

**CALIFORNIA LEGISLATURE**

**Assembly Committee on Labor and Employment  
Honorable Liz Ortega, Chair**

**2023 - 2024 Legislative Bill Summary**

EMPLOYMENT RIGHTS .....	8
AB-224 (Blanca Rubio) - Worker status: employees and independent contractors: newspaper distributors and carriers.....	8
AB-235 (Blanca Rubio) - Civil Rights Department: Labor Trafficking Unit.....	8
AB-380 (Arambula) - Division of Labor Standards Enforcement: Labor Trafficking Unit.....	8
AB-524 (Wicks) - Discrimination: family caregiver status.....	8
AB-594 (Maienschein) - Labor Code: alternative enforcement.....	8
AB-636 (Kalra) - Employers: agricultural employees: required disclosures.....	9
AB-647 (Holden) - Grocery workers.....	9
AB-747 (McCarty) - Business: unlawful employee contracts and requirements.....	9
AB-1031 (Blanca Rubio) - Employee rest periods: employees providing direct support to individuals with intellectual and developmental disabilities.....	9
AB-1034 (Grayson) - Labor Code Private Attorneys General Act of 2004: exemption: construction industry employees.....	10
AB-1076 (Bauer-Kahan) - Contracts in restraint of trade: noncompete agreements.....	10
AB-1356 (Haney) - Relocations, terminations, and mass layoffs.....	10
AB-1359 (Schiavo) - Paid sick days: health care employees.....	10
AB-1832 (Blanca Rubio) - Civil Rights Department: Labor Trafficking Task Force.....	10
AB-1843 (Rodriguez) - Emergency ambulance employees.....	11
AB-1888 (Arambula) - Division of Labor Standards Enforcement: Labor Trafficking Unit.....	11
AB-1928 (Sanchez) - Worker classification: employees and independent contractors.....	11
AB-2011 (Bauer-Kahan) - Unlawful employment practices: small employer family leave mediation program.....	11
AB-2299 (Flora) - Labor Commissioner: whistleblower protections: model list of rights and responsibilities.....	11
AB-2374 (Haney) - Displaced janitors.....	11
AB-2499 (Schiavo) - Unlawful employment practices: discrimination for time off.....	12
AB-2751 (Haney) - Employer communications during nonworking hours.....	12
AB-2961 (Addis) - Employment of minors: training on sexual harassment.....	12
SB-399 (Wahab) - Employer communications: intimidation.....	12
SB-497 (Smallwood-Cuevas) - Protected employee conduct.....	12
SB-616 (Gonzalez) - Sick days: paid sick days accrual and use: unpaid sick leave for railroad employees.....	13

SB-731 (Ashby) - Employment discrimination: unlawful practices: work from home: disability.	13
SB-848 (Rubio) - Employment: leave for loss related to reproduction or adoption.	13
SB-988 (Wiener) - Freelance Worker Protection Act.	13
SB-1105 (Padilla) - Paid sick leave: agricultural employees: emergencies.	13
SB-1340 (Smallwood-Cuevas) - Discrimination.	14
<b>EMPLOYMENT SAFETY</b>	<b>14</b>
AB-521 (Bauer-Kahan) - Occupational safety and health standards: construction jobsites: restrooms.	14
AB-871 (Haney) - Safety in employment: conveyances.	14
AB-1007 (Ortega) - Occupational safety and health standards: plume.	14
AB-1424 (Jones-Sawyer) - Occupational safety and health: cannabis delivery employee.	15
AB-2264 (Arambula) - Occupational safety and health: heat illness prevention certification.	15
AB-2408 (Haney) - Firefighter personal protective equipment: perfluoroalkyl and polyfluoroalkyl substances.	15
AB-2738 (Luz Rivas) - Labor Code: alternative enforcement: occupational safety.	16
AB-2975 (Gipson) - Occupational safety and health standards: workplace violence prevention plan.	16
AB-3043 (Luz Rivas) - Occupational safety: fabrication activities.	16
AB-3106 (Schiavo) - School employees: COVID-19 cases: protections.	16
AB-3258 (Bryan) - Refinery and chemical plants.	16
SB-553 (Cortese) - Occupational safety: workplace violence: restraining orders and workplace violence prevention plan.	17
SB-626 (Rubio) - Smoking tobacco in the workplace: transient lodging establishments.	17
SB-686 (Durazo) - Domestic workers: occupational safety.	17
SB-1350 (Durazo) - Occupational safety and health: definitions.	17
<b>MISCELLANEOUS</b>	<b>17</b>
AB-58 (Kalra) - Labor statistics: annual report.	17
AB-640 (Lee) - Pupil work permits.	18
AB-685 (Ramos) - Workforce training: CaliforniaVolunteers: youth job corps.	18
AB-735 (Berman) - Workforce development: utility careers.	18
AB-800 (Ortega) - Workplace Readiness Week: work permits.	18
AB-803 (Flora) - Department of Industrial Relations.	18

AB-804 (Flora) - Agricultural Labor Relations Board: office. ....	18
AB-853 (Maienschein) - Retail grocery stores and retail drug stores: acquisition: notice to Attorney General. ....	19
AB-1050 (Arambula) - Online Jobs and Economic Support Resource Grant Program. ....	19
AB-1224 (Bryan) - Workforce development: green jobs survey. ....	19
AB-1365 (Ortega) - Workforce development: grocery industry.....	19
AB-1370 (Ta) - California Community Colleges Economic and Workforce Development Program. ....	20
AB-1381 (Weber) - Employment protections: call centers.....	20
AB-1593 (Garcia) - California Workforce Development Board: Salton Sea geothermal resources area: Equitable Access Program.....	20
AB-1766 (Committee on Labor and Employment) - Division of Occupational Safety and Health: regulations. ....	20
AB-1767 (Committee on Labor and Employment) - Labor contracts. ....	21
AB-2068 (Ortega) - Employment protections: call centers. ....	21
AB-2185 (Jackson) - Employment agencies: domestic workers. ....	21
AB-2444 (Lee) - Barbering and cosmetology: licensees: manicurists. ....	21
AB-2487 (Mike Fong) - Deputy Secretary for Climate.....	22
AB-2494 (Calderon) - Employer notification: continuation coverage. ....	22
AB-2602 (Kalra) - Contracts against public policy: personal or professional services: digital replicas.....	22
AB-2696 (Rendon) - Labor-related liabilities: direct contractor and subcontractor.....	22
AB-2741 (Haney) - Rental car companies: electronic surveillance technology.....	23
AB-2754 (Rendon) - Employment contracts and agreements: sufficient funds: liability. ....	24
AB-2855 (Flora) - Skilled and trained workforce requirements.....	24
AB-2873 (Garcia) - Breaking Barriers to Employment Initiative: grants. ....	24
AB-2989 (Wallis) - Talent agencies: licensure.....	24
AB-3041 (Wendy Carrillo) - Civil service: Career Development Apprenticeship Program. ....	24
AB-3125 (Garcia) - Skilled and trained workforce requirements. ....	24
AB-3234 (Ortega) - Employers: social compliance audit. ....	25
ACA-6 (Haney) - University of California: basic state labor standards. ....	25
ACA-14 (Ortega) - University of California: basic state labor standards. ....	25
SB-27 (Durazo) - University of California: vendors. ....	25

SB-284 (Wiener) - Electricity: energization transparency and efficiency: wholesale distribution service.....	25
SB-335 (Cortese) - Transactions and use taxes: County of Santa Clara.....	26
SB-480 (Portantino) - Pupil instruction: work-based learning: youth apprenticeship programs: high school graduation requirements: pilot program. ....	26
SB-534 (Padilla) - Equitable Access to Job Opportunity Pilot Program. ....	26
SB-627 (Smallwood-Cuevas) - Displaced workers: notice: retention and transfer. ....	26
SB-640 (Portantino) - California State University: food service contracts and hotel development projects. ....	27
SB-699 (Caballero) - Contracts in restraint of trade. ....	27
SB-700 (Bradford) - Employment discrimination: cannabis use. ....	27
SB-723 (Durazo) - Employment: rehiring and retention: displaced workers.....	27
SB-725 (Smallwood-Cuevas) - Grocery workers. ....	27
SB-740 (Cortese) - Hazardous materials management: stationary sources: skilled and trained workforce. ....	27
SB-822 (Durazo) - Workforce development: Interagency High Road Act. ....	28
SB-864 (Smallwood-Cuevas) - Workforce development: workplace rights curriculum.....	28
SB-984 (Wahab) - Public agencies: project labor agreements.....	28
SB-1089 (Smallwood-Cuevas) - Food and prescription access: grocery and pharmacy closures. ....	28
SB-1100 (Portantino) - Discrimination: driver’s license.....	29
SB-1264 (Grove) - Employment discrimination: cannabis use. ....	29
SB-1298 (Cortese) - Certification of thermal powerplants: data centers. ....	29
SB-1321 (Wahab) - Employment Training Panel: employment training program: projects and proposals. ....	29
SB-1375 (Durazo) - Workforce development: records: poverty-reducing standards: funds, programs, reporting, and analyses.....	30
SB-1446 (Smallwood-Cuevas) - Grocery retail store and retail drug establishment employees: self-service checkout and consequential workplace technology. ....	30
SB-1460 (Durazo) - Broadband Labor Standards Act: broadband deployment projects: model contract terms: memorandum of understanding. ....	30
SJR-5 (Durazo) - Office of Management and Budget: Uniform Guidance.....	30
PUBLIC WORKS PREVAILING WAGE.....	31
AB-338 (Aguiar-Curry) - Public works: definition.....	31

