

THIRD READING

Bill No: AB 605
Author: Muratsuchi (D)
Amended: 8/13/26 in Senate
Vote: 21

SENATE LABOR, PUB. EMP. & RET. COMMITTEE: 4-1, 6/24/26
AYES: Smallwood-Cuevas, Cortese, Durazo, Laird
NOES: Strickland

SENATE ENVIRONMENTAL QUALITY COMMITTEE: 4-2, 7/1/26
AYES: Blakespear, Allen, Gonzalez, Menjivar
NOES: Valladares, Dahle
NO VOTE RECORDED: Hurtado

SENATE APPROPRIATIONS COMMITTEE: 5-2, 8/13/26
AYES: Cervantes, Cabaldon, Grayson, Richardson, Wahab
NOES: Seyarto, Dahle

ASSEMBLY FLOOR: 78-0, 6/4/25 - See last page for vote

SUBJECT: Employment: refineries: task force

SOURCE: United Steelworkers District 12

DIGEST: This bill establishes the Refinery Safe Staffing Task Force (Task Force) to develop potential methods and strategies for ensuring maximum employee retention at refineries, during, and especially in the time period preceding, a refinery closure, and for addressing employment dislocations associated with oil, gas, and related industries, as specified.

ANALYSIS:

Existing law:

- 1) Requires, under the California Occupational Safety and Health Act, an employer to:
 - a) Furnish employment and a place of employment that is safe and healthful.
 - b) Furnish and use safety devices and safeguards, as well as adopt and use practices, means, methods, operations, and processes that are reasonably adequate to render employment and the place of employment safe and healthful.
 - c) Do everything reasonably necessary to protect the life, safety, and health of employees.

(Labor Code §6300 et seq.)

- 2) Establishes the Division of Occupational Safety and Health (Cal/OSHA) within the Department of Industrial Relations (DIR) to, among other things, propose, administer, and enforce occupational safety and health standards. (Labor Code §6300 et seq.)
- 3) Directs the Standards Board and Cal/OSHA, in accordance with the California Refinery and Health Standards Board Act of 1990, to promote worker safety through implementation of training and process safety management (PSM) practices in refineries and chemical plants and other facilities deemed appropriate. (Labor Code §7852(a))
- 4) Defines “refinery” as an establishment that produces gasoline, diesel fuel, aviation fuel, or biofuel through the processing of crude oil or alternative feedstock. (Labor Code §7853(c))
- 5) Defines “process safety management” as the application of management programs, which are not limited to engineering guidelines, when dealing with the risks associated with handling or working near hazardous chemicals. PSM is intended to prevent or minimize the consequences of catastrophic releases of acutely hazardous, flammable, or explosive chemicals. (Labor Code §7853(b))

This bill:

- 1) Establishes the Refinery Safe Staffing Task Force (Task Force) consisting of the following members:

- a) Three representatives of unions representing proprietary employees at refineries, as specified, one each appointed by the Governor or their appointed DIR PSM Unit regional manager, the Speaker of the Assembly, and the Senate Committee on Rules, respectively.
 - b) Three representatives of unions representing building trades whose members serve as contractors at refineries, one each appointed by the Governor or their appointed DIR PSM Unit regional manager, the Speaker of the Assembly, and the Senate Committee on Rules, respectively.
 - c) Three representatives of refinery employers, one each appointed by the Governor or their appointed DIR PSM Unit regional manager, the Speaker of the Assembly, and the Senate Committee on Rules, respectively.
 - d) Three representatives of nongovernmental organizations whose mission relates to the well-being of workers and refinery communities, one each appointed by the Governor, the Speaker of the Assembly, and the Senate Committee on Rules, respectively.
 - e) Two members of the public with expertise in refinery process safety, to be appointed by the Governor or their appointed DIR PSM Unit regional manager.
- 2) Requires all members of the Task Force to be appointed and begin serving no later than January 1, 2028.
 - 3) Provides that the members of the Task Force shall serve without compensation, except that they shall receive, upon appropriation of funds for this purpose, their actual and necessary expenses incurred in the performance of their duties and responsibilities, including traveling expenses.
 - 4) Requires the Task Force to select one of its members to be its chair. Provides that the Task Force shall have all of the responsibilities, powers, and duties set forth in these provisions.
 - 5) Provides that the Task Force shall consult with, and may utilize, the staff of the DIR PSM Unit.
 - 6) Provides that the purpose of the Task Force shall be to develop potential methods and strategies for ensuring maximum employee retention at refineries,

during, and especially in the time period preceding, a refinery closure or long-term idling of a refinery, and for addressing employment dislocations associated with oil, gas, and related industries.

