

Date of Hearing: July 9, 2025

ASSEMBLY COMMITTEE ON LABOR AND EMPLOYMENT

Liz Ortega, Chair

SB 20 (Menjivar) – As Amended May 23, 2025

SENATE VOTE: 38-0

SUBJECT: Occupational safety: fabrication activities on slab solid surface products

SUMMARY: Prohibits the use of dry methods in any slab product fabrication activities, establishes certification, renewal of certification, and training requirements for those engaged in fabrication activities, and provides for tracking of enforcement activities. Specifically, **this bill:**

Definitions

- 1) Makes findings and declarations regarding the extent of silicosis and its significant health impacts.
- 2) Defines “effective wet methods” to mean suppressing dust by one or more of the methods identified below, which ensure that water covers the entire surface of the work object where a tool, equipment, or machine contacts the work object:
 - a. Applying a constant, continuous, and appropriate volume of running water directly onto the surface of the work object. When water flow is integrated with a tool, machine, or equipment, water flow rates shall equal or exceed manufacturer recommendations and specifications to ensure effective dust suppression.
 - b. Submersing the work object under water.
 - c. Water-jet cutting or use of high-pressure water to cut material.
- 3) Defines “fabrication activities” as machining, crushing, cutting, drilling, abrading, abrasive blasting, grinding, chiseling, carving, gouging, polishing, buffing, fracturing, intentional breaking, or intentional chipping of slab products. “Fabrication activities” does not include onsite construction work, as defined.
- 4) Defines “fabrication shop” as a person, entity, business, or location where fabrication activities are undertaken. “Fabrication shop” does not include facilities where slab products are manufactured, including, but not limited to, quarries, concrete manufacturing facilities, or fired ceramic or fired porcelain tiles or panels manufacturing facilities.
- 5) Defines “respirable crystalline silica” to mean quartz, cristobalite, or tridymite contained in airborne particles that are determined to be respirable by a sampling device designed to meet the characteristics for respirable-particle-size-selective samplers specified in the Air Quality – Particle Size Fraction Definitions for Health-Related Sampling in Report 7708 completed by the International Organization for Standardization in 1995.

Slab Fabrication Activity Account

- 6) Creates the Slab Fabrication Activity Account in the Occupational Safety and Health Fund and requires all fees, penalties, or other moneys collected by the Department of Industrial Relations (DIR) under these provisions to be deposited into it.

Fabrication Activities

- 7) Prohibits a person or entity engaged in fabrication activities from using dry methods in any fabrication activities.
- 8) Requires a person or entity engaged in fabrication activities to use effective wet methods in any fabrication activities.
- 9) Provides that a violation of 7) and 8) above shall be grounds for an immediate order prohibiting continued fabrication activities by the Division of Occupational Safety and Health (Cal/OSHA) and may be grounds for additional fines and penalties, as determined by Cal/OSHA or the Director of the DIR, as specified. These violations may be reported to the Division of Labor Standards Enforcement (DLSE).

Training

- 10) Requires, on or before July 1, 2026, the DIR to adopt a training curriculum for the safe performance of fabrication activities.
 - a. Requires the training curriculum to satisfy both of the following requirements:
 - i. The training curriculum shall cover applicable occupational safety and health standards.
 - ii. The training curriculum shall include classroom instruction and supervised hands-on activities.
- 11) Authorizes the training curriculum to be provided by an apprenticeship program approved by the Division of Apprenticeship Standards (DAS). If apprenticeship programs approved by the DAS are not sufficient to meet the needs of the industry, the DIR shall approve alternative providers.
- 12) Provides that, beginning on June 1, 2027, the owner or operator of a fabrication shop, any individual that will employ another individual to perform work on the shop floor of a fabrication shop, and any individual that will perform fabrication activities shall be enrolled in or have completed the training curriculum described above before that fabrication activity or employment begins.
- 13) States that the owner or operator of a fabrication shop shall be responsible for paying for the costs of the training curriculum.