AB-587 (Robert Rivas) - Public works: payroll records.....	31
AB-1121 (Haney) - Public works: ineligibility list. ....	31
AB-1890 (Joe Patterson) - Public works: prevailing wage.....	31
AB-2135 (Schiavo) - Public works contracts: wage and penalty assessment. ....	31
AB-2182 (Haney) - Public works.....	32
AB-2439 (Quirk-Silva) - Public works: prevailing wages: access to records. ....	32
AB-2451 (Cervantes) - Public works: prevailing wages. ....	32
AB-2705 (Ortega) - Labor Commissioner.....	32
AB-3186 (Petrie-Norris) - Public works: prevailing wages: access to records. ....	32
AB-3190 (Haney) - Public works.....	33
SB-422 (Portantino) - California Environmental Quality Act: expedited environmental review: climate change regulations. ....	33
SB-735 (Cortese) - San Francisco Bay Area Regional Housing Finance Act: expenditure of funds: public works. ....	33
SB-830 (Smallwood-Cuevas) - Public works.....	33
SB-1162 (Cortese) - Public contracts: employment compliance reports and payroll records: workers' dates of birth. ....	33
SB-1303 (Caballero) - Public works.....	34
WAGES HOURS AND WORKING CONDITIONS.....	34
AB-520 (Santiago) - Employment: public entities. ....	34
AB-1031 (Blanca Rubio) - Employee rest periods: employees providing direct support to individuals with intellectual and developmental disabilities. ....	34
AB-1099 (Megan Dahle) - Goat herders: labor protections.....	35
AB-1100 (Low) - State employees: workweek.....	35
AB-1228 (Holden) - Fast food restaurant franchisors and franchisees: joint liability.....	36
AB-1516 (Kalra) - Labor and Workforce Development Agency: working group: minimum wage.....	36
AB-2374 (Haney) - Displaced janitors.....	36
AB-3056 (Gallagher) - Agricultural workers: overtime compensation.....	36
AB-3105 (Flora) - Employment: wages and hours: exemption for faculty at private institutions of higher education. ....	36
AB-3143 (Lowenthal) - Compensation: gratuities. ....	37
SB-41 (Cortese) - Meal and rest breaks: airline cabin crew employees. ....	37

SB-332 (Cortese) - Minor league baseball players..... 37  
SB-525 (Durazo) - Minimum wage: health care workers. .... 37  
SB-828 (Durazo) - Minimum wages: health care workers: delay. .... 37

## EMPLOYMENT RIGHTS

### **AB-224 (Blanca Rubio) - Worker status: employees and independent contractors: newspaper distributors and carriers.**

Extends the sunset date on the exemption from the 3-part ABC test for employment status for newspaper distributors and carriers from January 1, 2025, to January 1, 2030. Requires continued annual reporting by newspaper publishers and distributors for five years on information regarding newspaper carrier average pay rates, wage claims, and misclassification.

**Status:** Chapter 298, Statutes of 2024

### **AB-235 (Blanca Rubio) - Civil Rights Department: Labor Trafficking Unit.**

Establishes the Labor Trafficking Task Force within the Civil Rights Department and requires, among other things, the Task Force to coordinate with the Labor Enforcement Task Force and the Division of Labor Standards Enforcement to take steps to prevent labor trafficking, and report specified data.

**Status:** Assembly-Died - Appropriations

### **AB-380 (Arambula) - Division of Labor Standards Enforcement: Labor Trafficking Unit.**

AB 380 would establish the Labor Trafficking Unit within the Department of Industrial Relations' Division of Labor Standards Enforcement.

**Status:** Senate-Died - Appropriations

### **AB-524 (Wicks) - Discrimination: family caregiver status.**

Expands the protected characteristics under the Fair Employment and Housing Act's anti-discrimination provisions in employment to include family caregiver status.

**Status:** Assembly-Vetoed

### **AB-594 (Maienschein) - Labor Code: alternative enforcement.**

Authorizes, until January 1, 2029, public prosecutors to sue for certain violations of the Labor Code independently of the Department of Labor Standards Enforcement and nullifies any agreements that limit an employee's right to file in court on behalf of themselves or in a representative action. Permits, in an action for willful misclassification, the recovery of penalties by the employee as a statutory penalty or as a civil penalty.

**Status:** Chapter 659, Statutes of 2023



### **AB-636 (Kalra) - Employers: agricultural employees: required disclosures.**

Requires an H-2A visa employer, beginning on March 15, 2024, to give to an employee on their first day of work in California or upon transfer, the notice of basic employment-related information with a separate and distinct section in Spanish, and, if requested by the employee, in English, describing an agricultural employee's additional rights and protections under California law.

**Status:** Chapter 451, Statutes of 2023

### **AB-647 (Holden) - Grocery workers.**

Revises recall rights for grocery workers when there is a change of control in a grocery establishment to: 1) cover workers of a grocery distribution center; and 2) create a private right of action with an opportunity for an employer to cure and an administrative complaint process for violations of recall provisions.

**Status:** Chapter 452, Statutes of 2023

### **AB-747 (McCarty) - Business: unlawful employee contracts and requirements.**

Prohibits an employer from entering into, presenting an employee or prospective employee as a term of employment, or attempting to enforce any contract in restraint of trade that is void, as specified. An employer that violates this prohibition is liable for actual damages and an additional penalty per employee.

**Status:** Assembly-Died

### **AB-1031 (Blanca Rubio) - Employee rest periods: employees providing direct support to individuals with intellectual and developmental disabilities.**

Exempts from the requirement that an employee be relieved of all duties an employee providing direct support to an individual with an intellectual or developmental disability in an integrated community setting, under prescribed circumstances. Requires, if a nonexempt employee is affirmatively required to interrupt their rest period to respond to the needs of a consumer, that another rest period be authorized and permitted reasonably promptly after the circumstances that led to the interruption have passed. Requires the employer, if circumstances do not allow the employee to take a rest period, to pay the employee one hour of pay at the employee's regular rate of pay for the rest period that was not provided.

**Status:** Assembly-Died - Labor and Employment

### **AB-1034 (Grayson) - Labor Code Private Attorneys General Act of 2004: exemption: construction industry employees.**

Extends until January 1, 2038, the current exemption from the provisions of the Private Attorneys General Act (PAGA) for employees in the construction industry who are covered by a collective bargaining agreement that meets certain conditions, including providing for, among other things, a grievance and binding arbitration procedure to redress violations that would have been remedied under PAGA.

**Status:** Chapter 803, Statutes of 2024

### **AB-1076 (Bauer-Kahan) - Contracts in restraint of trade: noncompete agreements.**

Codifies existing case law by specifying that the prohibition on noncompete agreements is to be broadly construed to void noncompete agreements or clauses in the employment context that do not satisfy specified exceptions. Additionally provides that a violation of the prohibition on noncompete agreements in employment constitutes unfair competition. Specifies that the written notice to an employee or former employee shall be delivered to the last known address and the email address of the employee or former employee.

**Status:** Chapter 828, Statutes of 2023

### **AB-1356 (Haney) - Relocations, terminations, and mass layoffs.**

Revises the California Worker Adjustment and Retraining Act (Cal/WARN) to: 1) include a "client employer" of a "labor contractor" in the definition of "employer"; and 2) increase from 60 to 75 days, the length of notice an employer must provide to employees prior to ordering terminations, relocations, or mass layoffs, as specified.

**Status:** Assembly-Vetoed

### **AB-1359 (Schiavo) - Paid sick days: health care employees.**

Provides four days of unpaid sick leave a year for employees in specified healthcare facilities, in addition to the paid sick leave available by law.

These labor provisions were subsequently amended out of the measure.

