

SENATE THIRD READING
SB 1024 (Menjivar)
As Amended August 19, 2026
Majority vote

SUMMARY

Entitles firefighters, as prescribed, up to 26 weeks of paid leave associated with a disability by pregnancy, childbirth, or related medical condition, among other provisions.

Major Provisions

- 1) Stipulate that the paid leave applies to an active firefighter member who has at least 1,250 hours of service with the fire department in the 12-month period before the date on which the paid leave begins. However, there are no eligibility requirements, including minimum hours worked or length of service, before an employee may take unpaid, job-protected leave for disability due to pregnancy, childbirth, or related medical condition as to existing laws incorporated by reference.*
- 2) Provide that, as a condition of granting or continuing the paid leave, a fire department may require the firefighter to provide written medical certification from their health care provider documenting that the leave is required because of a disability by pregnancy, childbirth, or related medical condition, and stating the anticipated start date and duration of the leave.*
- 3) Require, except as provided, (i) the leave to be with full pay at the firefighter's regular rate of pay set forth in a collective bargaining agreement and in accordance with their normal pay schedule; (ii) all benefits, as prescribed, to continue to accrue during the leave as if the firefighter were actively working; and, (iii) the firefighter who has taken the paid leave to be restored to their prior position or position of equivalent rank, pay, schedule, station assignment, and promotional trajectory.*
- 4) Prescribe the manner as to how the paid leave must be calculated for part-time firefighters.*
- 5) Stipulate that compensation during the paid leave must include retirement fund contributions by the fire department and firefighter, and the firefighter must earn full service credit during the paid leave.*
- 6) Require the paid leave to concurrently run with job-protected leave under existing law, as referenced, and prohibit a fire department from requiring a firefighter to exhaust paid sick leave, vacation, or compensatory leave time before or while taking the above-described leave.*
- 7) Require fire departments to maintain group health coverage for a firefighter who takes the duration of the prescribed paid leave, to be at the same level and under the same circumstances that the coverage would have been provided if the firefighter had not taken the paid leave.*
- 8) Establish that the provisions of this bill do not preempt or limit any collective bargaining agreement, state law or policy, or local law or policy providing greater rights or benefits, thereby, establishing these provisions as a minimum standard.*

- 9) *Authorize a fire department to count benefits provided to a firefighter under another law, employer-provided paid leave policy, or disability insurance plan that are payable, as provided, other than vacation, sick, or other compensated leave time, toward the requirements of this bill. In addition, full satisfaction is met if the fire department ensures that the firefighter receives their full pay during the leave of absence, as required, without a reduction to the firefighter's vacation, sick, or other compensated leave time balances.*
- 10) Apply the above-described provisions to active firefighters of fire departments of cities, counties, a city and county, districts, or other public municipal corporations or political subdivisions; the California State University; the Department of Forestry and Fire Protection; a county forestry or firefighting department or unit, and requests the University of California to comply with the provisions of this bill.

COMMENTS

The Health Risks of Firefighting. The risks of occupational exposure to toxic substances in firefighting are well documented. Firefighters are exposed to toxic chemicals in concentrations that exceed recommended limits during their everyday duties, and the accumulated health risks of these exposures make the profession so dangerous to human health that the International Association of Research on Cancer (IARC) has placed the occupation in the same category as carcinogens.¹ In addition, for firefighters who give birth, there are risks associated with breast feeding.

A 2023 study on firefighter reproduction in Australia found that several chemicals were present in higher concentrations in the breast milk of firefighters than in other groups, with varying concentrations of fire-related chemicals passing through to breast-fed infants.² *Because of exposure and concerning related health matters, women firefighters are subjected to a choice of pregnancy and childbirth v. acute commitment to their firefighting career.*

This Bill. This bill proposes a generous entitlement for firefighters that may be viewed or considered as a model statewide public policy for other high-risk occupations.

Please refer to the respective policy committee analyses for a full discussion of this bill.

According to the Author

"While still low, California has the highest number of women firefighters in the United States, yet there is no policy on the books that ensures paid postpartum and recovery leave for those who give birth. The absence of this paid leave either pushes firefighters to return to work before fully healing or leave the service completely. Unfortunately for many, they end up leaving. Over decades, significant effort has been dedicated towards ensuring that a career in the fire service is accessible to all who want to join and that fire departments represent the communities they serve. A critical piece of that effort is ensuring that all who join can stay. By ensuring firefighters who give birth receive 26 weeks of fully paid leave, [this bill] promotes fair, accessible, and sustainable careers in the fire service."

