

**ASSEMBLY BILLS
2021-2022**

AB 7 Rodriguez Emergency ambulance employees: multi-threat body protective gear.

Requires private emergency ambulance providers to provide multithreat body protective gear to an emergency ambulance employee upon their request and to make the protective gear readily available for the requesting employee when responding to an emergency call. Status: Vetoed by Governor Newsom.

AB 25 Kiley Worker classification: employees and independent contractors.

This bill would generally repeal provisions relating to the “ABC” test for various specified occupations and business relationships. The bill would, instead, require the determination of whether a person is an employee or an independent contractor to be based on the specific multifactor test set forth in Borello, including whether the person to whom service is rendered has the right to control the manner and means of accomplishing the result desired, and other identified factors. Status: Dead bill.

AB 73 R. Rivas Health emergencies: employment safety: ag. workers: wildfire smoke.

Expands the definition of essential workers to include agricultural workers for the purpose of accessing the personal protective equipment (PPE) stockpile for emergencies established by the State Department of Public Health and the Office of Emergency Services. Directs the Division of Occupational Safety and Health (Cal/OSHA) to review and update the content of wildfire smoke training in existing regulations. Requires training provided by employers to be in a language and manner readily understandable by employees. Status: Chapter 322, Statutes of 2021.

AB 95 Low Employees: bereavement leave.

This bill requires an employer, including any public sector employer, to provide up to 10 business days of unpaid bereavement leave upon the death of a spouse, child, parent, parent-in-law, sibling, grandparent, grandchild or domestic partner. This leave does not need to be consecutive, but must be completed within three months of the death of the family member. This bill also authorizes an employee, whose employer discharges, disciplines or discriminates against them because they took bereavement leave, to file a complaint with the Labor Commissioner (LC) or to bring a civil action without exhausting any administrative remedies. Status: Dead bill.

AB 230 Voepel Employment: flexible work schedules.

This bill would enact the Workplace Flexibility Act of 2021. The bill would permit an individual nonexempt employee to request an employee-selected flexible work schedule providing for workdays up to ten hours per day within a 40-hour workweek, and would allow an employer to implement this schedule without the obligation to pay overtime compensation for those additional hours in a workday, except as specified. The bill would require that the flexible work schedule contain specified information and the employer’s and the employee’s original signature. The bill would also require the Division of Labor Standards Enforcement in the Department of Industrial Relations to enforce this provision and adopt regulations. Status: Dead bill.

AB 231 Nguyen Worker classification: employees and independent contractors:
licensed manicurists.

Existing law exempts specified occupations and business relationships from the application of the ABC test. 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 341. These exemptions include services provided by a licensed manicurist, subject to the manicurist meeting specified conditions. Existing law makes this exemption for licensed manicurists inoperative on January 1, 2022. This bill would delete the January 1, 2022, inoperative date, thereby making licensed manicurists subject to this exemption indefinitely. Status: Dead bill.

AB 257 Holden Food facilities and employment.

Enacts the Fast Food Accountability and Standards (FAST) Recovery Act to, among other things, establish the Fast Food Council (Council), until January 1, 2029, within the Department of Industrial Relations (DIR) for the purpose of establishing sectorwide minimum standards on wages, working hours, and other working conditions related to the health, safety, and welfare of, and supplying the necessary cost of proper living to, fast food restaurant workers. Status: Chapter 246, Statutes of 2022.

AB 364 Rodriguez Foreign labor contractor registration: ag. workers.

Adds foreign labor contractors who recruit or solicit agricultural workers to coverage under the Labor Commissioner's (LC) foreign labor contractor registration program. Status: Vetoed by Governor Newsom.

AB 385 Flora Labor Code Private Attorneys General Act of 2004.

This bill would prohibit an aggrieved employee from maintaining an action on behalf of themselves or any other aggrieved employee under the act if certain conditions apply, including if the aggrieved employee has brought an action under the act in conjunction with, or in addition to, claims for monetary damages or penalties for violations of the Labor Code arising out of the same period of employment that occurred between March 4, 2020, and the state of emergency termination date, as defined. Status: Dead bill.

AB 436 Fong Wages: records: inspection and copying.

Existing law gives every current and former employee, or a representative, the right to inspect and receive a copy of the personnel records that the employer maintains relating to the employee's performance or to any grievance concerning the employee. Existing law requires the employer to make the contents of those personnel records available for inspection to the current or former employee, or a representative, at reasonable intervals and at reasonable times, but not later than 30 calendar days from the date the employer receives a written request, unless the current or former employee, or a representative, and the employer agree in writing to a date beyond 30 calendar days to inspect the records, and the agreed-upon date does not exceed 35 calendar days from the employer's receipt of the written request. Similar provisions apply to a written request from a current or former employee, or a representative, for a copy of the personnel records. This bill would require, if an employee or their representative requests to inspect or copy records relating to the itemized statement and also requests to inspect or receive a copy of personnel records, that the deadline to comply with both requests be governed by the response deadline provisions for personnel records. Status: Dead bill.

AB 437 Kalra Employee obligations: exclusivity requirements: actor

Prohibits, except under prescribed circumstances and for contracts entered into on or after January 1, 2023, a contract for the personal or professional services of an employee working as an actor in the production of

a scripted episodic series, as specified, from prohibiting that employee from working for multiple employers. Status: Dead bill.

AB 513 Bigelow Employment: telecommuting employees.

This bill would authorize an employee working from home or a remote location not at the physical location of the employer to receive legally required notices and postings electronically and sign or acknowledge certain documents electronically. The bill would also authorize an employee who works from home or a remote location to have any wages due at the time of separation of employment mailed to the employee using the address the employer has on file for the employee for sending notices. The bill would require the wages to be deemed paid on the date of mailing. Status: Dead bill.

AB 530 Fong PAGA: filing requirements.

The Labor Code Private Attorneys General Act of 2004 authorizes an aggrieved employee on behalf of the employee and other current or former employees to bring a civil action to recover specified civil penalties that would otherwise be assessed and collected by the Labor and Workforce Development Agency for the violation of certain provisions affecting employees. The act requires compliance with specified filing requirements by the aggrieved employee in order to bring the action, including providing notice to the agency and the employer with the specific provisions of the Labor Code alleged to have been violated, and the facts and theories that support the alleged violations. This bill would also require the aggrieved employee to inform the employer which specific violations of the code are being brought under each subdivision of the act and to inform the employer if statutory right to cure provisions apply. Status: Dead bill.

AB 565 Lackey Interagency Advisory Committee on Apprenticeship: homeless youth and foster youth.

Expands membership of the Interagency Advisory Committee on Apprenticeship (IACA) by adding the Director of the State Department of Social Services as an ex officio member.

Requires the IACA to create a subcommittee to study and report on issues related to the participation of homeless youth and foster youth in apprenticeships and preapprenticeships, as specified. Status: Chapter 194, Statutes of 2022.

AB 572 Kalra California Workforce Development Board: employment policies.

This bill requires the California Workforce Development Board (CWDB), upon appropriation by the Legislature, to establish an outreach, education and certification program for restaurants to address workforce disparities and implement high-road employment policies. Status: Dead bill.

AB 612 Mayes Worker classification: business-to-business voluntary deposit arrangements.

This bill would create a new exemption from the ABC test for a bona fide business-to-business arrangement that involves a voluntary deposit, as described, under specified conditions. Status: Dead bill.