**Status:** Chapter 678, Statutes of 2024

### **AB-1832 (Blanca Rubio) - Civil Rights Department: Labor Trafficking Task Force.**

Establishes within the Civil Rights Department the Labor Trafficking Task Force to coordinate with other state entities to combat labor trafficking.

**Status:** Assembly-Vetoed

### **AB-1843 (Rodriguez) - Emergency ambulance employees.**

Increases from 10 to 20 the number of employer-paid employee assistance program (EAP) treatments per issue for every emergency ambulance employee, adds post-traumatic stress disorder (PTSD) to the definition of issue, and requires the provision of peer-to-peer services upon an employee's request.

**Status:** Chapter 943, Statutes of 2024

### **AB-1888 (Arambula) - Division of Labor Standards Enforcement: Labor Trafficking Unit.**

Establishes the Labor Trafficking Unit within the Division of Labor Standards Enforcement to receive, investigate, and process complaints alleging labor trafficking and to coordinate these efforts with other state entities.

**Status:** Chapter 614, Statutes of 2024

### **AB-1928 (Sanchez) - Worker classification: employees and independent contractors.**

Repeals the provisions of the labor code that codify the ABC test. The bill would declare that its purpose is to suspend and nullify the California Supreme Court's decision in Dynamex and provide that this decision does not apply for purposes of California law.

**Status:** Assembly-Died - Labor and Employment

### **AB-2011 (Bauer-Kahan) - Unlawful employment practices: small employer family leave mediation program.**

Adds claims for violations of reproductive leave loss provisions to coverage under the small employer family leave mediation pilot program and makes the pilot permanent.

**Status:** Chapter 147, Statutes of 2024

### **AB-2299 (Flora) - Labor Commissioner: whistleblower protections: model list of rights and responsibilities.**

Provides that an employer that posts a model list of employee rights and responsibilities under the whistleblower laws, as developed by the Labor Commissioner, will be deemed in compliance with the posting requirements for those laws.

**Status:** Chapter 105, Statutes of 2024

### **AB-2374 (Haney) - Displaced janitors.**

Revises the Displaced Janitor Opportunity Act to apply to contractors employing one or more janitors, increase the employee retention period from 60 to 90 days, and provide that the successor contractor shall maintain the same number of hours and pay the same wages and benefits as were provided by the prior contractor.

**Status:** Senate-Died - Appropriations

### **AB-2499 (Schiavo) - Unlawful employment practices: discrimination for time off.**

Entitles an employee of an employer with 25 or more employees who is a victim or who has a family member who is a victim of a crime to job protected leave to attend to their or their family member's needs and ensure their safety. Additionally permits both an employee victim and an employee who has a family member who is a victim to use sick leave for time off to obtain victim services. The total leave taken may be capped at 12 weeks.

**Status:** Chapter 967, Statutes of 2024

### **AB-2751 (Haney) - Employer communications during nonworking hours.**

Requires public and private employers to establish a workplace policy that provides employees the right to disconnect from communications from the employer during nonworking hours, except as specified, and provides for enforcement by the Labor Commissioner.

**Status:** Assembly-Died - Appropriations

### **AB-2961 (Addis) - Employment of minors: training on sexual harassment.**

Expands the employer notification requirement of an intent to employ a minor to require a certification that the minor has completed a mandatory training on sexual harassment prevention, retaliation, and reporting resources using the online course available on the website of the Civil Rights Department and in a language understood by that person, whenever reasonably possible.

**Status:** Senate-Died - Appropriations

### **SB-399 (Wahab) - Employer communications: intimidation.**

Prohibits an employer, as specified and with limited exceptions, from subjecting, or threatening to subject, an employee to discharge, discrimination, retaliation, or any other adverse action because the employee declines to attend an employer-sponsored meeting or affirmatively declines to participate in, receive, or listen to any communications with the employer, the purpose of which is to communicate the employer's opinion about religious or political matters.

**Status:** Chapter 670, Statutes of 2024

### **SB-497 (Smallwood-Cuevas) - Protected employee conduct.**

Establishes a rebuttable presumption in favor of an employee's retaliation claim if an employer engages in any disciplinary behavior, as specified, within 90 days of an employee engaging in specified protected activity and directs recovery of civil penalties for a violation of whistleblower protections to the affected employee.

**Status:** Chapter 612, Statutes of 2023

### **SB-616 (Gonzalez) - Sick days: paid sick days accrual and use: unpaid sick leave for railroad employees.**

Expands the state's paid sick leave law to provide an employee with no less than 24 hours or 3 days of paid sick leave by the 120th calendar day of employment and no less 40 hours or 5 days of paid sick leave by the 200th calendar day of employment.

**Status:** Chapter 309, Statutes of 2023

### **SB-731 (Ashby) - Employment discrimination: unlawful practices: work from home: disability.**

Requires an employer to provide an employee who is working from home with at least 30 calendar days' advance notice, by mail or email, before requiring that employee to return to work in person. The notice provided by the employer is also required to include specified text informing employees of their right to request a reasonable accommodation for a disability.

**Status:** Senate-Vetoed

### **SB-848 (Rubio) - Employment: leave for loss related to reproduction or adoption.**

Makes it an unlawful employment practice for an employer to refuse to grant a request by an eligible employee to take up to five days of reproductive loss leave following a reproductive loss event, as defined.

**Status:** Chapter 724, Statutes of 2023

### **SB-988 (Wiener) - Freelance Worker Protection Act.**

Establishes the Freelance Worker Protection Act to impose minimum requirements for contracts between hiring parties and freelance workers for professional services of a specified amount. Requires, among other things, hiring parties to: 1) provide freelance workers with a written contract with specified terms; 2) pay freelance workers by the date specified in the contract or no later than 30 days after the work is completed; and 3) not discriminate or take any adverse action against freelance workers for exercising their rights. Provides for enforcement and specified damages in court by an aggrieved freelance worker or a public prosecutor.

**Status:** Chapter 870, Statutes of 2024

### **SB-1105 (Padilla) - Paid sick leave: agricultural employees: emergencies.**

Amends the Healthy Workplaces, Healthy Families Act of 2014, to require an employer to provide paid sick leave to an agricultural employee who works outside and requests the paid sick leave to avoid smoke, heat, or flooding conditions created by a local or state emergency.

**Status:** Chapter 525, Statutes of 2024

### **SB-1340 (Smallwood-Cuevas) - Discrimination.**

Permits local enforcement of employment discrimination complaints under the Fair Employment and Housing Act (FEHA) as long as the enforcement meets specified requirements, including, but not limited to, the enforcement concerns an employment complaint filed with the Civil Rights Department (~~CRD~~) and is pursuant to a local law that is at least as protective as FEHA.

**Status:** Chapter 626, Statutes of 2024

## **EMPLOYMENT SAFETY**

### **AB-521 (Bauer-Kahan) - Occupational safety and health standards: construction jobsites: restrooms.**

Requires the Occupational Safety and Health Standards Board (standards board), before December 1, 2025, to draft a rulemaking proposal to consider revising regulations on construction jobsite restrooms to require at least one single-user toilet facility on all construction jobsites, designed for employees who self-identify as female or nonbinary. Additionally requires the standards board to consider adopting revised standards on or before December 31, 2025.

**Status:** Chapter 529, Statutes of 2023

### **AB-871 (Haney) - Safety in employment: conveyances.**

Removes the exception for conveyances, excluding platform lifts or stairway chairlifts, installed in private residences from the requirement to obtain a permit from the Division of Occupational Safety and Health (Cal/OSHA) for the erection, construction, installation, or material alteration of a conveyance and requires Cal/OSHA to establish a permit application procedure that enables submissions through an online portal.

**Status:** Assembly-Vetoed

### **AB-1007 (Ortega) - Occupational safety and health standards: plume.**

Requires the Division of Occupational Safety and Health (Cal/OSHA) to, by December 1, 2026, submit to the Occupational Safety and Health Standards Board (Board) a proposed regulation requiring a health facility to evacuate or remove plume using plume-scavenging systems in all settings that employ techniques that involve the creation of plume. This bill also requires the Board to consider the proposed regulation for adoption by June 1, 2027.

**Status:** Chapter 352, Statutes of 2023

### **AB-1424 (Jones-Sawyer) - Occupational safety and health: cannabis delivery employee.**

Requires a cannabis delivery employer, as defined, to develop, implement, and maintain specified driver safety protocols allowing a cannabis delivery employee, as defined, to not complete a delivery if the delivery would create a real and apparent hazard to the employee or fellow employees, providing for notification and documentation procedures relating to incomplete deliveries, and providing information relating to worker retaliation protections. Imposes various requirements on a cannabis delivery employer relating to access to the driver safety protocols, including requiring the employer to make the protocols available to the Department of Cannabis Control upon request. Requires a cannabis delivery employer to notify the department upon being notified or becoming aware of an attempted robbery, injury, or death in the course of a delivery. Additionally require a cannabis delivery employer to ensure that containers used in the delivery of cannabis goods do not indicate that the delivery employee is carrying cannabis goods, as specified.

