

CALIFORNIA LEGISLATURE

STATE CAPITOL
SACRAMENTO, CALIFORNIA
95814

L.A. Wildfires: Ensuring an Equitable Recovery for Workers

March 12, 2025 at 9am
1021 O Street, Room 1100

Background Paper

Introduction

Beginning on January 7, 2025, a series of destructive wildfires wreaked havoc on entire communities in the Los Angeles metropolitan area. Years of extreme weather patterns created the conditions that made this possible. Prolonged drought, erratic atmospheric rivers, and Santa Ana winds as high as 100 mph caused seven wildfires to erupt within days of one another. More than 200,000 people in and around Los Angeles were forced to evacuate. The most destructive of them were the Palisades and Eaton fires, which together burned a total of 37,728 acres, destroyed more than 16,000 structures, and killed 29 people.

Below is a summary of the most destructive fires in the series:

- **The Palisades fire:** started on 1/7/25 and burned for 44 days, killing 12 people, destroying a total of 23,707 acres and 6,837 structures (including homes and businesses), and damaging a total of 973 structures.¹
- **The Eaton fire:** started on 1/7/25 and burned for 44 days, killing 17 people, destroying a total of 14,021 acres and 9,414 structures, and damaging 1,074 structures.²
- **The Hurst fire:** started on 1/7/25 and burned 799 acres.³
- **The Lidia fire:** started on 1/8/25 and burned 395 acres.⁴
- **The Kenneth fire:** started on 1/9/25 and burned 1,052 acres.⁵

¹ <https://www.fire.ca.gov/incidents/2025/1/7/palisades-fire>

² <https://www.fire.ca.gov/incidents/2025/1/7/eaton-fire>

³ <https://www.fire.ca.gov/incidents/2025/1/7/hurst-fire>

⁴ <https://www.fire.ca.gov/incidents/2025/1/8/lidia-fire>

⁵ <https://www.fire.ca.gov/incidents/2025/1/9/kenneth-fire>

Please note: the Eaton and Palisades wildfires are, respectively, the second and third-most destructive California wildfires to date behind the Camp fire of November 2018, which destroyed a total of 153,336 acres and 18,804 structures.⁶

With the help of fire crews from throughout California and nine other states, as well as assistance from firefighters from Mexico, the wildfires are finally 100% contained and the state is now in the cleanup and recovery phases.

The Federal Emergency Management Agency (FEMA) assigned the United States Environmental Protection Agency (EPA) to assess, remove, and safely dispose of hazardous materials from all burned areas. This work – done in close coordination with the California Department of Toxic Substances Control, as well as county and local government partners – is Phase 1 of the federal cleanup response and is free to residents.

On January 27, 2025, EPA's teams began collecting household hazardous materials from burned properties. As part of EPA's Phase 1 hazardous materials removal operations, EPA set up several staging areas used to sort and process hazardous materials for shipment to appropriate disposal facilities. Hazardous materials include items such as lithium-ion batteries from power walls, electric and hybrid vehicle batteries, paint, paint thinners, pool chemicals, oils, pesticides, cleaners, solvents, and other items. These materials arrive at designated staging areas for processing and leave the site for designated landfills in sealed containers. All workers at these staging areas are required to follow EPA's best management practices for safety and ensuring no impact to the environment. Phase 1 of hazardous debris cleanup for the LA fires was completed on February 26, 2025 with the safe removal and containment of 300 million tons of material, according to the California Office of Emergency Services (Cal OES).⁷

Phase 2 of the cleanup is the removal of other non-hazardous debris administered by the United States Army Corps of Engineers (USACE) and provided at no cost to residents. Impacted residents have two options for this phase; they can either opt-in to the government-run debris removal program or opt-out and manage the cleanup without government assistance. The deadline to opt-into the government-sponsored debris removal program is March 31, 2025.

For residents opting-out of the debris removal program, they must receive approval from the County and a permit from the applicable local city authority to proceed with debris removal on their own. They are responsible for hiring the appropriately licensed and certified contractors to do the work and they assume all costs. The work must be completed in compliance with all local rules and regulations related to debris removal. Private contractors must also adhere to the same haul routes and safety standards used by the USACE to minimize neighborhood disruption.