AB 616 Stone Ag. labor relations: labor representative elections: ballot card election.

Permits agricultural employees to select their collective bargaining representative through a representation ballot card election by mailing or delivering directly their sealed ballot to the Agricultural Labor Relations Board (ALRB). Status: Vetoed by Governor Newsom.

AB 628 E. Garcia Breaking Barriers to Employment Initiative.

Makes changes to the Breaking Barriers to Employment Initiative (BBEI), administered by the California Workforce Development Board (CWDB), in order to expand the purpose of the BBEI to include efforts to help individuals to retain employment as well as efforts that enhance racial and economic justice. This bill would also revise and expand the BBEI's grant application requirements, evaluation criteria, list of eligible populations which the BBEI can serve, and eligible activities which the BBEI grants can fund. Status: Chapter 323, Statutes of 2021.

AB 637 Lackey Enabling Youth to Access Workforce Training Grant Program.

This bill, upon appropriation by the Legislature, creates the Enabling Youth to Access Workforce Training Grant Program (Program). The Program would provide grants to homeless youth and current or former foster youth, so they have access to supportive services necessary to enable their participation in workforce development programs. Status: Dead bill.

AB 643 Ramos Apprenticeship programs: career fairs.

Requires local school districts or schools planning college or career fairs to notify apprenticeship programs in their county utilizing contact information from the database of approved apprenticeship programs published by the Division of Apprenticeship Standards on its internet website. Status: Chapter 324, Statutes of 2021.

AB 650 Muratsuchi Employer-provided benefits: health care workers: COVID-19: hazard pay retention bonuses.

Requires health care employers to provide hazard pay retention bonuses to specified health care workers on January 1, 2022, April 1, 2022, July 1, 2022, and October 1, 2022. Permits an employer to seek an exemption in whole or in part from the payment of bonuses based on an inability to pay. Status: Dead bill.

AB 654 Reyes COVID-19: exposure: notification.

Expands the employers exempt from the COVID-19 outbreak reporting requirement, clarifies the time frame for employer notification of cases to public health agencies, and narrows the definition of worksite for the purpose of covered exposures. Status: Chapter 522, Statutes of 2021.

AB 680 Burke Greenhouse Gas Reduction Fund: California Jobs Plan Act of 2021.

Establishes the California Jobs Plan Act of 2021 which requires State Air Resources Board (CARB) to work with the Labor and Workforce Development Agency (LWDA) to update, by July 1, 2025, the funding guidelines for administering agencies to ensure that all applicants to grant programs funded by the Greenhouse Gas Reduction Fund (GGRF) meet fair and responsible employer standards and provide inclusive procurement policies. Status:

AB 701 L. Gonzalez Warehouse distribution centers.

Requires specified employers of 100 or more nonexempt employees at a single warehouse distribution center or 1000 or more nonexempt employees at one or more warehouse distribution centers in the state to provide each employee with a written description of each quota they are subject to within a defined time period and any potential adverse action that could result from a failure to meet the quota. Status: Chapter 197, Statutes of 2021.

AB 755 Flora Labor Commissioner: unlawful discrimination: report.

Existing law requires the Labor Commissioner to submit an annual report to the Legislature by February 15 of each year providing specific information with respect to discrimination complaints under the above provisions for the previous calendar year. This bill would change the deadline for that report to March 15 of each year, commencing with March 15, 2022. Status: Dead bill.

AB 757 Davies Private employment: COVID-19: positive test or diagnosis: documentation.

This bill would authorize a private employer to request prescribed documentation of a positive COVID-19 test or diagnosis if an employee reports that the employee has been diagnosed or tested positive for COVID-19 and is unable to work and the employer determines that an employee may be subject to a 14-day exclusion from the workplace as required under certain law or regulations. The bill would require an employer, in requesting documentation pursuant to the bill and in receiving information in response to that request, to comply with existing privacy protections. Status: Dead bill.

AB 783 Gray Surface mines: safety regulation.

Prohibits the Division of Occupational Safety and Health (Cal/OSHA) from issuing a citation or notice to a surface mine employer more than six months after the occurrence of a violation. Requires that a "Notice of Hazard" be issued within 72 hours of an inspection when an inspector has found observable conditions that may cause an injury if not addressed with reasonable promptness, as specified. Status: Vetoed by Governor Newsom.

AB 794 Carrillo Air pollution: new drayage and short-haul trucks: incentive programs: eligibility: labor standards.

Attaches labor standards to eligibility for various clean vehicle incentive programs administered by the California Air Resources Board (CARB) for fleet purchasers of new drayage or short-haul trucks. Status: Chapter 748, Statutes of 2021.

AB 857 Kalra Employers: Labor Commissioner: required disclosures.

Requires H-2A visa employers to provide notice of specified state and federal employment rights in Spanish, and if requested, in English, to all H-2A farm workers on their first day of work or when they are transferred to another employer. Status: Vetoed by Governor Newsom.

AB 858 Jones-Sawyer Employment: health information technology: clinical practice guidelines: worker rights.

Provides that a direct patient care worker at a general acute care hospital and their collective bargaining representative shall be notified of the implementation of new health information technology, may provide input in such implementation, and is permitted to override it, as specified, without fear of discrimination or retaliation. Status: Vetoed by Governor Newsom.

AB 983 Kalra Employee obligations: exclusivity options.

This bill limits the damages that a recording company can recover from a music artist if the artist elects to terminate a recording contract with the company after seven years without rendering all of the services required under the contract. Status: Dead bill.

AB 995 L. Gonzalez Paid sick days: accrual and use.

Expands the state's paid sick leave program to provide an employee with no less than 40 hours or five days of sick leave by the 200th calendar day of employment. Status: Dead bill.

AB 1008 Grayson Unemployment insurance: employee status: definition.

This bill would exempt from the definition of employment, a seller that sells or demonstrates products in the buyer's business. The bill would also specify that certain types of vehicles used to sell specified tools do not qualify as a retail or wholesale establishment for purposes of these provisions. Status: Dead bill.

AB 1023 Flora Contractors and subcontractors: records: penalties.

Allows the Labor Commissioner (LC) to impose a penalty on a contractor or subcontractor on a public works project if they fail to furnish payroll records to the LC, as specified. Status: Chapter 326, Statutes of 2021.

AB 1028 Seyarto Telework Flexibility Act.

This bill would permit an individual nonexempt employee to request an employee-selected remote work flexible work schedule providing for workdays up to 10 hours per day within a 40-hour workweek and would allow an employer to implement this schedule without the obligation to pay overtime compensation for those additional hours in a workday, except as specified. The authorization would apply only if an employee is working remotely and not under the physical control of the employer. The bill would require that the flexible work schedule contain specified information and the employer's and the employee's original signatures. The bill would except split shift premiums from application to the work of employees who are working an employee-selected remote work flexible work schedule. The bill would require the Division of Labor Standards Enforcement in the Department of Industrial Relations to enforce this provision and adopt regulations. This bill would authorize any nonexempt employee working from home who is not under the physical control of the employer to choose when to take any meal or rest period during the workday, if the employer has not already scheduled a meal or rest period within the requirements of the law. The bill would require an employer to notify the employee of this right one time, when the employee begins working from home and if the employer fails to provide this notification, to pay only one additional hour of pay for each day that the employer fails to provide this notice. Status: Dead bill.