**Status:** Assembly-Died - Labor and Employment

### **AB-2264 (Arambula) - Occupational safety and health: heat illness prevention certification.**

Requires, commencing July 1, 2028, an employee to obtain a heat illness prevention certification from the Cal/OSHA within 30 days after the date of hire and to maintain a valid certification for the duration of their employment, as specified. Requires the Cal/OSHA to develop and make accessible the heat illness prevention certification process on its internet website by July 1, 2028, and to offer the certification process in English and in the five most used non-English languages. Also requires the certification process to include certain minimum requirements, including, among other things, that the training course include basic, introductory instruction on the elements of knowledge and heat illness prevention practices as described in the heat illness standard

**Status:** Assembly-Died - Labor and Employment

### **AB-2408 (Haney) - Firefighter personal protective equipment: perfluoroalkyl and polyfluoroalkyl substances.**

Prohibits, beginning July 1, 2026, any person from manufacturing, selling, offering for sale, distributing for use in this state, or purchasing or accepting for future use in this state, firefighter personal protective equipment containing intentionally added perfluoroalkyl and polyfluoroalkyl substances.

**Status:** Senate-Died - Appropriations

### **AB-2738 (Luz Rivas) - Labor Code: alternative enforcement: occupational safety.**

Clarifies that the training certification requirements of entertainment events employees may be alternatively enforced by a public prosecutor and adds a public events venue or a contracting entity to the entities that may be assessed a penalty for violating these requirements.

**Status:** Chapter 969, Statutes of 2024

### **AB-2975 (Gipson) - Occupational safety and health standards: workplace violence prevention plan.**

Requires the Occupational Safety and Health Standards Board, by March 1, 2027, to amend the workplace violence prevention in health care standards to require certain licensed hospitals to implement a weapons detection screening policy that requires the use of weapons detection devices that automatically screen a person's body at specified entrances, and adopt related policies, staffing and signage, as specified.

**Status:** Chapter 749, Statutes of 2024

### **AB-3043 (Luz Rivas) - Occupational safety: fabrication activities.**

Addresses worker safety in the stone fabrication industry by, among other things, 1) prohibiting the use of "dry methods" in fabrication; 2) establishing training, certification, and licensing requirements; 3) prohibiting suppliers from providing slabs to unlicensed people and entities; and 4) creating an online database to track violations of health and safety orders and licensing requirements.

**Status:** Senate-Died - Labor, Public Employment and Retirement

### **AB-3106 (Schiavo) - School employees: COVID-19 cases: protections.**

Requires a school employer to ensure that COVID-19 cases are excluded from the workplace while continuing to pay an excluded employee their regular earnings until either their symptoms have improved, as specified, or the employer has complied with return-to-work requirements under the California Department of Public Health's revised isolation guidance.

**Status:** Assembly-Died - Appropriations

### **AB-3258 (Bryan) - Refinery and chemical plants.**

Expands the scope of the California Refinery and Chemical Plant Worker Safety Act of 1990 by revising the definition of "refinery" to mean an establishment that produces gasoline, diesel fuel, aviation fuel or biofuel through the processing of crude oil or alternative feedstock.

**Status:** Chapter 978, Statutes of 2024



### **SB-553 (Cortese) - Occupational safety: workplace violence: restraining orders and workplace violence prevention plan.**

Adds to the required elements of an employer's injury prevention program a workplace violence prevention plan, subject to review at least annually. Requires employers to record information in a violent incident log about every workplace violence incident and provide effective training on the plan.

**Status:** Chapter 289, Statutes of 2023

### **SB-626 (Rubio) - Smoking tobacco in the workplace: transient lodging establishments.**

Removes the exemption for up to twenty percent of guestroom accommodations in transient lodging establishments from the prohibition on smoking tobacco products at a place of employment.

**Status:** Chapter 182, Statutes of 2023

### **SB-686 (Durazo) - Domestic workers: occupational safety.**

Removes, effective January 1, 2025, the "household domestic service" exemption from the California Occupational Safety and Health Act so as to apply it to most domestic workers, requires the Division of Occupational Safety and Health to adopt industry guidance on employer legal obligations under occupational safety and health laws, and requires household domestic services employers to comply with all applicable occupational safety and health regulations by January 1, 2025.

**Status:** Senate-Vetoed

### **SB-1350 (Durazo) - Occupational safety and health: definitions.**

Removes, beginning July 1, 2025, the "household domestic service" exemption from California's Occupational Safety and Health Act's definition of employment, thereby extending the Act's health and safety protections to certain domestic workers whose service is not publicly funded, do not work in family daycare homes, and are not privately employed by individuals in their own residences.

**Status:** Chapter 895, Statutes of 2024

## **MISCELLANEOUS**

### **AB-58 (Kalra) - Labor statistics: annual report.**

Requires the Department of Industrial Relations to include in its annual report on occupational injuries, diseases, and fatalities, industry classification information separated by the ethnicity, race, and gender of affected individuals. The labor provisions were subsequently amended out of the measure.

**Status:** Chapter 418, Statutes of 2023

### **AB-640 (Lee) - Pupil work permits.**

Authorizes an employer intending to employ a minor to work exclusively online to provide the Uniform Resource Locator (URL) for the employer's website as an address in the notification to a school administrator of the intent to employ the minor.

**Status:** Assembly-Died - Labor and Employment

### **AB-685 (Ramos) - Workforce training: California Volunteers: youth job corps.**

Establishes the #CaliforniansForAll Youth Job Corps Program in statute and requires California Volunteers, upon appropriation, to expand the program.

**Status:** Assembly-Died – Appropriations

### **AB-735 (Berman) - Workforce development: utility careers.**

Establishes the High Road Utility Careers (HRUC) program, to be administered by the California Workforce Development Board, to connect existing resources with individuals interested in careers in the utility sector and to ensure a continued reliable workforce for California utilities. Upon appropriation by the Legislature, the HRUC program shall dedicate funding toward the accomplishment of a number of goals, including connecting workers to high-quality jobs or entry-level work with defined routes to advancement.

**Status:** Assembly-Died - Appropriations

### **AB-800 (Ortega) - Workplace Readiness Week: work permits.**

Designates the week of each year that includes April 28 as "Workplace Readiness Week" and requires all public high schools to observe that week; requires schools to provide information to students in grades 11 and 12 on labor rights included in the history-social science curriculum framework; and requires schools to provide students seeking a work permit with a document that clearly explains basic labor rights, as specified.

**Status:** Chapter 271, Statutes of 2023

### **AB-803 (Flora) - Department of Industrial Relations.**

Requires the Director of Industrial Relations to submit the annual report on the activities of the Division of Occupational Safety and Health to the Governor and post the report on the Department of Industrial Relations internet website.

**Status:** Assembly-Died - Labor and Employment

### **AB-804 (Flora) - Agricultural Labor Relations Board: office.**

Deletes the requirement that the principal office of the Agricultural Labor Relations Board (board) be located in Sacramento and would, instead require the board to establish an executive or principal office.

**Status:** Assembly-Died - Labor and Employment

### **AB-853 (Maienschein) - Retail grocery stores and retail drug stores: acquisition: notice to Attorney General.**

The labor provisions were subsequently removed from this measure and re-referred to another Committee.

Prohibits a successor grocery store employer to cause a grocery establishment that is located in a geographic area designated as a food desert to cease being fully operational and open to the public until the establishment provides notice to the city council, city attorney, board of supervisors, county counsel, State Department of Public Health, and Attorney General 180 days before the establishment ceases to be fully operational and open to the public. Requires the notice to include, among other things, a written analysis and explanation, including data, on how residents living in the geographic area will be able, at a comparable cost, including transportation cost and time off work and childcare costs, to purchase food.

**Status:** Chapter 457, Statutes of 2023

### **AB-1050 (Arambula) - Online Jobs and Economic Support Resource Grant Program.**

Establishes the Online Jobs and Economic Support Resource Grant Program, administered by the Employment Development Department, for the purpose of funding inclusive, cross-jurisdictional, and innovative online platforms that support employment and learning opportunities.

**Status:** Assembly-Died - Appropriations

### **AB-1224 (Bryan) - Workforce development: green jobs survey.**

Requires, upon appropriation by the Legislature, the Labor Market Information Division within the Employment Development Department to conduct a green jobs survey, as specified, to gather information about statewide green job industry strengths.