As the work of cleanup and rebuilding continues, it is crucial that the State of California take an active role in prioritizing the health and safety of the workers hired to do this work – whether by government-run operations or privately hired by residents. It is also essential that we proactively work to ensure an equitable recovery among all impacted communities.

⁶ https://34c031f8-c9fd-4018-8c5a-4159cdff6b0d-cdn-endpoint.azureedge.net/-/media/calfire-website/our-impact/fire-statistics/top20_destruction.pdf

⁷ <https://news.caloes.ca.gov/phase-one-of-debris-cleanup-for-the-la-fires-is-complete/>

Today's hearing is an opportunity for the Legislature to hear directly from impacted workers and employers on what they experienced, what they have lost, what challenges they are facing, and how existing resources are helping them recover.

Safety Requirements

Wildfires pose a considerable risk to the health and safety of workers. Smoke from active wildfires contains chemicals, gases, and fine particles that can cause serious long-term health effects. Even after the fires are extinguished, the hazards associated with them persist. Employers must provide the appropriate safety training and equipment to workers as recovery efforts commence. Given the difficulties of balancing speed, safety, and accuracy in the aftermath of an emergency, it is critical that all levels of government conduct outreach and enforce existing law. Below is a brief overview of the Division of Occupational Safety and Health (Cal/OSHA) regulations to protect workers from wildfires.

Wildfire Smoke

Exposure to wildfire smoke can cause serious or fatal health effects, like reduced lung function, bronchitis, asthma, and heart failure. The safety regulations adopted and enforced by the Cal/OSHA exist to prevent these conditions. Cal/OSHA regulation §5141.1 protects most outdoor employees from wildfire smoke. Indoor employees are exempt from this regulation as long as their workplaces meet specified minimum standards.

For workplaces covered by the regulation, employers must determine employee exposure to particulate matter with a diameter of 2.5 micrometers or less (PM2.5) at the start of each shift. If the air quality index (AQI) for PM2.5 is at or above 151, employers must provide approved respirators for voluntary use.⁸ When the AQI for PM2.5 is higher than 500, respirators are required. Employers must also implement a system for communicating hazards and provide effective training. At minimum, training must be in a language and manner readily understandable by employees and should cover how to properly put on and use a respirator. When possible, employers should also control harmful exposures to smoke by relocating the work, changing work schedules, reducing work intensity, or providing more rest periods.

Indoor workplaces are only exempt from regulation §5141.1 if the air is filtered by a mechanical ventilation system and the employer ensures that windows, doors, loading dock doors, and other openings are kept closed to minimize contamination by outdoor or unfiltered air.⁹ Before wildfire season or smoke events, employers and building operators should ensure that a qualified technician inspects the HVAC system, makes necessary repairs, and conducts appropriate maintenance. Unlike home air conditioners that should be set to recirculation mode to reduce pollutants, commercial HVAC systems require outdoor air to function properly. Without outdoor air, these systems may create negative pressure in the workplace that increases the movement of unfiltered air. Alternate work assignments, relocation, and telecommuting are all encouraged to reduce exposure to smoke. When indoor workplaces cannot meet the above standards, regulation §5141.1 may be applicable.

⁸ <https://www.dir.ca.gov/dosh/doshreg/Protection-from-Wildfire-Smoke/Wildfire-smoke-emergency-standard.html>

⁹ <https://www.dir.ca.gov/dosh/wildfire/Indoor-Protection-from-Wildfire-Smoke.html>

During emergency conditions, it is illegal for employers to require workers to report to work or prevent workers from leaving an affected work area if they reasonably believe it is unsafe. Employers cannot prevent workers from using their phones to access emergency assistance, assess the safety of a situation, or to confirm the safety of others. These protections continue until the emergency condition ends.