- 7) Requires, no later than June 1, 2029, the Task Force to present to the Legislature, and make available online to the public, a report documenting a wide range of potential methods and strategies for ensuring maximum employee retention in the time period preceding refinery closure or long-term idling of a refinery, including, without limitation, any of the following:
 - a) Extended severance periods.
 - b) Paid job training.
 - c) Extended job placement assistance.
 - d) Priority transfer to other refineries.
 - e) Financial and logistical assistance.
- 8) Requires the report in 7) to consider a wide range of methods and strategies for ensuring safe operation in the event of understaffing and include potential methods and strategies for transitioning oil and gas workers into sectors that match their skills and experience.
- 9) Makes the provisions that establish the Task Force, 1) through 7) above, inoperative on July 1, 2029, and repeals them as of January 1, 2030.
- 10) Make various findings and declarations related to California's refinery industry and refinery workers.

Background

Refinery Safety. The PSM Unit within Cal/OSHA is responsible for inspecting refineries and chemical plants that handle large quantities of toxic and flammable materials. Generally, refinery safety rules are built around the concept of process safety, which requires refineries to identify and fix hazards before accidents occur and involve workers directly in investigations when they do. The first safety standard enforced by the PSM Unit was adopted in 1990 under the California Refinery and Health Act and was substantially similar to the federal one. Following a 2012 chemical release and fire at the Chevron U.S.A. Inc. Refinery in

Richmond, however Cal/OSHA and the Legislature moved to strengthen safety standards. An interagency working group, consisting of Cal/OSHA, CalEPA, and the U.S. Environmental Protection Agency, among others, identified serious concerns with Chevron's PSM procedures and expressed the need for stronger preventative safeguards. On May 18, 2017, the Standards Board unanimously adopted an updated PSM standard that requires refinery employers to conduct damage mechanism reviews, apply rigorous safeguard protection analyses, integrate human factors and culture assessments into safety planning, involve front-line employees in decision-making, and perform comprehensive process hazard analyses.

Specifically, refinery employers are required to include an analysis of human factors, where relevant, in major changes, incident investigations, process hazard analyses, and management of organizational change (MOOC) assessments. Human factor analysis must evaluate the following: staffing levels; the complexity of tasks; the length of time needed to complete tasks; the level of training, experience and expertise of employees; the human-machine and human-system interface; the physical challenges of the work environment in which the task is performed; employee fatigue and other effects of shiftwork and overtime; communication systems; and the understandability and clarity of operating and maintenance procedures. Before an employer can reduce staffing levels or change shift duration, they must conduct a MOOC assessment. The MOOC assessment is required for changes with a duration exceeding 90 calendar days affecting operations, engineering, maintenance, health and safety, or emergency response. All MOOC assessments must include an analysis of human factors.

In 2024, the Legislature expanded the definition of "refinery" to include an establishment that produces gasoline, diesel fuel, aviation fuel, or biofuel through the processing of crude oil or alternative feedstock. The current PSM standard covers approximately 1,500 facilities in the state that handle or process certain hazardous chemicals, including 11 refineries which produce approximately two million barrels of crude oil per day into gasoline, diesel fuel, jet fuel, and chemical feedstocks.¹

Ongoing Changes to the PSM Standard. In 2019, Western States Petroleum Association (WSPA) filed two lawsuits regarding the 2017 PSM safety standard (CCR §5789.1).² In a complaint filed in Sacramento Superior Court, WSPA alleged that the standard 1) did not meet requirements under the California

¹ OSHSB, Process Safety Management for Petroleum Refineries. "[Initial Statement of Reasons](#)" 2025.

² OSHSB, Process Safety Management for Petroleum Facilities. "[Notice/Informative Digest](#)" 2025.

Administrative Procedure Act; 2) was invalid; 3) was unenforceable because it was inconsistent with governing statutes; and 4) was neither reasonably necessary nor sufficiently clear.³ Additionally, in a complaint filed in the Eastern District of California, WSPA alleged that the standard was preempted by the National Labor Relations Act.⁴

As part of a 2024 settlement to resolve these lawsuits, Cal/OSHA and the Standards board agreed to engage in rulemaking to amend the PSM safety standard to address WSPA's concerns. Specifically, Cal/OSHA agreed to propose and to support amendments to the PSM standard that would:

- Amend and clarify the definitions of highly hazardous material, major change, and employee representative;
- Amend and clarify the requirements pertaining to the Hierarchy of Hazard Control Analysis; and
- Amend and clarify, with respect to employee participation in PSM activities, how employers will allow for effective participation by employees engaged in such activities.

The revised standard must be adopted in accordance with the California Administrative Procedure Act. On November 28, 2025, the Standards Board published its notice of proposed rulemaking to amend the PSM standard. The first public hearing was held on January 15, 2026. The Standards Board is in the process of soliciting and responding to stakeholder feedback. It's unclear when the updated PSM standard will be adopted by the Standards Board and filed with the Secretary of State.