**Status:** Assembly-Died - Appropriations

### **AB-1365 (Ortega) - Workforce development: grocery industry.**

Existing law authorizes the California Apprenticeship Council and the Division of Apprenticeship Standards, in cooperation with specified state entities, including the agency, to foster and promote on-the-job training programs other than apprenticeship, in accord with, and agreed to by the parties to, any applicable collective bargaining agreements, as specified. Requires the Labor and Workforce Development Agency to develop a labor-management training partnership to identify workforce training methods appropriate for the grocery industry.

**Status:** Assembly-Died - Labor and Employment

### **AB-1370 (Ta) - California Community Colleges Economic and Workforce Development Program.**

Revises several provisions of the California Community Colleges Economic and Workforce Development Program (EWDP), including extending the operation of the program indefinitely, and repealing the Job Development Incentive Training Program. Also revises the principles governing the EWDP, the duties and membership of the program's advisory committee, the criteria for allocating program funds to colleges, and the definitions of key program terms.

**Status:** Senate-Died - Appropriations

### **AB-1381 (Weber) - Employment protections: call centers.**

Requires, on and after January 1, 2025, each state agency that enters a contract with a private entity for call center work to ensure that no later than January 1, 2026, at least 90 percent of the call center work is conducted in California with specified exemptions. Provides that state contracts with a private entity for programs or services in which call center work is included shall prioritize the work being conducted in California.

**Status:** Senate-Died - Governmental Organization

### **AB-1593 (Garcia) - California Workforce Development Board: Salton Sea geothermal resources area: Equitable Access Program.**

Establishes the Equitable Access Program to be administered and developed by the California Workforce Development Board to prioritize employment opportunities in construction, manufacturing, technical, maintenance, operations, and reclamation activities for local residents in the Salton Sea geothermal resources area.

**Status:** Assembly-Vetoed

### **AB-1766 (Committee on Labor and Employment) - Division of Occupational Safety and Health: regulations.**

Requires the Division of Occupational Safety and Health to formulate and propose regulations for adoption pertaining to passenger tramways. Corrects an obsolete cross-reference that defines "employee", as specified. Updates statutory references to instead refer to the federal Workforce Innovation and Opportunity Act of 2014, the California Workforce Development Board and the local workforce development boards.

**Status:** Chapter 133, Statutes of 2023

### **AB-1767 (Committee on Labor and Employment) - Labor contracts.**

Adds the provision of an email address to the information required from a person or entity contracting for labor or services in specified industries to qualify for a rebuttable presumption that the person or entity did not know or should not have known that the contract or agreement did not include funds sufficient to allow the contractor to comply with all applicable local, state, and federal laws or regulations governing the labor or services to be provided.

**Status:** Senate-Died - Labor, Public Employment and Retirement

### **AB-2068 (Ortega) – State agencies: call center work: reporting information.**

Imposes specified reporting requirements on state agencies that contract with private entities for call center work to provide public or customer service for that state agency or another state agency.

**Status:** Chapter 697, Statutes of 2024

### **AB-2185 (Jackson) - Employment agencies: domestic workers.**

This bill, notwithstanding any other provision of law, including specified existing law relating to worker status as either employees or independent contractors, would require that the nonemployment factors set forth in the act be used to determine employee status of domestic workers, as defined, who are referred through an employment agency. The bill, with regard to the direct payment factor, would exclude the alternative of payments to the employment agency in the case of a domestic worker who provides care to an individual over 21 years of age and, instead, require that payments for domestic services in such a case be made only directly to the domestic worker.

**Status:** Assembly-Died - Labor and Employment

### **AB-2444 (Lee) - Barbering and cosmetology: licensees: manicurists.**

This bill updates requirements for the State Board of Barbering and Cosmetology, within the Department of Consumer Affairs, to provide informational materials to its licensees on basic labor laws and requires the Department of Industrial Relations to develop those informational materials, which would be required to describe changes in the law relating to employment classification of manicurists.

**Status:** Assembly-Died – Appropriations

### **AB-2487 (Mike Fong) - Deputy Secretary for Climate.**

This bill requires the Deputy Secretary for Climate (Deputy Secretary) within the Labor and Workforce Development Agency to create and maintain a green jobs website that serves as the central hub for employment opportunities in the transition to carbon-neutral jobs. This bill also delays, by one year, the due date of the Deputy Secretary's report regarding the development and implementation of the workforce transition to a sustainable and equitable clean energy economy and sunsets the reporting requirement on January 1, 2030.

**Status:** Assembly-Died - Appropriations

### **AB-2494 (Calderon) - Employer notification: continuation coverage.**

AB 2494 would require all employers to provide employees, upon termination or upon reduction in hours, as specified, a notice via hard copy or email stating that the employee may be eligible for coverage under the federal Consolidated Omnibus Budget Reconciliation Act of 1985 (COBRA) and that the employee will receive an election notice from the plan administrator or group health plan.

**Status:** Senate-Died - Appropriations

### **AB-2602 (Kalra) - Contracts against public policy: personal or professional services: digital replicas.**

Provides that a provision in an agreement for the performance of personal or professional services is unenforceable as it relates to a new performance, fixed on or after January 1, 2025, if it: 1) contains a provision allowing for the use of a digital replica of an individual's voice or likeness; 2) does not include a reasonably specific description of the digital replica's intended uses with limited exception; and 3) is not negotiated with legal counsel or by a labor union, as specified.

**Status:** Chapter 259, Statutes of 2024

### **AB-2696 (Rendon) - Labor-related liabilities: direct contractor and subcontractor.**

Authorizes a joint labor-management cooperation committee, as specified, to bring an action in court against a direct contractor for any unpaid wage, fringe or other benefit payment or contribution, penalties or liquidated damages, and interest owed to a wage claimant by the direct contractor for the performance of private work.

**Status:** Chapter 734, Statutes of 2024

## **AB-2741 (Haney) – Temporary employees: labor contractors.**

The labor provisions were subsequently deleted from the bill.

This bill would impose certain requirements on a labor contractor and a client employer who has obtained a temporary worker from the labor contractor, as those terms are defined. The bill would require a labor contractor to include on the wage statement of each temporary worker the total amount of actual charges to the client employer for the temporary worker compared to the total compensation cost for the temporary worker. The bill would require a client employer to provide every temporary worker who has performed services for the client employer on a long-term, continuous basis with an opportunity to become a direct employee. The bill would require a client employer who plans to hire a permanent employee to give a temporary worker in the applicable position, as specified, an opportunity to apply for the permanent position before filling it. The bill would require a labor contractor to attempt to place a current temporary worker into a permanent position with a client employer when that employer informs the labor contractor of its plan to hire a permanent employee for a position for which the labor contractor is providing a temporary worker. The bill would prohibit a labor contractor from restricting a temporary worker from accepting a permanent position from the client employer, and would prohibit a labor contractor from collecting a fee when a temporary worker is offered permanent employment. The bill, on or before the 2nd Wednesday of May 2025, would require a client employer that has 100 or more direct employees hired through labor contractors within the prior calendar year to make publicly available on an internet website the number of temporary employees hired through labor contractors within the prior calendar year as compared to the number of direct employees. The bill would prohibit a labor contractor from sending a temporary worker to a place where a strike, lockout, or other labor trouble exists without providing to the temporary worker a specified written notice in a language the temporary worker understands. The bill would make the termination or disciplinary action by a labor contractor against a worker within 90 days of the person's exercise of rights protected under the act to be a rebuttable presumption of retaliation. The bill would provide certain remedies for a violation of the rights established by the bill, including bringing an action against a labor contractor or employer in the superior court. The bill would authorize the Labor Commissioner to enforce the bill's provisions, and would authorize the Labor Commissioner to assess and collect specified penalties for a violation of the bill's provisions.

**Status:** Chapter 970, Statutes of 2024

### **AB-2754 (Rendon) - Employment contracts and agreements: sufficient funds: liability.**

Amends provisions related to client employer and labor contractor liability to make them applicable to certain port drayage motor carriers and to certain customers that utilize their services.

**Status:** Chapter 739, Statutes of 2024

### **AB-2855 (Flora) - Skilled and trained workforce requirements.**

This bill would exempt from the requirements that apply when a public entity is required by statute or regulation to obtain an enforceable commitment that a bidder, contractor, or other entity will use a skilled and trained workforce to complete a contract or project, a contractor or subcontractor that is subject to a valid collective bargaining agreement requiring participation in a state-approved apprenticeship program provided that the contractor or subcontractor performs only work within the scope of that agreement and provides a declaration verifying the existence of that agreement.