AB 1033 Bauer-Kahan California Family Rights Act: parent-in-law: small employer family leave mediation: pilot program.

Recasts the notice provisions of the small employer family leave mediation pilot program under the California Family Rights Act (CFRA) to require an employee alleging a violation of job protected leave to contact the dispute resolution division of the Department of Fair Employment and Housing (DFEH) prior to filing a civil action. Clarifies the duty of an employee or employer to request mediation and adopts timelines for the DFEH's initiation and completion of the mediation. Status: Chapter 327, Statutes of 2021.

AB 1041 Wicks Employment: leave.

Expands the list of individuals for which an employee can take leave under the California Family Rights Act (CFRA) and the Healthy Workplaces, Healthy Families Act of 2014 to include a "designated person", by the employee, and allows an employer to limit the employee to one designated person per 12-month period for family care and medical leave. Status: Chapter 748, Statutes of 2022.

AB 1074 L. Gonzalez Employment: displaced workers.

Adds employees who provide hotel services, including guest service, as defined, food and beverage, or cleaning, for a contractor or subcontractor to the Displaced Janitor Opportunity Act. Status: Vetoed by Governor Newsom.

AB 1105 Rodriguez Hospital workers: COVID-19 testing.

AB 1105 would (1) require general acute care hospital employers to develop and implement a program to offer COVID-19 screening testing for health care personnel, as defined, and (2) require general acute care hospital employers to test patients for COVID-19 prior to being admitted, with specified conditions and exceptions. Status: Dead bill.

AB 1119 Wicks Employment discrimination.

This bill expands the list of protected characteristics under the Fair Employment and Housing Act (FEHA) to include "family responsibilities," defined as an obligation to provide ongoing care to a minor child or "care recipient." Status: Dead bill.

AB 1122 C. Garcia Employment discrimination.

This bill would provide that, under FEHA, it is not a violation of the rights of any individual who is not chosen for an employer to hire or promote a member of a protected group, if the employer determines that the individual hired or promoted is qualified for the job and the individual hired or promoted is a member of a protected group that is underrepresented in the type of job in question in the relevant general workforce. Under the bill, the exemption would not apply if the individual hired or promoted is a member of a protected group that, prior to the selection of the individual, was overrepresented in the type of job in the employer's workforce or an individual challenging the hire or promotion decision is a member of a protected group that is underrepresented in the type of job in the relevant general workforce and there is substantial evidence that the individual's protected status was a substantial factor in the hire or promotion decision. The bill would define terms for this purpose. Status: Dead bill.

AB 1175 Aguiar-Curry Occupational Safety and Health: inspections and investigations: advance notice.

This bill would revise those advance warning provisions to prohibit any representative of the division from giving advance notice of an inspection or investigation to an employer or other person unless authorized under OSHA. The bill would authorize the chief or their authorized representatives to permit advance notice of an inspection or investigation when advance notice is necessary to ensure availability of essential personnel or access to the site, equipment, or process, as prescribed by the director. The bill would delete the prohibition on the authorization of advance notice when the investigation or inspection is to be made as a result of an employee complaint. The bill would expand the crime to apply to unauthorized advance notice of an investigation to be conducted, thereby imposing a state-mandated local program. Status: Dead bill.

AB 1179 Carrillo Employer provided benefit: backup childcare.

This bill requires an employer with 1,000 or more employees, including the state and a local government, to provide an eligible employee with up to 60 hours of paid backup childcare benefits. Status: Dead bill.

AB 1192 Kalra Employment information: worker metrics.

Requires employers with 1,000 or more employees, on or before March 31, 2023, to report worker-related statistics on an annual basis to the Labor and Workforce Development Agency (LWDA) and requires the LWDA to publish on its internet website these statistics. Status: Dead bill.

AB 1227 Levine Worker classification: employees and independent contractors: workers in seasonal live theatre.

Would exempt workers in seasonal live theatre from the ABC test. Status: The labor provisions were subsequently amended out.

AB 1256 Quirk Employment discrimination: cannabis screening test.

Prohibits an employer from discriminating against a person in hiring, termination, or any term or condition of employment because a drug screening test has found the person to have nonpsychoactive cannabis metabolites in their urine, hair, or bodily fluids. The bill would exempt from its provisions an employer that is required to conduct testing for nonpsychoactive cannabis metabolites by federal law or regulations, or that would lose a monetary or licensing-related benefit for failing to conduct testing for nonpsychoactive cannabis metabolites. The bill would also exempt employment in the building and construction trades. Status: Dead bill.

AB 1273 Rodriguez Interagency Advisory Committee on Apprenticeship: the Director of Consumer Affairs and the State Public Health Officer: earn and learn training.

Makes the State Public Health Officer and the Director of Consumer Affairs ex officio members of the Interagency Advisory Committee on Apprenticeship (IACA). Prohibits the Department of Consumer Affairs and its various boards from approving an accrediting program that prohibits earn and learn programs for training in a profession licensed or certified by the board. Prohibits the State Department of Public Health, in the licensing and certification of health professions, from prohibiting earn and learn programs for training of personnel. Requires boards of the Department of Consumer Affairs and the State

Department of Public Health to use licensing or certification standards that authorize the use of earn and learn training. Status: Chapter 477, Statutes of 2021.

AB 1319 L. Gonzalez The Cooperative Economy Act.

This bill establishes the Cooperative Economy Act and creates a private, non-profit mutual benefit corporation called the Federation of California Worker Cooperatives (Federation) to serve as a voluntary membership organization for worker cooperatives. Status: Dead bill.

AB 1385 L. Gonzalez Employee obligations: exclusivity options: music talent and actors.

Authorizes recording artists to terminate a personal services agreement at any time, by written notice and without an obligation to pay damages, and limits the length of time that companies can exercise contract options for recording artists and actors performing in an episodic series. Status: Dead bill.

AB 1433 Irwin Rapid Digital Upskilling for Displaced Workers Grant Program.

This bill would establish the Rapid Digital Upskilling for Displaced Workers Grant Program, to be administered by the board. The bill would require the board to award grants to 5 counties for Rapid Digital Upskilling for Displaced Workers training programs to provide specified skills to individuals to empower them for careers in growth industries, as prescribed. The bill would establish eligible uses of training program funds and requirements for grant applications and grant awards. The bill would require the board to prepare and submit to the Legislature, by March 1, 2023, a report regarding the uses and outcomes of funds appropriated for purposes of the bill, to include, at a minimum, prescribed information relating to program participation and effectiveness. The bill would define terms for its purposes. The bill would make implementation of the grant program contingent on appropriation by the Legislature of funds for the purposes of the bill. Status: Dead bill.

AB 1453 Muratsuchi Environmental justice: Just Transition Advisory Commission: Transition Plan.

This bill establishes the Just Transition Advisory Commission (Commission) and tasks the Commission with developing and adopting a Just Transition Plan (Plan), containing recommendations to transition the state to a climate-resilient and low-carbon economy while protecting specified workers and communities. The Commission must submit the plan to the Legislature by January 1, 2024. Status: Dead bill.

AB 1506 Kalra Worker status: employees and independent contractors: newspaper distributors and carriers.