Debris Cleanup

Wildfires expose both the public and any workers tasked with the cleanup to unsafe and unhealthful conditions that can last from the start of the fire to years after it is extinguished. Cleanup work exposes workers to hazardous air contaminants like particles, asbestos, heavy metals, formaldehyde, and carbon monoxide. Additionally, worksites can be unsafe due to electricity, flammable gases, unstable structures, excavation work, sharp or flying objects, and demolition work.¹⁰ Employers performing cleanup and other work in areas damaged by wildfires are required to identify and evaluate hazards, correct unsafe conditions, and provide training and instruction to employees.

Before work can begin, employers need to evaluate potential air contaminants and estimate employee exposure levels to comply with Cal/OSHA respiratory regulations.¹¹ This includes developing a written respiratory regulation protection program and training materials. When it is not possible to identify hazardous air contaminants or to reasonably estimate employee exposures, employers must consider the atmosphere to be immediately dangerous to life and health (IDLH). Atmospheres are also considered IDLH if 1) they contain insufficient oxygen, or high concentrations of air contaminants that exceed the capacity of air-purifying respirators (APRs), or 2) APRs are not able to protect against the particular air contaminant present. IDLH atmospheres require the use of a National Institute for Occupational Safety and Health-certified, self-contained breathing apparatus with a minimum service life of thirty minutes, or a full facepiece, supplied-air respirator with auxiliary self-contained air supply.

The majority of outdoor sites where workers perform fire cleanup, however will not be IDLH. In these instances, employers must provide elastomeric APRs equipped with a high-efficiency particulate air filter, combined with an organic vapor and formaldehyde cartridge.¹² In areas where vegetation or untreated wood alone burned, N95 respirators are sufficient. Employers are also required to provide a water supply that can suppress dust from ash, debris, and dirt.¹³ Water reduces inhalation exposures to contaminants and improves the effectiveness of respirators. Further details are available on Cal/OSHA's website.

Along with providing respiratory protection, employers must provide personal protective equipment (PPE) that properly fits each worker. PPE includes, but is not limited to, hardhats, eye and hearing protection, and full-body Tyvek or equally effective coveralls.¹⁴ Cal/OSHA provides detailed guidance on how to address common safety hazards at cleanup sites.¹⁵ For instance, different regulations dictate the precautions employers need to take when workers encounter

¹⁰ <https://www.dir.ca.gov/dosh/wildfire/Worker-Health-and-Safety-During-Fire-Cleanup.html>

¹¹ https://www.dir.ca.gov/dosh/Fire_Resp_Protection.html

¹² <https://www.dir.ca.gov/DOSH/Wildfire/Wildfire-Cleanup-Worker-Safety-Req.pdf>

¹³ https://www.dir.ca.gov/dosh/Fire_Resp_Protection.html

¹⁴ <https://www.dir.ca.gov/DOSH/Wildfire/Wildfire-Cleanup-Worker-Safety-Req.pdf>

¹⁵ <https://www.dir.ca.gov/dosh/wildfire/Worker-Health-and-Safety-During-Fire-Cleanup.html>

power lines or unstable structures. The information needed to ensure worker safety is easily accessible and there is no excuse for employers to disregard safe work practices.

Who is protected?

As noted by Cal/OSHA, health and safety standards protect all workers who clean up after fires, regardless of immigration status. Workers who are legally classified as employees in California are protected even if their employers treat them as independent contractors. Existing Cal/OSHA standards exclude domestic workers. However, fire cleanup ***is not considered*** domestic work and any domestic worker involved in cleanup activities is covered by Cal/OSHA safety standards.¹⁶

Immediate Assistance Available for Displaced Workers and Employers

For workers:

Unemployment Insurance (UI) and Disaster Unemployment Assistance (DUA)

If an individual is out of work because of a disaster, they may be eligible for *Unemployment Insurance (UI)* benefits. Unemployment benefits are temporary income for eligible workers who lost their job (or had hours reduced) through no fault of their own. Workers may receive from \$40 to \$450 each week, depending on how much they earned in the past 18 months. Workers must identify that they are unemployed because of a disaster when they apply for benefits.