**Status:** Assembly-Died - Labor and Employment

### **AB-2873 (Garcia) - Breaking Barriers to Employment Initiative: grants.**

Makes changes to the application and reporting requirements for the Breaking Barriers to Employment Initiative under the California Workforce Development Board.

**Status:** Chapter 224, Statutes of 2024

### **AB-2989 (Wallis) - Talent agencies: licensure.**

Exempts an attorney licensed under the State Bar Act from the requirement to be licensed as a talent agency.

**Status:** Assembly-Died - Labor and Employment

### **AB-3041 (Wendy Carrillo) - Civil service: Career Development Apprenticeship Program.**

Establishes, as an alternative to the traditional civil service examination and appointment process, the Career Development Apprenticeship Program (CDAP) to be administered and overseen by the California Department of Human Resources, and requires the Division of Apprenticeship Standards within the Department of Industrial Relations to issue rules and regulations pursuant to, and consistent with, provisions governing the CDAP, among other provisions.

**Status:** Assembly-Died - Labor and Employment

### **AB-3125 (Garcia) - Skilled and trained workforce requirements.**

Applies skilled and trained workforce requirements to all goods or services in excess of one-half of 1 percent of the prime contractor's total bid to complete a contract or project relating to any Salton Sea project.

**Status:** Assembly-Died - Labor and Employment



### **AB-3234 (Ortega) - Employers: social compliance audit.**

Requires an employer that voluntarily subjects its business to a social compliance audit, whether the audit is conducted in part, or in whole, to determine if child labor is involved in the employer's operations or practices, to post to the business' website a report detailing the audit's findings of the employer's compliance with child labor laws.

**Status:** Chapter 438, Statutes of 2024

### **ACA-6 (Haney) - University of California: basic state labor standards.**

This measure, if it is placed on the ballot and approved by the voters, would require the University of California to conform to certain labor, employment, and occupational health and safety standards that apply to other public agencies.

**Status:** Senate-Died - Elections and Constitutional Amendments

### **ACA-14 (Ortega) - University of California: basic state labor standards.**

Applies basic state labor standards that apply to the employees of the state to employees of the Regents of the University of California.

**Status:** Senate-Died – Rules

### **SB-27 (Durazo) - University of California: vendors.**

Establishes the Recovery of Earned but Unpaid Wages Act (Act) to, among other things, prohibit a vendor from accepting payment from the University of California (UC) if the vendor is performing services or supplying the UC with employees to perform services who are paid less than the higher of the total compensation rate specified in the vendor's contract with the UC or as required by university policy. The bill also requires vendors to comply with various reporting and notice requirements and establishes a process for aggrieved employees to bring a civil action against vendors who do not comply with the provisions of this Act.

**Status:** Chapter 480, Statutes of 2023

### **SB-284 (Wiener) – Public Utilities: contracting: interconnection transparency and efficiency: wholesale distribution service.**

The labor provisions were subsequently removed from the measure.

Requires an investor-owned utility to require its contractors and subcontractors to use a skilled and trained workforce to perform work on projects for the production, generation, transmission, distribution, or storage of energy. The bill would require the commission to require investor-owned utilities to obtain certain reports from their contractors, bidders, or other entities and to transmit those reports to the commission.

**Status:** Assembly-Died - Utilities and Energy

### **SB-335 (Cortese) – Labor statistics: annual report.**

The labor provisions were subsequently removed from the measure.

Requires the Department of Industrial Relations to submit to the Legislature and the Governor the existing annual report containing statistics on state work injuries and occupational diseases and fatalities by industry classifications.

**Status:** Chapter 391, Statutes of 2023

### **SB-480 (Portantino) - Pupil instruction: work-based learning: youth apprenticeship programs: high school graduation requirements: pilot program.**

Establishes, subject to appropriation, the High School Apprenticeship Pilot Program, as specified, authorizing, beginning with the 2026-27 school year, a school district or county office of education to offer the participation in a preapprenticeship or youth apprenticeship program, as defined, for two school years as an alternative to the requirement that a pupil complete a course in visual or performing arts, foreign language, or career technical education.

**Status:** Assembly-Died - Appropriations

### **SB-534 (Padilla) - Equitable Access to Job Opportunity Pilot Program.**

Establishes the Equitable Access to Job Opportunity Pilot Program upon appropriation by the Legislature, to be administered by the California Workforce Development Board and the Office of Planning and Research, to provide individuals without postsecondary education degrees from rural or low-income communities with financial aid for workforce development training and education to gain employment in key industries.

**Status:** Assembly-Died - Appropriations

### **SB-627 (Smallwood-Cuevas) - Displaced workers: notice: opportunity to transfer.**

Establishes the Displaced Worker Retention and Transfer Rights Act (Act), to: 1) require a chain employer to provide each covered worker and their exclusive representative, if any, a displacement notice at least 60 days before the expected date of closure of a covered establishment; and 2) require a chain employer, for one year after the closure of a covered establishment, to provide to all covered workers the opportunity to transfer to a location of the chain within 25 miles of the covered establishment subject to closure, as positions become available.

**Status:** Senate-Vetoed

### **SB-640 (Portantino) - California State University: food service contracts and hotel development projects.**

Requires the Trustees of the California State University, when entering into food service contracts or hotel development projects, to require the person contracting with the trustees and each food service employer or hotel employer to be party to a labor peace agreement with a labor organization.

**Status:** Senate-Vetoed

### **SB-699 (Caballero) - Contracts in restraint of trade.**

Provides that any contract void under provisions relating to the prohibition on contracts in restraint of trade in employment are unenforceable, including by an employer or former employer. Authorizes an employee, as specified, to bring a private action to enforce this provision.

**Status:** Chapter 157, Statutes of 2023

### **SB-700 (Bradford) - Employment discrimination: cannabis use.**

Provides that it is unlawful under the Fair Employment and Housing Act (FEHA) for an employer to request information from an applicant for employment relating to the applicant's prior use of cannabis unless the employer is permitted to consider or inquire about that information under the Fair Chance Act or other state or federal law.

**Status:** Chapter 408, Statutes of 2023

### **SB-723 (Durazo) - Employment: rehiring and retention: displaced workers.**

Modifies recall and reinstatement rights for laid-off employees in the hospitality, service, and travel industries by 1) creating a presumption that a nondisciplinary separation due to lack of business, reduction in force, or other related economic reason is related to the COVID-19 pandemic; and 2) extending the December 31, 2024, repeal date, to December 31, 2025.

**Status:** Chapter 719, Statutes of 2023

### **SB-725 (Smallwood-Cuevas) - Grocery workers.**

Provides that if a successor grocery employer does not hire an eligible grocery worker following a change in control or does not retain them for at least 90 days, as specified, the successor grocery employer shall, unless the worker has quit or has been discharged for cause, provide the eligible grocery worker a dislocated grocery worker allowance equal to one week of pay for each full year of their employment.

**Status:** Senate-Vetoed

### **SB-740 (Cortese) - Hazardous materials management: stationary sources: skilled and trained workforce.**

Expands skilled and trained workforce requirements, currently applicable to an owner or operator of a stationary source that is engaged in certain petroleum-related activities, to

also include contracts awarded, extended, or renewed on or after January 1, 2024, by an owner or operator of a stationary source that is engaged in manufacturing hydrogen, biofuels, or certain specified chemicals, or in capturing, sequestering, or using carbon dioxide in specified conditions.

**Status:** Chapter 293, Statutes of 2023

### **SB-822 (Durazo) - Workforce development: Interagency High Road Act.**

Requires the Department of Industrial Relations and the California Workforce Development Board (CWDB) to create high road evaluation metrics in consultation with stakeholders. Requires, by January 1, 2025, specified state agencies to enter into a memorandum of understanding with the CWDB to incorporate high road evaluation metrics in the state agency's procurement processes, contracts, and incentive programs.

**Status:** Senate-Vetoed

### **SB-864 (Smallwood-Cuevas) - Workforce development: workplace rights curriculum.**

Requires the California Workforce Development Board to partner with the Labor Commissioner and other subject matter experts to develop workplace rights curriculum as the basis for a training by local workforce development boards to individuals accessing services through the state's workforce system.

**Status:** Assembly-Died – Appropriations

### **SB-984 (Wahab) - Public agencies: project labor agreements.**

Requires, by January 1, 2027, the Judicial Council and the California State University (CSU) to identify and select a minimum of three major construction projects and to subject those projects to the requirements of a project labor agreement (PLA), as specified. Additionally requires, beginning January 1, 2027, the Judicial Council and the CSU to submit a report to the Legislature regarding the selection of the aforementioned projects.