Extends the sunset to the newspaper carriers' exemption from the ABC test for employment status to January 1, 2025. Requires newspaper publishers and distributors to annually report information regarding carrier employment, wage claims and lawsuits, and average wage rate, to the Labor and Workforce Development Agency. Status: Chapter 328, Statutes of 2021.

AB 1510 E. Garcia Unauthorized workers: Essential Worker and Economic Stability Act.

This bill would require the EDD to determine the extent of labor shortages in the state's essential critical infrastructure workforce sectors and provide that information to specified federal government entities. The bill would require the department to convene a working group to address the issues relating to a work permit program for unauthorized persons who are essential critical infrastructure workforce employees to work and live in the state, and to serve as liaison to the United States Department of Homeland Security and the United States Department of Justice to ensure that state departments are not taking on responsibilities in matters dealing with immigration policy that are the jurisdiction of the federal government. This bill would require the working group to create and submit to the Legislature and the Governor a report expressing its recommendations, which would be required to incorporate specified provisions describing a model statewide program and a model county pilot program. The bill would require the Governor, using the report, to make a formal request to the federal government to implement a statewide program, a county pilot program, or both, to provide unauthorized persons who are essential critical infrastructure workforce employees with a permit to work and live in California. The bill would require the Governor to issue an explanation if the federal government proposes a program and the Governor disapproves of the proposed program. The bill would state the intent of the Legislature to enact necessary implementing legislation in the future if the federal government approves a program requested by the Governor or proposes a program to provide unauthorized persons who are essential critical infrastructure workforce employees with a permit to work and live in California. This bill would require the working group to thereafter address the ongoing policy issues revolving around Congress's work on immigration reform, the federal minimum wage, and the impact those issues will have on the workforce needs of California, and to report on labor shortages, as specified, to the Legislature annually. Status: Dead bill.

AB 1561 L. & E. Worker classification: employees and independent contractors.

Extends the sunset on the exemption from the ABC test for employment status for licensed manicurists and subcontractors in the construction trucking industry. Also clarifies the exemption for the relationship between data aggregators and research subjects and for specified insurance industry occupations. Clarifies the manufactured housing salesperson exemption. Status: Chapter 422, Statutes of 2021.

AB 1601 Akilah Weber Employment protections: mass layoff, relocation, or termination of employees: call centers.

Prohibits a call center employer from ordering the relocation of its call center, as defined, unless 60 days before the order takes effect, the employer gives written notice of the order to affected employees. Status: Chapter 752, Statutes of 2022.

AB 1643 R. Rivas Labor Agency: heat: advisory committee study.

Requires, on or before July 1, 2023, the Labor and Workforce Development Agency (LWDA) to establish an advisory committee of specified representatives to evaluate and recommend the scope of a study on the effects of heat on California's workers, businesses, and the economy. Status: Chapter 263, Statutes of 2022.

AB 1644 Flora Greenhouse Gas Reduction Fund: California Jobs Plan Act of 2021.

Seeks to ensure the timely delivery of funds to prevent and fight wildfires as soon as possible, by exempting certain projects funded by the Greenhouse Gas Reduction Fund (GGRF) from the requirements of the California Jobs Plan Act of 2021 (Act). Provides that the Act is not intended to weaken preexisting

legal protections for workers by excusing compliance with any requirements that would apply in the absence of the Act. Status: Chapter 202, Statutes of 2022.

AB 1647 Salas Surface mines: safety regulation: Voluntary Protection Program.

Authorizes a surface mine or quarry that has been accepted into, and is in compliance with, the California Voluntary Protection Program (Cal/VPP) of the Division of Occupational Safety and Health (DOSH also known as Cal/OSHA) to be excepted from the annual inspection requirement. Status: Dead bill.

AB 1651 Kalra Worker rights: Workplace Technology Accountability Act.

Establishes limitations on the use of data-driven technologies in the workplace by requiring employers to notify workers prior to data collection, initiating electronic monitoring, and deploying algorithms. Requires the technology be used pursuant to a valid business practice and be job-related and that employers conduct impact assessments with worker input for algorithms. Status: Dead bill.

AB 1717 Aguiar-Curry Public works: definition.

Expands the definition of "public works," for the purpose of the payment of prevailing wages, beginning on January 1, 2024, to also include fuel reduction work paid for in whole or in part by public funds performed as part of a fire mitigation project, including, but not limited to, residential chipping, rural road fuel breaks, fire breaks, and vegetation management. Status: Vetoed by Governor Newsom.

AB 1727 Medina Public works: fees: small business.

Existing law generally requires a contractor or subcontractor to be registered with the Department of Industrial Relations to be qualified to bid on, be listed in a bid proposal, or engage in the performance of any public work contract. Existing law requires a contractor or subcontractor to meet specific conditions to qualify for this registration, including, among other things, to pay a \$400 application fee to qualify for registration and to pay an annual renewal fee. This bill would reduce the application and annual renewal fee for a small business, as defined, to \$200. The bill would prohibit the application and renewal fee for a contractor or subcontractor that does not qualify as a small business from being increased to support the above-described fee decrease. Status: Dead bill.

AB 1761 Voepel Employment: flexible work schedules.

This bill would enact the Workplace Flexibility Act of 2022. The bill would permit an individual nonexempt employee to request an employee-selected flexible work schedule providing for workdays up to 10 hours per day within a 40-hour workweek, and would allow an employer to implement this schedule without the obligation to pay overtime compensation for those additional hours in a workday, except as specified. The bill would require that the flexible work schedule contain specified information and the employer's and the employee's original signature. The bill would also require the Division of Labor Standards Enforcement in the Department of Industrial Relations to enforce this provision and adopt regulations. Status: Dead bill.

AB 1775 Ward Occupational safety: live events.

Provides that a contracting entity shall require an entertainment events vendor to certify that their employees, and any subcontractors' employees, as part of a production contract, have completed either the state or federal 10-hour Occupational Safety and Health Administration (OSHA) general safety training or the training specific to the entertainment and exhibition industries. Requires heads of departments or leads

to have completed the state or federal OSHA-30 safety training with additional certification, as specified. Status: Chapter 759, Statutes of 2022.

AB 1818 Nguyen Worker classification: employees and independent contractors: licensed manicurists.

Existing law exempts specified occupations and business relationships from the application of the ABC test. 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 341. These exemptions include services provided by a licensed manicurist, subject to the manicurist meeting specified conditions. Existing law makes this exemption for licensed manicurists inoperative on January 1, 2025. This bill would delete the January 1, 2025, inoperative date, thereby making licensed manicurists subject to this exemption indefinitely. Status: Dead bill.

AB 1820 Arambula Division of Labor Standards Enforcement: Labor Trafficking Unit.

Establishes the Labor Trafficking Unit (LTU) within the Department of Labor Standards Enforcement (DLSE) to coordinate with the Labor Enforcement Task Force (LETF), the Criminal Investigation Unit, the Department of Justice (DOJ), and the Civil Rights Department to investigate and prosecute complaints alleging labor trafficking, and report specified data. Status: Vetoed by Governor Newsom.

AB 1851 R. Rivas Public works: prevailing wage: hauling.

Expands the definition of "public works," for the purpose of the payment of prevailing wages, to also include the on-hauling of materials used for paving, grading, and fill onto a public works site. Status: Chapter 764, Statutes of 2022.

AB 1886 Cooper Public works: definition.