Over the last several years, California has experienced a wave of petroleum refinery closures and conversions. In turn, the in-state refining sector has significantly consolidated, with in-state refining capacity declining since at least 1982.⁵ California's remaining refineries are located primarily in populated urban areas, including four in Los Angeles County and three in the Bay Area. Several of these refineries were built over one hundred years ago.⁶

³ Western States Petroleum Association v. California Occupational Safety and Health Standards Board, California Division of Occupational Safety and Health, and California Environmental Protection Agency (Sacramento Super. Ct., Case No. 34-2019-00260210).

⁴ Western States Petroleum Association v. California Occupational Safety and Health Standards Board, et al. (E.D. Cal., Case No. 2:19-cv-1270)

⁵ Hersbach, Thomas J.P. "[The Writing on the Wall: Why California Refineries are Closing](#)," Stanford Climate & Energy Policy Program. February 11, 2026.

⁶ Ibid.

This bill. AB 605 establishes the Task Force to develop potential methods and strategies for ensuring maximum employee retention at refineries, during, and especially in the time period preceding, a refinery closure or long-term idling of a refinery, and for addressing employment dislocations associated with oil, gas, and related industries. The Task Force would, no later than June 1, 2029, present to the Legislature, and make available online, a report documenting its findings.

Related/Prior Legislation

SB 966 (Gonzalez, 2026) would codify specified provisions of Cal/OSHA's PSM safety standard related to employee participation in PSM activities. Specifically, the bill would require an employer, in consultation with employees and employee representatives, to develop, implement, and maintain a written plan providing for employee participation in all PSM elements, as specified. *This bill is pending on the Assembly Floor.*

AB 2157 (Connolly, 2026) would remove the July 1, 2027, sunset date for the Displaced Oil and Gas Worker Pilot Program, making the program permanent. *This bill is pending on the Senate Floor.*

FISCAL EFFECT: Appropriation: No Fiscal Com.: Yes Local: No

According to the Senate Appropriations Committee:

“DIR would potentially incur costs in the hundreds of thousands of dollars annually to convene the Task Force.”

SUPPORT: (Verified 8/13/26)

United Steelworkers District 12 (Source)
California Labor for Climate Jobs
Long Beach Area Chamber of Commerce
The Climate Center
United Steelworkers Local 675

OPPOSITION: (Verified 8/13/26)

Western States Petroleum Association

ARGUMENTS IN SUPPORT: According to the United Steelworkers District 12:

“AB 605 also creates a Refinery Safe Staffing Task Force that brings together labor representatives, refinery employers, process safety experts, regulators, and community stakeholders to develop evidence-based standards and best practices. This collaborative approach will help ensure that future requirements are informed by those with direct experience operating refineries safely and by those most affected by refinery incidents...

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ARGUMENTS IN OPPOSITION: According to the Western States Petroleum Association:

“California is already facing a fuel supply crisis of its own making. The state continues to lose refining capacity while demand for transportation fuels remains significant, yet policymakers continue to pile on new mandates, new costs, and new uncertainty for the few remaining refiners still willing to operate here. AB 605 moves California further in the wrong direction by making an already hostile business environment even more punitive and unstable.

AB 605 is not a targeted safety measure. It is a duplicative, burdensome, and highly politicized proposal that layers new regulatory requirements and labor mandates on top of refinery closure and idling decisions that are already heavily regulated under existing state and federal law.”

*The letters cited above reference an earlier version of AB 605, which directed the California Environmental Protection Agency (CalEPA) and the Division of Occupational Safety and Health (Cal/OSHA) to adopt regulations that require all refineries to develop safe staffing management plans.

ASSEMBLY FLOOR: 78-0, 6/4/25

AYES: Addis, Aguiar-Curry, Ahrens, Alanis, Alvarez, Arambula, Ávila Farías, Bains, Bauer-Kahan, Bennett, Berman, Boerner, Bonta, Bryan, Calderon, Caloza, Carrillo, Castillo, Chen, Connolly, Davies, DeMaio, Dixon, Elhawary, Ellis, Flora, Fong, Gabriel, Gallagher, Garcia, Gipson, Jeff Gonzalez, Mark González, Hadwick, Haney, Harabedian, Hart, Hoover, Irwin, Jackson, Kalra, Krell, Lackey, Lee, Lowenthal, Macedo, McKinnor, Muratsuchi, Nguyen, Ortega, Pacheco, Papan, Patel, Patterson, Pellerin, Petrie-Norris, Quirk-Silva,

Ramos, Ransom, Michelle Rodriguez, Rogers, Blanca Rubio, Sanchez, Schiavo,
Schultz, Sharp-Collins, Solache, Soria, Stefani, Ta, Tangipa, Valencia, Wallis,
Ward, Wicks, Wilson, Zbur, Rivas

NO VOTE RECORDED: Celeste Rodriguez

Prepared by: Emma Bruce / L., P.E. & R. / (916) 651-1556
8/15/26 16:03:15

**** **END** ****