

- 1) **Background.** Approximately two million homes across California hire a domestic worker. These hiring relationships can be complicated, and a domestic worker may be hired directly by a family, work through a referral agency, or be hired through a public agency or public program such as IHSS. Moreover, domestic workers lack the health and safety protections provided to many other workers because California's Occupational Safety and Health Act explicitly excludes them. This exclusion is made more troubling by the fact that domestic work can be dangerous. A recent UCLA report found that 51% of surveyed domestic workers reported that their employers pressured them to work in dangerous conditions.¹
- 2) **Recent efforts to improve workplace standards for domestic workers.** AB 241 (Ammiano) Chapter 374, Statutes of 2013, enacted the Domestic Worker Bill of Rights. This law entitled, until January 1, 2017, a domestic work employee who is employed as a personal attendant to overtime compensation, if the employee works in excess of nine hours in any workday or more than 45 hours in any workweek, to be compensated at the rate of 1.5 times the regular rate of pay. SB 1015 (Leyva) Chapter 315, Statutes of 2016, deleted the January 1, 2017, repeal date, thereby making the requirement permanent.
- 3) **The Standards Board and remaining questions.** The Standards Board's mission is "promote, adopt and maintain reasonable and enforceable standards that will ensure a safe and healthful workplace for California workers." The Standards Board consists of seven Governor-appointed members and responds to petitions for new or revised standards. These standards must be at least as effective as federal standards, and anyone can petition the Standards Board for new or revised workplace safety standards.

While the Standard Board responds to petitions for new or revised health and safety standards, this process can take considerable time. Given this bill's scale and the myriad of hiring relationships, clients and work tasks in the domestic work industry, it is unlikely the Standards Boards will complete its process by July 1, 2022. What this bill is asking of Cal/OSHA and the Standards Board will take years of stakeholder engagement and deliberation.

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¹ UCLA Labor and Occupational Safety and Health Program, *Hidden Work, Hidden Pain: Injury Experiences of Domestic Workers in California* (July 2020), available at <https://losh.ucla.edu/wp-content/uploads/sites/37/2020/06/Hidden-Work-Hidden-Pain.-Domestic-Workers-Report.-UCLA-LOSH-June-2020-1.pdf>