Expands the definition of public works, for which prevailing wage must be paid to workers, to include street sweeping maintenance performed for the routine cleaning of any publicly owned or publicly operated street, road, or highway done under contract with public funds. Status: Dead bill.

AB 1949 Low Employees: bereavement leave.

Requires private employers with five or more employees and public sector employers to provide employees with at least 30 days of service up to five unpaid days of bereavement leave upon the death of a family member. Status: Chapter 767, Statutes of 2022.

AB 1993 Wicks Employment: COVID-19 vaccination requirements.

Mandates every employer to require each employee or independent contractor to provide proof to the employer that the person has been vaccinated against COVID-19 unless the person is ineligible for vaccination due to a medical condition or disability or sincerely held religious belief. Status: Dead bill.

AB 2003 Mike Fong California Workforce Development Board: model career pathways.

Requires the California Workforce Development Board (CWDB), until March 1, 2026, to facilitate the development of a series of model career pathways that build upon the basic skill sets of workers who are employed in essential worker occupations, to support their career advancement into high road

occupations. Status: Vetoed by Governor Newsom.

AB 2057 Carrillo Department of Transportation: goods movement data.

Requires the California Department of Transportation (Caltrans) to create a web page that contains links to existing registries and databases related to drayage trucks from specified sources. Requires specified high volume maritime ports to anonymously survey trucking companies every two years on the classification of drivers as employees or contractors and post the survey data on the ports' website. Also requires the Department of Industrial Relations (DIR) to provide information to Caltrans as specified. Status: Chapter 458, Statutes of 2022.

AB 2068 Haney Occupational safety and health: postings: spoken languages.

Requires employers to post notices that they have received citations for specified Labor Code violations, and any special orders or actions issued to the employer by the Division of Occupational Safety and Health (Cal/OSHA), as specified, in each language of the top seven non-English languages used by limited-English-proficient adults in California, as determined by the United States Census Bureau. Status: Chapter 485, Statutes of 2022.

AB 2082 R. Rivas Farmworker Indigenous Language Outreach Program.

This bill requires, beginning July 1, 2023, the Division of Occupational Safety and Health (Cal/OSHA) to administer the Farmworker Indigenous Language Outreach Program. Status: Dead bill.

AB 2095 Kalra Employment information: worker metrics.

Requires employers with 1,000 or more employees, on or before March 31, 2024, to report worker-related statistics on an annual basis to the Labor and Workforce Development Agency (LWDA) and requires the LWDA to publish on its internet website these statistics. Status: Dead bill.

AB 2110 Flora Alternative workweek schedule: election results: reporting.

Under existing law, an alternative workweek schedule proposed by an employer may be adopted through a $\frac{2}{3}$ majority vote of the employer's employees in a secret ballot election. Existing law requires the results of that election to be reported by an employer to the Division of Labor Standards Enforcement within 30 days after the results are final. Existing law makes a violation of these provisions punishable as a misdemeanor. This bill would instead require the report by the employer to be provided within 15 days. By decreasing the days to report the election results, this bill would expand an existing crime and would, therefore, result in a state-mandated local program. Status: Dead bill.

AB 2133 Medina Wages: final payments.

Reduces the time limit an employer has to make final payment of wages in the event of a layoff of seasonal employees employed in the curing, canning, or drying of any variety of perishable fruit, fish, or vegetables, from 72 hours to 48 hours. Status: The labor provisions were subsequently amended out.

AB 2143 Carrillo Net energy metering: construction of electrical facilities: prevailing wage.

This bill declares construction, after December 31, 2023, of any renewable electrical generation facility and any associated battery storage with a maximum generating capacity of more than 15 kilowatts (kW) and installed on a non-single family home that receives service pursuant to an electric utility's net energy metering (NEM) offering to be a public works project for which prevailing wage must be paid. The bill also requires the California Public Utilities Commission (CPUC) to annually report on the progress made to grow the use of distributed energy resources (DER) in disadvantaged communities and low-income households, and list, by census tract, all renewable electric generation facilities which take service under a NEM offering. Status: Chapter 774, Statutes of 2022.

AB 2182 Wicks Discrimination: family responsibilities.

This bill expands the list of protected characteristics under the Fair Employment and Housing Act (FEHA) to include “family responsibilities,” defined as an obligation to provide care for a minor child or “care recipient.” Status: Dead bill.

AB 2183 Stone Agricultural labor relations: elections.

Provides that, as an alternative to a polling place election, a labor organization may be certified as the exclusive bargaining representative of a bargaining unit of agricultural employees through either a labor peace election or a non-labor peace election until January 1, 2028. Status: Chapter 673, Statutes of 2022.

AB 2188 Quirk Discrimination in employment: use of cannabis.

Provides, with certain exceptions, that it is unlawful for an employer to discriminate against a person in hiring, termination, or terms and conditions of employment based on a drug screening test finding the presence of nonpsychoactive cannabis metabolites in their system or for the person's off the job use of cannabis. Status: Chapter 392, Statutes of 2022.

AB 2200 Arambula Online Jobs and Economic Support Resource Grant Program.

This bill requires the Employment Development Department (EDD) to award grants to fund “inclusive, cross-jurisdictional and innovative online platforms” that support employment and earning opportunities with a strong focus on underserved and economically challenged communities. Status: Dead bill.

AB 2204 Boerner Horvath Clean energy: Labor Agency: Deputy Secretary for Climate

Establishes, upon appropriation by the Legislature, the position of Deputy Secretary for Climate within the Labor and Workforce Development Agency (LWDA) to assist in the oversight of California's workforce transition to a sustainable and equitable carbon neutral economy. Status: Chapter 348, Statutes of 2022.

AB 2243 E. Garcia Occupational safety and health standards: heat illness: wildfire smoke.

Requires the Division of Occupational Safety and Health (Cal/OSHA) to submit to the Occupational Safety and Health Standards Board (board) a proposal to consider revising the heat illness standard, as specified, and the wildfire smoke standard for farm workers to reduce the Air Quality Index (AQI) for PM2.5 to 301 or greater for the provision of respiratory protective equipment. Status: Chapter 778, Statutes of 2022.

AB 2379 Megan Dahle Employees: substitute teacher service.

This bill would prohibit an employer from discharging or in any manner discriminating against an employee for taking time off, not to exceed 2 days per month, to perform service as a substitute teacher at a local educational agency, as defined. The bill would provide that an employee who is discharged, threatened with discharge, demoted, suspended, or in any other manner discriminated against in the terms and conditions of employment by their employer because the employee has taken time off to perform service as a substitute teacher is entitled to reinstatement and reimbursement for lost wages and work benefits caused by the acts of the employer. Status: Dead bill.

AB 2448 Ting Civil rights: businesses: discrimination and harassment of customers: pilot program.

Directs the Department of Fair Employment and Housing (DFEH) to establish a pilot program that recognizes businesses for creating safe and welcoming environments free from discrimination and harassment of customers, and to establish criteria that a business must meet in order to qualify for recognition under the program. Status: Chapter 315, Statutes of 2022.

AB 2463 Lee Public works: exemption.

Extends the sunset date on the exemption to pay prevailing wage on public works projects for volunteers, volunteer coordinators, and members of the California Conservation Corps or a community conservation corps, as defined, to January 1, 2031, and makes technical and conforming changes. Status: Chapter 210, Statutes of 2022.

AB 2614 Rodriguez Workers' compensation: labor contractors.