Governor Gavin Newsom proclaimed a state of emergency in Los Angeles County and issued an executive order supporting communities affected by the ongoing fires and waiving the one-week-waiting period for affected workers who qualify for regular unemployment benefits.^{17 18}

In response to the wildfires and windstorms, federal *Disaster Unemployment Assistance (DUA)* is available for workers and self-employed people who do not qualify for regular unemployment benefits.¹⁹ The Employment Development Department (EDD) administers these benefits. DUA is for workers – such as self-employed people – who are not eligible for regular unemployment benefits and lost their jobs or had hours reduced because of the disaster. Eligible full-time workers can receive between \$186 and \$450 per week in DUA benefits, for up to 26 weeks. Part-time workers may also be eligible for DUA benefits.

DUA benefit claims must be filed by March 10, 2025. DUA benefits apply to losses beginning the week of January 12, 2025. The last payable week of this emergency benefit ends July 12, 2025.

Please note: According to the Employment Development Department, to collect unemployment insurance benefits, an individual must have a Social Security Number, show that they were in satisfactory immigration status and authorized to work in the United States when earning the

¹⁶ <https://www.dir.ca.gov/dosh/wildfire/Worker-Health-and-Safety-During-Fire-Cleanup.html>

¹⁷ <https://www.gov.ca.gov/2025/01/07/governor-newsom-proclaims-state-of-emergency-meets-with-first-responders-in-pacific-palisades-amid-dangerous-fire-weather/>

¹⁸ https://www.gov.ca.gov/wp-content/uploads/2025/01/EO_-LA-Fires-N-2-25.-1.8.25.pdf

¹⁹ https://edd.ca.gov/en/about_edd/news_releases_and_announcements/disaster-unemployment-assistance-dua-now-available-to-los-angeles-county-workers-impacted-by-california-wildfires-and-severe-winds/

wages used to establish the claim, and provide proof that they are currently in satisfactory immigration status and authorized to work each week that they claim benefits.

Disability Insurance (DI) and Paid Family Leave (PFL)

EDD provides additional benefits and resources for California workers. *Disability Insurance (DI)* and *Paid Family Leave (PFL)* benefits provide partial pay when you need time off work for your own disability or family leave.

Disability Insurance provides short-term wage replacement benefits to eligible California workers who are unable to work due to an illness, injury, surgery, pregnancy, or childbirth. If eligible, individuals can get benefit payments for up to 52 weeks. Workers may be eligible for DI benefits if they 1) cannot do their regular work for at least eight days; 2) have lost wages because of their disability; 3) are working or looking for work at the time their disability begins; and 4) earned at least \$300 with SDI deducted from your paycheck.²⁰

Paid Family Leave provides benefit payments to people who need to take time off work to care for a seriously ill family member, bond with a new child, or support a family member in the US armed forces who is deploying to a foreign country. If eligible, individuals can receive benefits for up to eight weeks. The benefit amount is 70–90% of your weekly wages earned 5 to 18 months before your claim start date.²¹

State DI and PFL provide pay, but do **not** protect an individual’s job when they take leave. While they are receiving benefits, their job may be protected under other federal or state laws including:

- California Family Rights Act (CFRA)
- California Pregnancy Disability Leave Act (PDL)
- California Fair Employment and Housing Act (FEHA)
- Family and Medical Leave Act (FMLA)

Please note: Undocumented workers in California can apply for DI and PFL benefits, even if they do not have a Social Security number (SSN). As noted by EDD, citizenship or immigration status does not disqualify an individual from accessing DI and PFL benefits.

Worker Centers

America’s Job Center of California (AJCC) is a one-stop shop for no-cost job and training services. Job Centers help connect employers with job openings to people who are looking for work. The AJCC is a network of local and state organizations, as well as private and public groups, working together to provide these services at no cost. The online American Job Center Finder, sponsored by the U.S. Department of Labor, is a website that lists local centers that support people with workforce training and offers job search and other employment-related resources. The site lists 41 American Job Centers in Los Angeles and 39 in Pasadena. The listings include websites, addresses, and contact information for each center. Job seekers can find