- 14) Requires the DIR, as soon as is practicable, to obtain written verification from an owner or operator of a fabrication shop, or any individual that will employ another individual to perform work on the shop floor of a fabrication shop, that an individual whom they have employed or will employ has completed the approved training curriculum.
- 15) Provides that the training requirements do not apply to an individual who is enrolled in, or who has graduated from, an apprenticeship program that covers fabrication activities and is approved by the DAS.

Certification Requirements

- 16) Requires the DIR, on or before January 1, 2027, to do, among other things:
- a. Develop an application and certification process for a “slab solid surface product fabrication activity” certification to authorize fabrication shops to engage in fabrication activities.
 - b. Develop an initial deposit process for fabrication shops to, during the pendency of the application development and certification process, submit a deposit fee for the application and initial certification subject to all of the following requirements:
 - i. The deposit fee amount shall be in an amount as the DIR deems necessary to implement these provisions and shall not exceed the reasonable regulatory cost.
 - ii. The deposit fee amount collected by the DIR shall be used towards the initial certification fee and the applicable amount shall be returned to a fabrication shop if the deposit amount exceeds the initial certification fee or if the application is denied.
 - c. Determine the initial certification fee and the renewal fee which shall be in amounts as the DIR deems necessary to implement these provisions and shall not exceed the reasonable regulatory cost.
- 17) Provides that a fabrication shop may continue to engage in fabrication activities during the pendency of the application development and certification process. This provision shall become inoperative on July 1, 2027.
- 18) Requires the DIR, commencing January 1, 2027, to accept an application for and grant a certification to a fabrication shop that demonstrates to DIR’s satisfaction of all of the following workplace safety conditions and precautions, including, among other things:
- a. Evidence of a legally obtained and valid business license and applicable state contractor’s license.
 - b. Evidence of satisfactory workers’ compensation insurance coverage.

- c. Documentation of completion by applicable individuals of the training curriculum within one year of enrollment.
- 19) Requires the DIR or a specified third party to inspect a fabrication shop before the issuance of the certification to verify that the equipment and procedures of the fabrication shop comply with any occupational safety and health standards and orders that are promulgated by the Occupational Safety and Health Standards Board (Board).
- 20) Requires an applicant for a certification to submit to the DIR an initial certification application, including an initial certification fee in the amounts determined by the DIR, to be deposited in the Slab Fabrication Activity Account in the Occupational Safety and Health Fund. Each certification shall be for a three-year period.

Certification renewal

- 21) Requires the DIR to accept a renewal application for and grant a certification renewal to a fabrication shop that demonstrates to the DIR continued compliance with workplace safety conditions and precautions, including, among other things:
- a. Evidence of compliance with the requirements of any occupational safety and health standards and orders that are promulgated by the Board.
 - b. Evidence of a legally maintained business license and applicable state contractor's license.
 - c. Documentation of information related to employee-reported silicosis cases.
- 22) Requires the DIR or a specified third party to inspect a fabrication shop before the issuance of a certification renewal to verify that the equipment and procedures of the fabrication shop comply with any occupational safety and health standards and orders that are adopted by the Board.
- 23) Requires an applicant for a certification renewal to submit to the DIR a certification renewal fee in the amount determined by the DIR, which shall be deposited in the Slab Fabrication Activity Account.
- 24) Permits a fabrication shop with a previous certification to continue to engage in fabrication activities during the pendency of the certification renewal application.
- 25) Authorizes the DIR to suspend or revoke a certificate issued pursuant to the above if the DIR finds that the fabrication shop has engaged in gross negligence, gross incompetence, or willful or repeated disregard of any emergency or other occupational safety and health standard or order, any provision of this chapter, or any other related law.