**Status:** Senate-Vetoed

### **SB-1089 (Smallwood-Cuevas) - Food and prescription access: grocery and pharmacy closures.**

Requires grocery and pharmacy establishments with more than five employees to provide notice, no later than 45 days before a closure, to its employees and various state and local entities and requires the local workforce development board in which that covered establishment is located to provide information about safety net programs and local workforce training services.

**Status:** Chapter 625, Statutes of 2024

### **SB-1100 (Portantino) - Discrimination: driver's license.**

Makes it an unlawful employment practice under the California Fair Employment and Housing Act for an employer to include a statement in a job advertisement, posting, application or other material that an applicant must have a driver's license unless 1) the employer reasonably expects driving to be one of the job functions for the position, and 2) the employer reasonably believes that satisfying the job function through an alternative form of transportation would not be comparable in travel time or cost to the employer.

**Status:** Chapter 877, Statutes of 2024

### **SB-1264 (Grove) - Employment discrimination: cannabis use.**

Exempts from the Fair Employment and Housing Act's prohibition on employment discrimination on the basis of a person's off-the-job cannabis use, until January 1, 2028, applicants to and employees in sworn positions within law enforcement agencies who have or would have certain functions or activities.

**Status:** Assembly-Died - Labor and Employment

### **SB-1298 (Cortese) - Certification of thermal powerplants: data centers.**

Authorizes the California Energy Commission (CEC), until January 1, 2030, to exempt from its certification a thermal powerplant with a generating capacity of up to 150 megawatts, if specified requirements are met, including that the power plant is used solely as a backup generation facility for a data center and that a skilled and trained workforce is used to perform all construction work on the facility, as specified.

**Status:** Assembly-Died - Rules

### **SB-1321 (Wahab) - Employment Training Panel: employment training program: projects and proposals.**

Includes additional priority criteria for projects being considered for funding by the Employment Training Panel (ETP), including meeting high road training partnership standards and promoting the hiring, training and advancement of disadvantaged, marginalized, and underrepresented workers; updates minimum standards for the consideration of proposals to include attestation of compliance with all state and federal labor and health and safety laws; prohibits the ETP from considering or approving any proposal if an applicant does not include the compliance attestation, or is ineligible to bid, be awarded, or subcontract on a public works project; and requires the ETP to provide and make available to the public a regularly updated list of all applicants that have submitted applications.

**Status:** Chapter 469, Statutes of 2024

**SB-1375 (Durazo) - Workforce development: records: poverty-reducing standards: funds, programs, reporting, and analyses.**

Establishes the Equity, Climate Resilience, and Quality Jobs Fund in the State Treasury and requires, to the extent authorized by the federal jobs acts, as defined, 1% of all qualified moneys from the federal jobs acts to be transferred into the fund for specified purposes, including the development of poverty-reducing labor standards for investments made using these moneys.

**Status:** Senate-Vetoed

**SB-1446 (Smallwood-Cuevas) - Grocery retail store and retail drug establishment employees: self-service checkout and consequential workplace technology.**

This bill prohibits a grocery or drug store (“retail store”) from providing a self-service checkout option for customers unless specified workplace conditions are met.

**Status:** Assembly-Died - Rules

**SB-1460 (Durazo) - Broadband Labor Standards Act: broadband deployment projects: model contract terms: memorandum of understanding.**

[Requires, by January 1, 2026, the California Workforce Development Board to convene relevant stakeholders and state agencies, including the California Public Utilities Commission and the Department of Industrial Relations, to develop model contract terms for broadband deployment projects that are awarded state grants to increase the utilization of specified apprenticeships in the telecommunications sector.](#)

**Status:** Assembly-Died - Appropriations

**SJR-5 (Durazo) - Office of Management and Budget: Uniform Guidance.**

Urges the Office of Management and Budget to update its Uniform Guidance to explicitly allow states and localities to implement strong procurement standards that advance high-quality jobs and equitable hiring, including lifting the local hire prohibition on federally funded projects.

**Status:** Chapter 5, Statutes of 2024

## **PUBLIC WORKS PREVAILING WAGE**

### **AB-338 (Aguiar-Curry) – Fuel reduction work.**

Requires, beginning on July 1, 2026, fuel reduction work, done under contract and paid for in whole or in part out of public funds, to meet specified labor standards, including that all workers performing work within an apprenticeable occupation in the building and construction trades be paid at least the general prevailing rate of per diem wages.

**Status:** Chapter 428, Statutes of 2023

### **AB-587 (Robert Rivas) - Public works: payroll records.**

Requires any copy of records requested by, and made available for inspection by or furnished to, a Taft-Hartley trust fund or joint labor-management committee to be on forms provided by the Division of Labor Standards Enforcement (DLSE) or contain the same information as the forms provided by DLSE. Additionally, this bill clarifies that copies of electronic certified payroll records do not satisfy payroll records requests made by Taft-Hartley trust funds and joint labor-management committees.

**Status:** Chapter 806, Statutes of 2023

### **AB-1121 (Haney) - Public works: ineligibility list.**

Requires awarding authorities to annually submit to the Department of Industrial Relations' electronic project registration database a list of contractors, with specified information, that are ineligible to bid on or be awarded a public works contract, or to perform work as a subcontractor on a public works project, pursuant to local debarment or suspension processes.

**Status:** Chapter 465, Statutes of 2023

### **AB-1890 (Joe Patterson) - Public works: prevailing wage.**

Requires an awarding body of public works projects to provide notice to the Department of Industrial Relations (DIR) of any changes or additions regarding the project registration that involve either of the following: 1) A change in the identity of a contractor or subcontractor performing work on the project. 2) A change in the total amount of the contract if the change exceeds ten thousand dollars (\$10,000). The updated notification must be provided to the DIR within 30 days of the change.

**Status:** Assembly-Vetoed

### **AB-2135 (Schiavo) - Public works contracts: wage and penalty assessment.**

This bill extends the deadline from 18 months to 24 months, as specified, for the Labor Commissioner to serve a civil wage and penalty assessment against a public work contractor or subcontractor, or both.

The bill authorizes the deadline for service of an assessment to be extended for an additional 18 months upon a showing of good cause by the Labor Commissioner or their designee, and specifies that a showing of good cause includes that the investigation and assessment is ongoing.

**Status:** Senate-Died - Appropriations

#### **AB-2182 (Haney) - Public works.**

Modifies state public works law by: 1) granting joint labor-management reasonable access to public works jobsites and 2) requiring a change in a prevailing wage rate as determined by the Department of Industrial Relations' Director to apply to certain contracts from July 1, 2026, to January 1, 2031.

**Status:** Assembly-Vetoed

#### **AB-2439 (Quirk-Silva) - Public works: prevailing wages: access to records.**

Requires an owner, developer, or the agent of an owner or developer, that, among other things, receives public funds from a public agency to perform specified public works projects, to make available specified records to joint labor-management committees, multiemployer Taft-Hartley trust funds, and nonprofits established to ensure compliance within the building and construction trades.

**Status:** Assembly-Died - Appropriations

#### **AB-2451 (Cervantes) - Public works: prevailing wages.**

Requires the Director of Industrial Relations, in a prevailing wage determination where there are different rates from collective bargaining agreements that have overlapping crafts or classifications, to use the higher rate.

**Status:** Assembly-Died - Labor and Employment

#### **AB-2705 (Ortega) - Labor Commissioner.**

Provides that, for a violation of public works law, the statute of limitations (SOL) for the Labor Commissioner (LC) to sue a bonding company shall be the same as the 18-month SOL for the LC to issue a civil wage and penalty assessment to the contractor or subcontractor on that project, or both.

**Status:** Chapter 242, Statutes of 2024

#### **AB-3186 (Petrie-Norris) - Public works: prevailing wages: access to records.**

Requires owners and developers undertaking any public works project to make specified records available to the Division of Labor Standards Enforcement, multi-employer Taft-Hartley trust funds, and to joint labor-management committees, as specified.

**Status:** Senate-Died - Rules



### **AB-3190 (Haney) - Public works.**

Subjects to public works law, beginning on January 1, 2026 and ending on January 1, 2031, certain affordable housing projects by adding certain low-income housing tax credits to the definition of "paid for in whole or in part out of public funds," and providing that specified projects built pursuant to certain low-income housing tax credits with a state agency, redevelopment agency, successor agency to a redevelopment agency when acting in that capacity, or a local housing authority, are subject to public works requirements.

**Status:** Chapter 759, Statutes of 2024

### **SB-422 (Portantino) - California Environmental Quality Act: expedited environmental review: climate change regulations.**

The labor provisions were subsequently removed from the measure.

Requires certain projects that support the state's greenhouse gas emission reduction targets or that use pollution control equipment to employ a skilled and trained workforce and pay the prevailing wage to be eligible for an expedited environmental review process.