²⁰ https://edd.ca.gov/en/disability/Am_I_Eligible_for_DI_Benefits/

²¹ <https://edd.ca.gov/en/disability/paid-family-leave/>

the AJCC location nearest to them for access to job-search resources, training programs, and more.²²

The City of Los Angeles Economic & Workforce Development Department (EWDD) currently operates 14 WorkSource Centers and 2 portal offices located throughout the City of Los Angeles. These centers act as a personal employment agency and their services are always free. They serve adults, dislocated workers, veterans, the homeless, and the re-entry population, and offer broad support to business owners and entrepreneurs.²³ Additionally, Worker and Family Recovery Centers are open and available to wildfire-impacted workers who need to access to free services such as job training and placement, income support, grants for small businesses, educational services for youth, and much more.

\$20 Million Grant provided to LA County to support workers

The Employment Development Department has awarded up to \$20 million to Los Angeles County to support the immediate needs of workers suffering job losses or reduced hours in the aftermath of devastating firestorms with temporary employment. The funding also provides the kind of support needed for long-term recovery and more permanent reemployment.²⁴ This \$20 million is 100% federally funded by two separate \$10 million grants, as described below, from the U.S. Department of Labor: the Disaster Recovery National Dislocated Worker Grant and the Workforce Innovation and Opportunity Act Additional Assistance Grant.^{25 26}

The Los Angeles region will receive up to \$10 million that will be coordinated by Los Angeles County and the City of Los Angeles to support humanitarian aid and cleanup efforts by creating temporary jobs in impacted areas. These jobs will address urgent needs such as debris removal, shelter operations, and community health support – providing critical opportunities for impacted communities to recover and rebuild.

In addition, another \$10 million was awarded to the Los Angeles County Department of Economic Opportunity to address the specific needs of workers in collaboration with several of the region’s local workforce development boards. These funds will enable displaced workers to access transitional jobs, on-the-job training, and other workforce services that support long-term recovery and meaningful careers in the Los Angeles region. Program participants may also receive additional help with other needs as the recovery continues, including housing, childcare, transportation, computer training, skill upgrades, and other supportive services, depending on the specific offerings in each local area.

The combined funding reflects a robust partnership between local, state, and federal agencies to quickly address the urgent impacts of the disaster, which have affected thousands of residents

²² To find an AJCC, please visit: <https://www.careeronestop.org/LocalHelp/AmericanJobCenters/find-american-job-centers.aspx>

²³ <https://www.ewddlacity.com/>

²⁴ [https://edd.ca.gov/en/about_edd/news_releases_and_announcements/\\$20-million-in-aid-to-support-immediate-recovery-efforts-and-workers-impacted-by-firestorms/](https://edd.ca.gov/en/about_edd/news_releases_and_announcements/$20-million-in-aid-to-support-immediate-recovery-efforts-and-workers-impacted-by-firestorms/)

²⁵ <https://www.dol.gov/agencies/eta/grants/apply/national-dislocated-worker-grant-opportunities>

²⁶ <https://www.dol.gov/newsroom/releases/eta/eta20250116-0>

and businesses. Individuals and businesses impacted by the disaster can access these services through their local America's Job Center of California locations.²⁷

For Employers

Requests for Extension to Report and Pay:

California employers directly affected by an emergency or disaster may request an extension of up to two months to file their state payroll reports and to deposit state payroll taxes with the EDD, without penalty or interest.²⁸ Governor Newsom's executive order allows employers in LA County to request up to a 60-day extension to file state payroll reports or deposit payroll taxes.²⁹

Work Sharing Program:

Employers may also consider using the Employment Development Department's Work Sharing program as a temporary alternative to any layoffs if business production or services were reduced.³⁰ The program could help employers minimize or eliminate the need for layoffs while also helping businesses keep trained employees and quickly recover when business conditions improve. Employees whose hours and wages have been reduced can receive unemployment benefits, keep their current job, and minimize financial hardships. Work Sharing claims share the same maximum duration as a regular UI claim – up to 26 weeks.