- 26) Prohibits a person or entity, or an employee of a person or entity, from engaging in fabrication activities unless they conduct the fabrication activities at a fabrication shop that has done either of the following:
- a. During the period of January 1, 2027, until July 1, 2027, submitted a valid initial deposit to the DIR pursuant to this chapter.
 - b. After July 1, 2027, has submitted an application for initial certification or renewal pursuant to this chapter and the application is pending or has a valid certification issued by the DIR.
- 27) States that a violation of the certification renewal requirements may be reported to the DLSE.

Tracking of enforcement activities

- 28) Requires the DIR, in consultation with Cal/OSHA and the Department of Public Health, to track and keep a record of information on fabrication shops regarding all of the following:
- a. The number of citations issued to fabrication shops for failure to comply with any temporary or future standards relating to respirable crystalline silica adopted by the Board, and the geographic areas in the state with the highest numbers of those citations.
 - b. The number of new cases of silicosis identified in any fabrication shops since the passage of any temporary or future standards relating to respirable crystalline silica adopted by the Board.
 - c. The number of notices issued to fabrication shops found to be in noncompliance with DIR regulations relating to respirable crystalline silica.
- 29) Requires the DIR to provide the information described in 28) above to, or otherwise assist as applicable, local prosecutors in seeking civil or criminal action against fabrication shops in violation of any applicable provisions. Cal/OSHA may also use this information in seeking enforcement against noncompliant fabrication shops.

Suppliers

- 30) Prohibits a person from supplying a slab solid surface product directly to a person, entity, or business engaged in fabrication activities if the person, entity, or business engaged in fabrication activities does not have a valid, or a pending application for, certification.
- 31) Requires a person that supplies a slab solid surface product to a person, entity, or business engaged in fabrication activities to verify that the person, entity, or business has a valid, or pending application for, certification before providing the slab solid surface product to the person, entity, or business.
- 32) Requires a person that supplies a slab solid product to a person, entity, or business that is not engaged in fabrication activities to rely on a written verification issued under penalty of

perjury from the person, entity, or business that they will not directly engage in fabrication activities on the product without a valid, or pending application for, certification and that, if the person, entity, or business resells the product, they will resell to a person, entity, or business with a valid, or pending application for, certification.

- 33) Requires a person that seeks services that require fabrication activities and enters into a contract with a person, entity, or business to undertake fabrication activities to verify that the person, entity, or business has a valid, or pending application for, certification before engaging with or providing slab solid surface products to the person, entity, or business.
- 34) Provides that a violation of the suppliers' provisions regarding suppliers may be grounds for penalties as determined by Cal/OSHA.
- 35) States that the provisions regarding suppliers become operative on July 1, 2027.

EXISTING LAW:

- 1) Establishes the DIR within the Labor Workforce and Development Agency and vests it with various powers and duties to foster, promote, and develop the welfare of the wage earners of California, to improve their working conditions, and to advance their opportunities for profitable employment. Labor Code §50.5.
- 2) Establishes the Cal/OSHA within the DIR to, among other things, propose, administer, and enforce occupational safety and health standards. Labor Code §6308.
- 3) 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 for its employees. b) Furnish and use safety devices and safeguards, and to adopt and use practices, means, methods, operations, and processes, which 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. Lab. Code, § 6300 et seq.
- 4) Establishes the Board within DIR, to promote, adopt, and maintain reasonable and enforceable standards that will ensure a safe and healthful workplace for workers. Labor Code, § 140 et seq.

STATE REGULATIONS:

Provides, under the Standard on Occupational Exposures to Respirable Crystalline Silica (General Industry), that covered employers must develop, among other things, exposure controls, a written exposure control plan, employee communication and training, respirator protection, and employee exposure monitoring to protect employees from respirable crystalline silica. CCR, Title 8, section 5204.

FISCAL EFFECT: According to the Senate Appropriations Committee,

- Costs to the Department of Industrial Relations (DIR) would minimally be in the hundreds of thousands of dollars annually.

- Administrative costs to the California Department of Public Health have yet to be identified.