Would require the Commission on Health and Safety and Workers' Compensation (CHSWC) within the Department of Industrial Relations (DIR) to submit a report on the whether there are widespread issues with client employers and labor contractors being used to shift workers' compensation liability away from employers who actually control jobsite risk. Status: Dead bill.

AB 2636 Berman Refugees, asylees, and special immigrant visa holders: health care professions: grant program.

This bill requires, subject to the availability of funding, the California Workforce Development Board (CWDB) to implement a program to award competitive grants to community-based organizations that resettle or provide services to asylees, refugees and individuals with specified special immigrant visas (SIVs). Status: Dead bill.

AB 2643 Flora Wages: multiple employers.

Under existing law, when workers are engaged in employment that normally involves working for several employers in the same industry, those employers may cooperate to establish a plan for the payment of wages at a central place or places in accordance with certain procedures. Existing law provides that these provisions do not apply to a plan until 10 days after the employers who cooperate to establish the plan have given notice to the Labor Commissioner of their intention to set up such a plan. This bill would

instead provide that these provisions do not apply until 5 business days after the above-described employers have given notice to the Labor Commissioner of their intention, as specified. The bill would also make nonsubstantive changes to these provisions. Status: Dead bill.

AB 2670 McCarty California Regional Initiative for Social Enterprises Program.

This bill requires, upon appropriation by the Legislature, the Government Operations Agency (GovOps) to establish the California Regional Initiative for Social Enterprises Program (RISE Program) to: (a) provide grants to expand the capacity of small business technical assistance centers (SBTACs) that provide consulting and training to employment social enterprises (ESEs) and (b) expand the capacity of ESEs through competitive sub-grants of up to \$250,000 annually administered by SBTACs. Status: Dead bill.

AB 2693 Reyes COVID-19: exposure.

Requires, until January 1, 2024, employers to notify employees of potential COVID-19 exposure by prominently displaying in the workplace a notice of COVID-19 case-related information for a minimum of 15 calendar days.
Status: Chapter 799, Statutes of 2022.

AB 2729 Rodriguez Emergency medical services: workplace violence prevention.

This bill requires, upon appropriation by the Legislature, the Division of Occupational Safety and Health (Cal/OSHA) to develop educational materials about the regulation of workplace violence for paramedics and emergency medical technicians (EMTs), for purposes of educating workers about existing protections and promoting employer compliance. The educational materials must be posted on Cal/OSHA's internet website. This bill requires, upon a separate appropriation by the Legislature, Cal/OSHA to commission a study determining best practices to address and mitigate workplace violence against paramedics and EMTs. Status: Dead bill.

AB 2737 Carrillo Air pollution: purchase of new drayage and short-haul trucks: incentive programs: lessees: labor standards.

For the purposes of eligibility in incentive programs for the purchase of new drayage or short-haul trucks, excludes a rental or leasing entity, as defined, from the definition of a fleet purchaser. Also requires a rental or leasing entity that purchases vehicles for use in fleet operations using an incentive program to notify lessees of these vehicles with lease terms greater than one year that the lessee is required to comply with the labor standards applicable to fleet purchasers. Status: Chapter 213, Statutes of 2022.

AB 2846 Mathis Beekeeping: overtime wages: exemption.

Existing law sets wage, hour, meal break requirements, and other working conditions for employees and requires an employer to pay overtime wages as specified to an employee who works in excess of a workday or workweek, as defined, and imposes criminal penalties for the violation of these requirements. The Phase-In Overtime for Agricultural Workers Act of 2016 establishes a schedule that phases in overtime wage requirements from 2019 to 2025, inclusive, for persons employed in an agricultural occupation, as defined. This bill would amend the act to exempt certain employees of a registered commercial beekeeper, as defined, from these overtime wage requirements for agricultural workers. Status: Dead bill.

AB 2849 Mia Bonta Promote Ownership by Workers for Ec. Recovery Act.

Enacts the Promote Ownership by Workers for Economic Recovery (POWER) Act that establishes a panel, within state government, to conduct a study regarding the creation of an Association of Cooperative Labor Contractors for the purpose of facilitating the growth of democratically run high-road cooperative labor contractors. Also requires the study to consider specified issues and to be complete and publicly available by June 30, 2024. Status: Chapter 808, Statutes of 2022.

AB 2903 E. Garcia Workforce Development Board: Salton Sea geothermal resources area: Equitable Access Program.

This bill establishes the Equitable Access Program (EAP) administered by the California Workforce Development Board (CWDB) to prioritize employment opportunities in construction, manufacturing, technical, maintenance, operations or reclamation activities for local residents of the Salton Sea geothermal resources area. Status: Dead bill.

AB 2926 Kalra Employee obligations: exclusivity options.

Prohibits, in a contract for the exclusive personal services of a music talent, any term for option periods that extends more than nine months after the initial commercial release of a music product, as defined. Also, prohibits a contract for the personal or professional services of an employee, except as specified, that precludes an employee from working for multiple employers. Status: Dead bill.

AB 2932 Low Workweek: hours and overtime.

Existing law generally defines “workweek” for these purposes and requires that work in excess of 40 hours in a workweek be compensated at a rate of at least 1 1/2 times the employee’s regular rate of pay, subject to certain exceptions. Existing law makes a violation of these provisions a misdemeanor. This bill would instead require that work in excess of 32 hours in a workweek be compensated at the rate of no less than 1 1/2 times the employee’s regular rate of pay. The bill would require the compensation rate of pay at 32 hours to reflect the previous compensation rate of pay at 40 hours and would prohibit an employer from reducing an employee’s regular rate of pay as a result of this reduced hourly workweek requirement. The bill would exempt an employer with no more than 500 employees from the above provisions. Status: Dead bill.

AB 2955 L. & E. Worker classification: commercial fishing industry.

Extend from January 1, 2023, to January 1, 2026, the sunset date on the exemption from the application of the ABC test for commercial fishers working on an American vessel. Status: Chapter 443, Statutes of 2022.

**SENATE BILLS
2021-2022**

SB 33 Cortese Apprenticeship: annual report: task force.

This bill requires the Department of Industrial Relations (DIR) to convene the Construction Apprenticeship Advancement Task Force (Task Force) to study the recruitment and retention of and barriers to entry of minority, underrepresented, and disadvantaged populations in the State of California, for purposes of ensuring apprenticeship opportunities are more inclusive of those populations. This bill requires the Task Force to promote apprenticeship for all populations throughout the state and to report to the Legislature as specified. Status: The labor provisions were subsequently amended out.

SB 62 Durazo Employment: garment manufacturing.

For the purpose of wage claim enforcement in the garment industry, expands the definition of garment manufacturing to include brand guarantors, eliminates piece rate pay, provides for joint and several liability among manufacturers, brand guarantors, and contractors, and creates a rebuttable presumption of the identity of a brand guarantor by the provision of a brand's label. Status: Chapter 329, Statutes of 2021.

SB 321 Durazo Employment safety standards: advisory committee: household domestic services.

Requires the Division of Occupational Safety and Health (Cal/OSHA) to convene an advisory committee for the purposes of creating voluntary guidance and making recommendations on policies the state may adopt to protect the health and safety of privately funded household domestic service employees and to make the guidance publicly available no later than January 1, 2023. Status: Chapter 332, Statutes of 2021.

