



August 13, 2020

The Honorable Gavin Newsom
Governor, State of California
State Capitol, First Floor
Sacramento, CA 95814

RE: Request for Workplace Emergency Standard for Vulnerable, Essential Workers

Dear Governor Newsom:

We are concerned by the increasing numbers of COVID-19 outbreaks and unsafe workplace conditions reported among our state’s essential workforce—in particular, low-wage, vulnerable workers in the agricultural and food supply industries. Accordingly, we ask your administration to take immediate action to expedite the adoption of an Emergency Standard to protect all workers from COVID-19 related hazards at work. California needs an enforceable Cal/OSHA standard that both employers and workers can rely upon. The future health of our workers and their families depends on it.

As your own recent actions confirm, our state’s workers—especially our essential workers—are often the most likely to contract the virus. Indeed, Cal/OSHA has received an unprecedented number of complaints from thousands of workers across California about COVID-related hazards. Based on these, as well as many news reports, we believe many employers are ignoring existing guidance. An Emergency Standard which specifically covers COVID-19 hazards is needed to set clear, enforceable metrics for employers to meet and to compel reluctant businesses to take appropriate action to protect workers and the public.

While Cal/OSHA has various standards for employers to follow to prevent injury and illness, these existing standards are very broad and not specific to COVID-19. Critical preventive measures such as social distancing, quarantining, ventilation, and training on COVID-19 are not called out. As a result, counties and other local governments have adopted a patchwork of regulations and policies that confuse employers and keep workers less than adequately safe. We must do more at the State level to protect workers from getting COVID-19 at work, from spreading it to their coworkers, and from taking it home to their families.

Worksafe and the Labor & Employment Committee of the National Lawyers Guild have submitted a petition for an infectious disease standard for all workers. As the action alert for the petition notes, “While Cal/OSHA and the State of California have published guidance documents that outline employer requirements for protecting workers, guidance can only do so much. A standard would give Cal/OSHA a more powerful tool to enforce the rules and hold employers accountable.”¹ We urge you to act quickly, and work with the Occupational Safety & Health

¹ “We Need an Emergency Cal/OSHA Standard for COVID,” Worksafe and the Labor & Employment Committee of the National Lawyers Guild, accessed July 30, 2020 at <https://worksafe.org/covid/action.html>

Standards Board to enact a strong standard, such as the one included in this petition, to ensure that all Californians are safe and protected at work. Prompt action will help save lives through reducing the risk of spreading COVID-19 within workplaces, allowing us to reopen the economy while truly minimizing the further spread of the disease.

We as Members of the Legislature stand ready to support you however may be necessary with this request. Please keep the office of Assemblymember Robert Rivas up-to-date on your efforts in this area (your staff can reach his Chief of Staff, Spencer Jones, at (916) 319-2030 or spencer.jones@asm.ca.gov), as well as the office of Assemblymember Eloise Reyes (her Chief of Staff is Mark Farouk, at (916) 319-2047 or mark.farouk@asm.ca.gov). Thank you for your immediate attention to this critical issue.

Sincerely,



ROBERT RIVAS
Assemblymember
30th District



ELOISE REYES
Assemblymember
47th District



BUFFY WICKS
Assemblymember
15th District



CRISTINA GARCIA
Assemblymember
58th District



MARC LEVINE
Assemblymember
10th District



JOAQUIN ARAMBULA
Assemblymember
31st District



LAURA FRIEDMAN
Assemblymember
43rd District



SCOTT WIENER
Senator
11th District



JIM WOOD
Assemblymember
2nd District



ASH KALRA
Assemblymember
27th District



DAVID CHIU
Assemblymember
17th District



LUZ RIVAS
Assemblymember
39th District



MIGUEL SANTIAGO
Assemblymember
53rd District



KANSEN CHU
Assemblymember
25th District



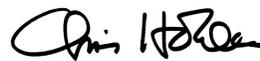
JAMES RAMOS
Assemblymember
40th District



PHIL TING
Assemblymember
19th District



SHARON QUIRK-SILVA
Assemblymember
65th District



CHRIS HOLDEN
Assemblymember
41st District

cc: The Honorable Anthony Rendon, Speaker, California State Assembly
The Honorable Toni Atkins, President Pro Tem, California State Senate
The Honorable Lorena Gonzalez, Chair, Latino Caucus, California Legislature
The Honorable Maria Elena Durazo, Vice-Chair, Latino Caucus, California Legislature
The Honorable Jerry Hill, Chair, Committee on Labor, Public Employment, and Retirement, California State Senate
The Honorable Ash Kalra, Chair, Committee on Labor and Employment, California State Assembly

Secretary Juli Su, California Labor and Workforce Development Agency
Katrina Hagen, Director, Department of Industrial Relations
David Thomas, Chair, Occupational Safety & Health Standards Board
Christina Shupe, Executive Officer, Occupational Safety & Health Standards Board
Douglas Parker, Chief, Division of Occupational Safety and Health