COMMENTS: In January 2019, Cal/OSHA initiated a Special Emphasis Program (SEP) in the artificial stone fabrication industry to enforce compliance with the health and safety standard known as “Occupational Exposures to Respirable Crystalline Silica,” and interviewed over 150 workers who work with silica at 33 shops. The interviews revealed large-scale employer non-compliance with the exposure standard. For example, “84 of 92 workers (91%) reported performing tasks with artificial stone that generate respirable crystalline silica including cutting, grinding, laminating and polishing. Sixty-nine workers (75%) reported wearing disposable, filtering facepiece respirators and/or half-face elastomeric respirators for more than 30 days within the past year. Furthermore, 63 workers (68%) reported that their employer had not informed them of the results of silica air monitoring performed at their workplace.”¹

On December 14, 2023, the Respirable Crystalline Silica standard was amended on an emergency temporary basis to address additional employee protection requirements.² That temporary standard was made permanent around January 2025. The standard includes a number of employer obligations to protect their employees from occupational silica, including the implementation of exposure controls, a written exposure control plan, employee communication and training, respirator protection, and employee exposure monitoring. This bill would build upon those protections.

According to the author, “Silicosis is a fatal occupational disease afflicting fathers, husbands, sons, and neighbors of all communities in California. Even after Cal/OSHA adopted new permanent rules, cases continue to be on the rise and while my district is the epicenter of this crisis, we know this issue is spreading all throughout California. Shameful industry practices neglect to protect workers or even educate them on safety standards, exploit those who cannot afford to leave their jobs, and callously puts undue strain on our local community health clinics and hospitals. While silicosis is fatal, it is also fully preventable. That is why it is imperative to adopt the common sense standards outlined in SB 20 to truly ensure safety for all fabrication workers in California.”

The author also contends that the bill promotes equity because it “seeks to establish a comprehensive plan to protect the safety of workers in the stone fabrication industry, an industry predominantly comprised of undocumented, young Latino men. According to the Department of Public Health, as of June 2025, there have been 327 confirmed silicosis cases and 15 deaths from this incurable disease. Additionally, 98% of all the cases are Latino patients. SB 20 fills oversight gaps over these fabrication shops to ensure workers are trained and utilizing best practices to protect their lives, because these men are dying.”

¹ Finding of Emergency: Section 5204, Occupational Exposures to Respirable Crystalline Silica, Business Meeting of the Standards Board: December 14, 2023, p. 12.

² See [Frequently Asked Question about Respirable Crystalline Silica Standards and Resources](#).

Arguments in Support

The California Federation of Labor Unions, AFL-CIO, is in support and states, “With the right measures in place, silicosis can be prevented, and SB 20 will help reduce the number of suffering workers by getting non-certified stone fabrication shops out of the unregulated market. Fabrication is a highly mobile and unregulated industry. SB 20 seeks to only allow those certified by the state to obtain and cut engineered stone. Fabrication shops will be required to pay a fee and register with the state and provide state-approved training to fabricators to obtain state certification. This fee seeks to provide fabricators with the privilege to continue operating, while providing funding to the Department of Industrial Relations (DIR) to develop a tracking system to keep tabs on fabrication shops and worker exposures...The goal is that with a robust registration, certification, and training system in place, Cal/OSHA will be able to focus on the parts of the industry that remain underground and refuse to get certified and help reduce the deaths caused by this preventable disease.”

Arguments in Opposition

None on file.

Prior Legislation

AB 3043 (Luz Rivas) of 2024 was nearly identical to this bill and died in the Senate Labor, Public Employment and Retirement Committee.

REGISTERED SUPPORT / OPPOSITION:

Support

American Lung Association in California
Breathe California
California Federation of Labor Unions, Afl-cio
California Latino Legislative Caucus
State Building & Construction Trades Council of California
Western Occupational & Environmental Medical Association

Support if Amended

Silica Safety Coalition

Opposition

None on file.

Analysis Prepared by: Megan Lane / L. & E. /