SB 331 Leyva Settlement and nondisparagement agreements.

Prohibits nondisclosure agreements, as specified, in actions alleging workplace harassment and discrimination, and makes it unlawful, except as provided, for an employer to include in any severance agreement a provision that prohibits an employee from disclosing information about unlawful acts in the workplace. Status: Chapter 638, Statutes of 2021.

SB 338 Gonzalez Joint and several liability of port drayage motor carrier customers:
health and safety violations: prior offenders: liability owed to the state.

Requires the Division of Labor Standards Enforcement (DLSE) to post on its webpage essential information for a port drayage motor carrier that previously engaged in unlawful conduct related to misclassification and has subsequently been found in violation of a labor and employment law and establishes a process for the carrier to be removed from the posting upon certifying that the violation has been corrected. Status: Chapter 333, Statutes of 2021.

SB 410 Leyva Occupational safety and health: regulations.

Exempts any occupational safety and health standard and order from the standardized regulatory impact analysis (SRIA) required for major regulations by the Administrative Procedure Act (APA). Maintains the requirement for completing an economic impact assessment regardless of whether the standard or order is a major regulation. Status: The labor provisions were subsequently amended out.

SB 419 Stern Oil and gas: regulation: skilled and trained workforce.

Requires an owner or operator of a well or production facility, when contracting for the performance of certain work by a licensed contractor or subcontractor, on or after January 1, 2022, to use a skilled and trained workforce (STW) to perform all onsite work within an apprenticeable occupation in the building and construction trades. Status: The labor provisions were subsequently amended out.

SB 505 Hertzberg Wages: withholdings: written authorizations.

Requires, except as provided, a public employer, as defined, absent fraud, misrepresentation, or theft, to make a good faith effort to consult with an employee to obtain a written authorization to resolve a monetary obligation before utilizing third-party collection services or commencing a civil action. The bill would require the written authorization to include a mutual agreement between the public employer and employee and, to the extent possible, would prohibit that written authorization from placing an undue financial burden upon the employee. The bill would provide that if the written authorization involves a withholding or diversion of an employee's wages over a designated period of months, the amount withheld or diverted shall not exceed 5% of the employee's monthly gross wages unless this requirement is expressly waived by the employee or it would be inconsistent with a wage agreement, collective bargaining agreement, judgment, or other legal agreement or legal requirement. The bill would provide that the period of time in which the public employer and employee are engaging in consultation is not a part of the time limited for the commencement of a civil action, which the bill would prohibit from exceeding one year from the date the consultation commenced. Status: The labor provisions were subsequently amended out.

SB 523 Leyva Contraceptive Equity Act of 2022.

Amends existing law, under the Fair Employment and Housing Act, to include, among other provisions, protection for reproductive health decision making, with respect to the opportunity to seek, obtain, and hold employment without discrimination. Status: Chapter 630, Statutes of 2022.

SB 549 Jones Social workers: essential workers.

Requires social workers, if deemed essential workers during a state of emergency declared by the Governor, to be included in the group of essential workers that the state or a local government deems eligible to receive the first distribution of emergency materials necessary to protect workers' health and safety. This bill allows the state or a local government to establish, within this first grouping, further levels of distribution for specified classifications of social workers. Status: Vetoed by Governor Newsom.

SB 572 Hertzberg Labor Commissioner: enforcement: lien on real property.

Allows the Labor Commissioner (LC) to, as an alternative to a judgment lien, create a real property lien to secure the amount due to the LC under any citation, findings, or decision that has become final and may be entered as a judgment, in the county where the lien is created. Requires the LC to issue a certificate of release upon payment of the amount due, including any interest and costs that have lawfully accrued on the original amount. Establishes that the lien authorized by this bill shall continue for a period of ten years, and may then be renewed until it is satisfied or released, as specified. Allows a person who does not owe any amount to the LC but nonetheless has a lien erroneously created on their real property through this bill's procedures to obtain a release of lien using an existing procedure under the Code of Civil Procedure for obtaining a release of erroneous judgment liens. Status: Chapter 335, Statutes of 2021.

SB 606 Gonzalez Workplace safety: violations: enterprise-wide, egregious violations.

Authorizes the Division of Occupational Safety and Health (Cal/OSHA) to issue a citation for an egregious violation of an occupational safety or health standard, order, special order, or regulation, for each willful violation determined by Cal/OSHA, and count each employee affected by the violation as a separate violation for the purposes of the issuance of fines and penalties. Status: Chapter 336, Statutes of 2021.

SB 628 Allen California Creative Workforce Act of 2021.

Enacts California Creative Workforce Act of 2021 (Act) to promote employment and "earn and learn" job training opportunities for creative workers, and requires the California Arts Council (CAC) to consult with the California Workforce Development Board (CWDB) to create and design a grant program with guidelines and criteria that are consistent with the Act's specified objectives. Status: Chapter 767, Statutes of 2021.

SB 638 Hertzberg Employment: personal social media of applicant or employee.

Revises the definition of "social media," as it pertains to an employer's access to an employee's personal accounts, to include an electronic platform, chat rooms, and bulletin boards. Status: Dead bill.

SB 639 Durazo Minimum wages: persons with disabilities.

Requires the State Council on Developmental Disabilities (SCDD) to develop a plan to phaseout the use of the subminimum wage certificate program, which authorizes employers to pay less than minimum wage for employees with physical or mental disabilities, by January 1, 2023, and prohibits an employer from paying an employee with a physical or mental disability, commencing on January 1, 2025 less than the legal minimum wage, or the applicable local minimum wage ordinance, whichever is higher, or when

the plan by SCDD, as specified, is released, whichever is later. Status: Chapter 339, Statutes of 2021.

SB 646 Hertzberg PAGA: janitorial employees.

Excepts janitorial employees from the Private Attorneys General Act (PAGA) who are covered by a collective bargaining agreement that is in effect any time before July 1, 2028, and provided that agreement contains, among other things, a grievance and binding arbitration procedure to redress violations that could have been remedied under PAGA. Status: Chapter 337, Statutes of 2021.

SB 657 Ochoa Bogh Employment: electronic documents.

Provides that in instances where an employer is required to physically post information, an employer may also distribute that information to employees by email with the document or documents attached. Distribution by email shall not alter the employer's obligation to physically display the required posting. Status: Chapter 109, Statutes of 2021.

SB 665 Umberg Employment policy: voluntary veterans' preference.

This bill, until January 1, 2028, authorizes a private employer to establish a veterans' preference employment policy, and updates the statute authorizing the veteran's preference exception. Status: Vetoed by Governor Newsom.

SB 674 Durazo Public Contracts: workforce development: covered public contracts.

Requires a contractor or subcontractor, until January 1, 2028, that is awarded a state contract, as specified, for the acquisition of zero-emission transit vehicles or electric vehicle supply equipment valued at ten million dollars or more, to incorporate high road job standards, as defined. Status: Chapter 875, Statutes of 2022.

SB 685 McGuire Employment of minors: agricultural packing plants.

Extends the sunset date by ten years on the exemption from child labor laws that allows minors to work additional hours in agricultural packing plants during peak harvest season in Lake County. Status: Dead bill.

SB 700 Durazo State Contract Act: High Road Employment Program.