LA Region Small Business and Worker Relief Funds:

Small businesses, nonprofits, and workers affected by the devastating January 2025 windstorm and wildfires can now apply for direct financial relief through the LA Region Small Business and Worker Relief Funds. The program will provide grants up to \$2,000 for eligible displaced workers and up to \$25,000 for eligible small businesses and nonprofits. Applications opened February 6, 2025, and close on March 12, 2025 at 5pm (PST).³¹

Rebuilding Equitably

Unfortunately, the recovery process will not look the same for all affected residents. Those with higher incomes may turn to private contracting to speed up their rebuilding efforts while those with less means have no choice but to work with federal, state, and insurance partners to rebuild. The Eaton fire wiped out the City of Altadena, a historically Black and middle-class community whose numerous families are now grappling with the reality of starting over. The generational wealth potentially on the line highlights the differing realities of residents impacted by the same disasters. Those with personal wealth or home insurance that covers their rebuilding will be able to rebuild and restart a life in this city while others may have no option but to sell their land – with low-ball offers from predatory investors – losing any generational wealth their families may have gained, thus furthering economic inequality.

²⁷ <https://www.careeronestop.org/LocalHelp/AmericanJobCenters/find-american-job-centers.aspx?location=Hollywood,%20CA>

²⁸ https://edd.ca.gov/siteassets/files/pdf_pub_ctr/de231sed.pdf

²⁹ https://www.gov.ca.gov/wp-content/uploads/2025/01/EO_-LA-Fires-N-2-25.-1.8.25.pdf

³⁰ https://edd.ca.gov/en/unemployment/work_sharing_program/

³¹ <https://opportunity.lacounty.gov/small-business-worker-relief-funds/>

Governor Newsom signed an executive order that attempts to safeguard residents of hard-hit zip codes in Los Angeles County from predatory and exploitative practices that endanger the financial well-being and security of vulnerable victims.³² Among other things, the executive order protects property owners in fire-impacted areas from predatory real estate speculators by prohibiting unsolicited offers to purchase, or acquire any interest in real property, for an amount less than the fair market value of the property or property interest, as it was on January 6, 2025.

This prohibition is in effect until Monday, April 14, 2025. Any person who violates the order can be convicted of a misdemeanor punishable by a fine of up to \$1,000 and/or by imprisonment for up to six months.³³

As California grapples through the recovery and rebuilding of the cities destroyed by the fire, the State has an opportunity to make meaningful investments that move all communities forward. The State needs to implement policies that direct resources equitably so that our most vulnerable can maintain their assets and at the same time, have access to the jobs of rebuilding their communities. State agencies and departments need to prioritize contracts that reflect the people from the affected communities to ensure that resources further local economic recovery efforts. To this end, it is imperative that the State take a proactive role in ensuring that contracts for the cleanup and rebuilding are awarded to vetted contractors with a record of compliance with health and safety laws and a workforce that is representative of the impacted communities.

Moving Forward

Recovery from the LA wildfires is underway. As of March 7, 2025, FEMA has helped 30,468 people across disaster recovery centers and distributed a total of \$84.2 million in individual assistance.³⁴ However, natural disasters such as this one are, sadly, an increasingly common phenomenon that the State of California needs to be prepared for. Due to climate change and increasing heat and drought conditions, disasters like the one in Southern California this January are a grim reminder of the devastation that climate change will have on our communities. According to NASA, by around 2050, the amount of land consumed by wildfires in Western states is projected to further increase by two to six times.³⁵

Regardless of the emergency conditions facing the State, it is critical that all levels of government enforce the law and uphold workers' rights and protections throughout the response and recovery of a disaster. Our hope is that we take this opportunity to prepare California for the next unprecedented disaster and work together to put people at the forefront of our policy and ensure an equitable recovery.

³² https://www.gov.ca.gov/wp-content/uploads/2025/01/EO-N-7-25-_-Land-Speculation-1.14.25-bl-_GGN-Signed_.pdf

³³ https://www.dre.ca.gov/Consumers/PublicNotice_01172025_LA_Wildfires.html

³⁴ <https://www.ca.gov/lafires/track-progress/>

³⁵ <https://science.nasa.gov/climate-change/effects/>