclude only publicly funded household domestic service and family daycare homes. There will also be a budget portion of this bill designating a hardship fund to help employers comply with health and safety regulations.

Stephen and Karin attended the soft launch of this campaign, which was the showing of a documentary about the fight for domestic worker safety at Brava Theater in SF. There were about 200 people in attendance. In January the state of California published the country's first health and safety guidelines for domestic workers, and this year advocates will again push Governor Newsom to do away with the racist exclusion of domestic workers from Cal/OSHA protections.

Karin poses with a CA Domestic Workers Alliance member outside the Capitol

Rachel in the Eureka room

LAAC Director of Advocacy Lorin Kline and Advocacy Coordinator Reann Pacheco brief members on speaking with legislators for Legal Aid Week

Capitol Visit

On March 1st, Karin and Rachel traveled to Sacramento with the California Domestic Workers Alliance and Legal Aid Association of California (LAAC). Karín attended the SB 686 campaign launch alongside domestic workers, who spoke to legislators about the bill.

Rachel joined LAAC for Legal Aid Week, a yearly campaign in support of the Equal Access Fund, which helps bridge the justice gap for people who don't have the funds for a lawyer in circumstances where they aren't provided one by the state. LAAC's push this year was simply to thank legislators for supporting this vital civil legal aid for Californians.

Stephen at ABA Mid-Winter WOSH panel in San Diego with Boies Schiller Partner Ben Kim, Deputy Assistant Secretary of Labor Edens, and Morgan Lewis Partner Alana Gunderson (photo: Bill Wahoff)

Doug Parker, former Worksafe ED and current federal Assistant Secretary of Labor for Occupational Safety and Health, poses for a selfie with Stephen

ABA Mid-Winter WOSH Meeting

Stephen traveled to San Diego for the ABA's Mid-Winter Meeting of the Workplace Occupational Safety & Health Committee. Over 120 lawyers and OSH professionals attended from around the country.

Stephen spoke on a March 9 panel entitled "COVID-19: Rearview Mirror or Driver's Seat?", reminding the overwhelmingly employer-side interests in the room that the pandemic is not over, stating that deadly outbreaks such as at Foster Farms poultry plant in Livingston showed disregard for workers' basic

humanity, and that job and pay protections must be included in preparations for the next pandemic.

In a noteworthy comment during the panel discussion regarding the regulation of transmissible diseases as a valid workplace concern (business interests and the US Supreme Court continue to contend that somehow it is not), Deputy Assistant Secretary of Labor Amanda Edens noted that gravity also exists beyond the workplace, and yet OSHA has a fall protection standard.

Legislative Priorities

We'll have many more to come in the upcoming months (it's a busy legislative season!), but two notable ones we wanted to share immediately: SB 497 (Smallwood-Cuevas), the Equal Pay and Anti-Retaliation Act, which would create a rebuttable presumption that a negative action against an employee is retaliatory if it occurs within 90 days of reporting a labor or equal pay violation. The bill would also allow whistleblowers who experience retaliation to collect a penalty of up to $10,000 that lawbreaking employers now pay to the State.

A majority of California workers who report workplace violations do experience retaliation. And so many of us don't speak up. And when workers are afraid to speak up, wage theft, unequal pay, and workplace hazards are allowed to flourish, making our communities less safe and equitable.

Another top priority is SB 227, which would extend up to $300/week of unemployment to those who are otherwise ineligible (mainly people without legal status.)

Donate to Worksafe

Worksafe in the News

- Battle Over Infectious-Disease Regulations Under Way in California, Society for Human Resource Management, March 17
- Immigrant Detention Center Operator Faces Fines, Lawsuit Over Working Conditions, Capital & Main, February 8

- Paid Sick Leave Roils Sides in California Disease Rule Proposal, Bloomberg Law, January 17
- Cal/OSHA Staff Shortage Creates Backlog of Cases, Capital & Main, January 10

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