Establishes the High Road Employment Program (Program) within the Labor and Workforce Development Agency (LWDA), which requires each bidder for a contract with the state to submit a High Road Employment Plan (Plan) to the Department of General Services (DGS) to be eligible for the contract. Status: Dead bill.

SB 705 Hueso Workforce development: Binational Education and Workforce Opportunities Act.

Requires the California Department of Education (CDE) and the California Workforce Development Board (CWDB), in consultation with the California-Mexico Border Relations Council, to jointly form a study group of subject matter experts in specified fields to analyze unique challenges and opportunities arising from the presence of a large binational student population and workforce on both sides of the California-Mexico border. Requires the CWDB and the CDE to issue a report to the Legislature, by July 1,

2023, on recommendations and findings of the study group and a preliminary plan, resource needs, and scoping options based on available resources for increasing access to, and the quality of, educational opportunities for binational students and workers, and developing and providing a comprehensive suite of career services and job training opportunities for binational students and workers. Status: Dead bill.

SB 727 Leyva Labor-related liabilities: direct contractor.

Extends, for contracts entered into on or after January 1, 2022, a direct contractor's liability for penalties, liquidated damages, and interest owed by a subcontractor arising out of failure to pay wages, fringe benefits, or contributions earned by workers on a labor project. Status: Chapter 338, Statutes of 2021.

SB 753 Roth Unemployment information: Workforce Development Board: program outcomes.

Requires the California Workforce Development Board (CWDB) to evaluate program outcomes for *all* grant programs it administers, including program participant outcomes, regardless of funding source. Allows the director of the Employment Development Department (EDD) to share wage and employment data with the CWDB in order to assist the CWDB with its obligation to evaluate program outcomes for the grant programs it administers. Status: Chapter 550, Statutes of 2021.

SB 755 Roth Workforce development: training-related job placement:reporting.

Requires the California Workforce Development Board (CWDB) and the Employment Development Department (EDD) to work collaboratively to measure and report on training-related job placement outcomes for individuals receiving job-training services provided through the workforce system, as specified. Status: Chapter 815, Statutes of 2022.

SB 779 Becker CA Workforce Innovation Opportunity Act: earn and learn programs.

For purposes of the California Workforce Innovation Opportunity Act (WIOA), amends the list of "earn and learn" programs by specifying that an "earn and learn" program includes transitional jobs as defined in the federal WIOA and clarifies that subsidized employment, as specified, includes an employment social enterprise (ESE) or worker cooperative, particularly for individuals with barriers to employment. Status: Chapter 223, Statutes of 2021.

SB 805 Rubio Small nonprofit performing arts organizations: payroll services: grants.

This bill would task the California Arts Council with the creation and administration of a California Nonprofit Performing Arts Paymaster for the purpose of providing low-cost payroll services to small nonprofit performing arts organizations, as defined. Status: Vetoed by Governor Newsom.

SB 954 Archuleta Public works: wages: electronic certified payroll records.

Requires the Department of Industrial Relations (DIR), by July 1, 2024, to develop and implement an online database of electronic certified payroll records submitted in compliance with public works requirements. Status: Chapter 824, Statutes of 2022.

SB 1044 Durazo Employers: emergency condition: retaliation.

Prohibits an employer, in the event of an emergency condition, from taking or threatening adverse action against any employee for refusing to report to, or leaving, a workplace or worksite because the employee has a reasonable belief that the workplace or worksite is unsafe or preventing the employee from accessing the employee's mobile device for safety-related purposes. Status: Chapter 829, Statutes of 2022.

SB 1115 Skinner DIR: annual survey: Women in Construction Priority Unit.

Requires, upon appropriation by the Legislature, the Department of Industrial Relations (DIR) to establish a Women in Construction Priority Unit to coordinate and help ensure collaboration across DIR's divisions and maximize state and federal funding to support women and non-binary individuals in the construction workforce. Status: Dead bill.

SB 1116 Portantino Arts Council: The Performing Arts Equitable Payroll Fund.

Creates the Performing Arts Equitable Payroll Fund to provide grants to Small Nonprofit Performing Arts Organizations to reimburse a percentage of the first \$10,000 they spend on payroll costs. Status: Chapter 731, Statutes of 2022.

SB 1126 Cortese CalSavers: retirement savings.

Requires eligible employers with one or more eligible employees that do not offer a retirement savings program to have a payroll deposit retirement savings arrangement by December 31, 2025, to allow employee participation in the CalSavers Retirement Savings Program (CalSavers). Status: Chapter 192, Statutes of 2022.

SB 1136 Portantino California Environmental Quality Act: expedited environmental review: climate change regulations.

Requires specified projects to meet certain labor requirements to utilize a focused environmental impact report (EIR), including payment of prevailing wage and use of a "skilled and trained" workforce, as defined. This bill does not apply to an action that does not require preparation of an EIR under the California Environmental Quality Act (CEQA) under existing law. Status: Vetoed by Governor Newsom.

SB 1162 Limón Employment: Salaries and Wages.

Expands state pay data reporting requirements to cover contracted employees and requires employers to make pay scale information for positions available to employees and included in job postings. Status: Chapter 559, Statutes of 2022.

SB 1260 Durazo State summary criminal history information.

Specifies that discretionary and automatic conviction record relief do not make a person eligible to provide or receive payment for providing in-home supportive services or "waiver personal care services" if they are otherwise ineligible under state or federal law or regulation. Status: The labor provisions were subsequently amended out.

SB 1278 Cortese Labor statistics: annual report.

Requires the annual report of work injuries, occupational diseases, and fatalities published by the

Department of Industrial Relations (DIR) be submitted to the Legislature and the Governor. Status: Dead bill.

SB 1294 Cortese Workforce wellness center: Santa Clara Valley Transportation Authority.

Requires the California Workforce Development Board (CWDB), or a research institution under contract with the CWDB, the Santa Clara Valley Transportation Authority (VTA), and the California Health and Human Services Agency (CalHHS) to perform prescribed duties, including analyzing the effectiveness of the VTA's wellness center, drafting a model plan for the establishment of a worker wellness center, and developing a plan to encourage the establishment of additional worker wellness center demonstration sites. Status: Chapter 305, Statutes of 2022.

SB 1334 Bradford Meal and rest periods: hospital employees.

Extends meal and rest period provisions to public employees who provide or support direct patient care in general acute care hospitals, clinics, or public health settings. Status: Chapter 845, Statutes of 2022.

SB 1351 Durazo California Youth Apprenticeship Program.

Establishes, upon appropriation of funds by the Legislature, the California Youth Apprenticeship Program (Program) to award grant funds to eligible applicants providing funding for existing apprenticeship and pre-apprenticeship programs or developing new apprenticeship programs for target populations. Solicitation of grant proposals must begin no later than March 31, 2024. This bill also establishes the Office of the California Youth Apprenticeship Program (Office) within the Division of Apprenticeship Standards (DAS) to administer the Program in consultation with other state agencies and in a manner that complements existing apprenticeship and pre-apprenticeship programs. Status: Dead bill.

SB 1364 Durazo University of California: vendors.

Requires a vendor that contracts with the University of California (UC) to perform services, to provide their employees with the higher of the total compensation rate specified in the vendor's contract with the university or as required by university policy. Also requires a vendor, twice yearly, to provide basic payroll information, as defined, to the UC and members of any meeting body established with the exclusive representative of university employees who perform the same or similar services. Status: Vetoed by Governor Newsom.