¹ "IARC Monographs Volume 132: Occupational Exposure as a Firefighter." International Agency for Research on Cancer, July 27, 2023.

² "An Exploratory Analysis of Firefighter Reproduction through Survey Data and Biomonitoring." International Journal of Environmental Research and Public Health, April 2023.

Arguments in Support

The California Professional Firefighters state, "[o]ver the past decades, significant effort has been dedicated towards ensuring that a career in the fire service is accessible to all who want to join and that fire departments reflect the communities that they serve. While progress has been made, a significant gap still exists with many barriers for those who may be considering a future as a firefighter. One of the most substantial barriers is the lack of adequate, paid leave following the birth of a child. No uniform family leave policies exist in the United States, with a patchwork of federal, state, and local regulations covering workers who have children. For fire service employees, the landscape of family leave policies is even more varied. Some municipal fire departments have instituted policies for firefighters who are pregnant or who have given birth, however these policies are not standardized. Additionally, even departments that have established pregnancy policies that provide for leave following birth require the firefighter to exhaust their accumulated sick and/or vacation time before accessing that leave. A lack of supportive pregnancy and maternity policies have significant impacts on both initial recruitment and long-term retention following childbirth, deeply impacting the ability of fire departments to build a diverse and representative fire service. Not only does a firefighter being forced to choose between their career and their family represent an unacceptable outcome for every firefighter faced with this choice, when viewed from a personnel and financial standpoint for the departments this becomes unsustainable. Significant time, effort, and funding is required for every recruit to achieve the level of training necessary for a career in the fire service, and when a firefighter must walk away to prioritize their health and family those investments are lost. Cost estimates for training range from \$80,000 - \$120,000 per recruit and may in fact be much higher when training beyond the initial academy period is considered. Firefighters should not have to choose between starting a family and pursuing their careers or be forced to step aside in order to protect themselves and their infants from harm."

Other organizations offer similar statements in support of this bill.

Arguments in Opposition

None.

FISCAL COMMENTS

According to the Assembly Committee on Appropriations, this bill would result in the following:

- 1) The CAL FIRE anticipates ongoing costs (General Fund) associated with providing this expanded benefit to firefighters but asserts it is unable to quantify these costs because it cannot reliably predict how many employees will utilize this benefit in a given year. Nonetheless, the Department of Human Resources (CalHR) estimates the bill likely results in ongoing annual costs in the hundreds of thousands of dollars for eligible Bargaining Unit 8 state employees working at CAL FIRE. However, to the extent that the extended leave provided by the bill results in more female firefighters returning to work instead of abandoning firefighting employment due to insufficient leave time the cost savings from reduced recruitment and training of new firefighters could lower total costs.
- 2) Ongoing General Fund costs of \$400,000 annually for the Labor Commissioner's Office (under the Department of Industrial Relations) to facilitate the creation of a parental leave program.

- 3) Ongoing costs in the tens of thousands to low hundreds of thousands of dollars (General Fund) for the University of California for campuses with fire departments to provide this expanded benefit.
- 4) No fiscal effect to the CSU as the CSU is protected by local city and county fire departments, not firefighters directly employed by the CSU.

VOTES

SENATE FLOOR: 39-0-1

YES: Allen, Alvarado-Gil, Archuleta, Arreguín, Ashby, Becker, Blakespear, Cabaldon, Caballero, Cervantes, Choi, Cortese, Dahle, Durazo, Gonzalez, Grayson, Grove, Hurtado, Jones, Laird, Limón, McGuire, McNeerney, Menjivar, Ochoa Bogh, Padilla, Pérez, Reyes, Richardson, Rubio, Seyarto, Smallwood-Cuevas, Stern, Strickland, Umberg, Valladares, Wahab, Weber Pierson, Wiener

ABS, ABST OR NV: Niello

ASM LABOR AND EMPLOYMENT: 7-0-0

YES: Ortega, Alanis, Chen, Elhawary, Kalra, Lee, Ward

ASM PUBLIC EMPLOYMENT AND RETIREMENT: 6-0-1

YES: McKinnor, Alanis, Boerner, Garcia, Nguyen, Michelle Rodriguez

ABS, ABST OR NV: Lackey

ASM APPROPRIATIONS: 11-0-4

YES: Wicks, Arambula, Calderon, Caloza, Fong, Mark González, Krell, Pacheco, Pellerin, Sharp-Collins, Solache

ABS, ABST OR NV: Hoover, Dixon, Ta, Tangipa

UPDATED

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