**Status:** Chapter 1011, Statutes of 2024

### **SB-735 (Cortese) - San Francisco Bay Area Regional Housing Finance Act: expenditure of funds: public works.**

This bill provides that any construction or rehabilitative project receiving funding from the Bay Area Housing Finance Agency is a public work and subject to prevailing wage or a project labor agreement, as specified.

**Status:** Assembly-Died - Appropriations

### **SB-830 (Smallwood-Cuevas) - Public works.**

Expands the definition of "public works," for the purpose of the payment of prevailing wages, for public works contracts advertised for bid or awarded on or after January 1, 2026, to also include custom fabrication of sheet metal ducts for heating, ventilation, and air conditioning (HVAC) systems produced offsite and solely and specifically designed and engineered for installation in a public works project.

**Status:** Assembly-Died - Floor

### **SB-1162 (Cortese) - Public contracts: employment compliance reports and payroll records: workers' dates of birth.**

Requires the monthly compliance reports furnished by a contractor, bidder or other entity to the public entity or other awarding body demonstrating compliance with skilled and trained workforce requirements to include the full name of, and identify the apprenticeship program name, location and graduation date of, all workers relied upon

to satisfy the apprenticeship graduation percentage requirement. Requires the Division of Apprenticeship Standards to, on or before July 1, 2025, create and maintain a public online database to verify that a worker graduated from a California apprenticeship program, and requires the database to be searchable by first name, last name and graduation date of the worker.

**Status:** Chapter 882, Statutes of 2024

### **SB-1303 (Caballero) - Public works.**

Requires certain actions by private labor compliance entities, as defined, on public works projects prior to withholding contract payments for an alleged violation of public works law, and requires a private labor compliance entity to disclose potential conflicts of interest to the awarding body prior to contracting for a public works project.

**Status:** Chapter 991, Statutes of 2024

## **WAGES HOURS AND WORKING CONDITIONS**

### **AB-520 (Santiago) - Employment: public entities.**

Extends existing labor law provisions applicable to the private sector to make a "public entity," as defined, jointly and severally liable for unpaid wages when the public entity contracts for services in the property or long-term care industries and where the public entity has been provided notice of such liability by the Labor Commissioner ~~(LC)~~.

**Status:** Chapter 656, Statutes of 2023

### **AB-1031 (Blanca Rubio) - Employee rest periods: employees providing direct support to individuals with intellectual and developmental disabilities.**

This bill would exempt from the requirement that an employee be relieved of all duties an employee providing direct support to an individual with an intellectual or developmental disability in an integrated community setting, under prescribed circumstances. The bill would require, if a nonexempt employee is affirmatively required to interrupt their rest period to respond to the needs of a consumer, that another rest period be authorized and permitted reasonably promptly after the circumstances that led to the interruption have passed. The bill would require the employer, if circumstances do not allow the employee to take a rest period, to pay the employee one hour of pay at the employee's regular rate of pay for the rest period that was not provided.

This bill would make related legislative findings and declarations, and would express the intent of the Legislature to enact legislation to permit direct support staff providing services and supports in community settings to maintain general supervision of their consumers during rest periods, as specified.

**Status:** Assembly-Died - Labor and Employment

### **AB-1099 (Megan Dahle) - Goat herders: labor protections.**

Existing law establishes specified labor protections for goat herders, as defined, relating to wages, meal and rest periods, lodging, and other conditions of employment. Existing law imposes civil penalties, as prescribed, for violations of these provisions. Existing law requires the Labor Commissioner, on or before January 1, 2024, to issue a report to the Legislature on wage violations, including minimum wage and overtime, affecting sheepherders and goat herders. These goat herder provisions are repealed on January 1, 2024. This bill would delete the repeal language, thereby making the provisions operative indefinitely.

**Status:** Assembly-Died - Labor and Employment

### **AB-1100 (Low) - State employees: workweek.**

The labor provisions were subsequently removed from this measure and re-referred to another Committee.

This bill would establish the 32-hour Workweek Pilot Program under the administration of the Department of Industrial Relations to provide grants to employers with 5 or more employees for the purposes of administering pilot programs that provide each employee the option to work a 32-hour workweek. The bill would authorize an employer to apply for a grant from the department by submitting a specified application that includes, among other things, a 12-month plan for the implementation of a 32-hour workweek. The bill would require the department to award grants quarterly, beginning July 1, 2024, and to prioritize employers with hourly employees. The bill would require an employer, upon receipt of a grant, to implement the program within 90 days, and would require the employer, within the first 6 months, and upon the completion of the pilot program, to evaluate the impact of the pilot program on employer and employee satisfaction, as specified. The bill would require the department to submit a report to the Legislature on or before January 1, 2028, on the 32-hour Workweek Pilot Program, including findings and recommendations on expanding the pilot program on a statewide basis or for an extended period of time. The bill would make these provisions operative upon appropriation by the Legislature, and would repeal these provisions on January 1, 2029.

**Status:** Assembly-Died - Public Employment and Retirement

### **AB-1228 (Holden) - Fast food restaurant franchisors and franchisees: joint liability.**

Repeals the Fast Food Accountability and Standards (FAST) Recovery Act on the condition that the referendum contesting the FAST Act is withdrawn by January 1, 2024. In the event of the referendum's withdrawal, this bill not only repeals the FAST Act but also reestablishes, until January 1, 2029, a modified version of the Fast Food Council (Council). This bill additionally outlines the Council's objectives, responsibilities, and constraints in relation to setting an hourly minimum wage and overseeing the adoption and evaluation of health, safety, and employment standards for fast food restaurant employees.

**Status:** Chapter 262, Statutes of 2023

### **AB-1516 (Kalra) - Labor and Workforce Development Agency: working group: minimum wage.**

Requires the Labor and Workforce Development Agency to convene a working group on the state minimum wage to evaluate specified topics including raising the minimum wage and ending the sub-minimum wage for incarcerated workers.

**Status:** Senate-Died - Appropriations

### **AB-2374 (Haney) - Displaced janitors.**

Revises the Displaced Janitor Opportunity Act to apply to contractors employing one or more janitors, increase the employee retention period from 60 to 90 days, and provide that the successor contractor shall maintain the same number of hours and pay the same wages and benefits as were provided by the prior contractor.

**Status:** Senate-Died - Appropriations

### **AB-3056 (Gallagher) - Agricultural workers: overtime compensation.**

Repeals a provision of the phase-in of overtime for agricultural workers so that workers shall only be entitled to one-half times their regular rate of pay for all hours worked over 48 hours in any workweek.

**Status:** Assembly-Died - Labor and Employment

### **AB-3105 (Flora) - Employment: wages and hours: exemption for faculty at private institutions of higher education.**

Clarifies that instructors employed at independent institutions of higher learning incorporated out of state prior to January 1, 2023 are exempt professionals from state wage and hour law.

**Status:** Chapter 158, Statutes of 2024

### **AB-3143 (Lowenthal) - Compensation: gratuities.**

Prohibits an employer or agent from prohibiting, or implementing a policy to prohibit, an employee of a restaurant from receiving any gratuity that is paid, given to, or left for an employee by a patron.

**Status:** Senate-Died - Appropriations

### **SB-41 (Cortese) - Meal and rest breaks: airline cabin crew employees.**

Exempts from state meal and rest period law airline cabin crew employees who are covered by a collective bargaining agreement (CBA) addressing meal and rest periods. Extends this exemption for 12 months to those employees who are represented by a labor organization but are not yet covered by a CBA that addresses meal and rest periods.

**Status:** Chapter 2, Statutes of 2023

### **SB-332 (Cortese) - Minor league baseball players.**

Exempts from labor code provisions regarding overtime, meal periods, and the provision of itemized wage statements minor league baseball players covered by a valid collective bargaining agreement (CBA) providing for wages, hours of work, working conditions, payment for time worked during off-season and spring training, and final and binding arbitration of disputes.

**Status:** Chapter 866, Statutes of 2023

### **SB-525 (Durazo) - Minimum wage: health care workers.**

Establishes a health care employee minimum wage with various phase-in schedules based upon a classification system using factors such as health care facility size, type of facility, and the governmental payor mix percentage, as described. Provides a process for a specified hospital to appeal exclusion from certain classifications and a waiver process for a clinic to obtain a temporary pause or alternative phase-in schedule.

**Status:** Chapter 890, Statutes of 2023

### **SB-828 (Durazo) - Minimum wages: health care workers: delay.**

Delays by one month the implementation of health care worker minimum wage increases and states that it is an urgency statute.

**Status:** Chapter 12, Statutes of 2024