



AB 73: Farmworker Wildfire Smoke Protection Act

SUMMARY

Assembly Bill 73 will protect farmworkers and other agricultural workers during unhealthy air quality events caused by wildfire smoke, while also addressing the challenges that wildfire smoke events create for employers. Specifically, the bill will: (1) direct the formation of new wildfire response strike teams at Cal/OSHA to ensure workplaces are in compliance with wildfire smoke regulations; (2) provides personal protective equipment to agriculture workers during wildfire season; and (3) require the Occupational Safety and Health Standards Board to provide culturally competent educational materials and training for agricultural workers relating to wildfire smoke safety.

BACKGROUND

While wildfires are a natural part of our state's ecology, decades of fire suppression and anthropogenic climate change have caused record-breaking fires in recent years. Despite the fact that most Californians can shelter indoors during both unhealthy air quality events and the COVID-19 pandemic, farmworkers and other agricultural workers are largely unable to, as many farming operations cannot be moved inside. As a result, many farmworkers must continue working long outdoor shifts regardless of air quality conditions.

Farmworkers are at a greater risk for exposure to wildfire smoke, ash, and chemical residue, both during an active fire and during cleanup and recovery. The greatest risk they face is breathing fine particles, which can reduce lung function, worsen asthma, and cause difficulty with breathing. These types of illnesses can dramatically affect farmworkers and their families, often causing long-term health problems.

Last year, Cal/OSHA rolled out new standards for protecting outdoor workers exposed to wildfire smoke. They require employers to provide adequate respiratory protection equipment, usually N-95 masks, when air quality is harmful. Unfortunately, many employers have reported that there are not enough N-95 masks available when needed, in part due to the COVID-19 pandemic.

In an effort to protect farmworkers during wildfire smoke events, Cal/OSHA also issued temporary guidance on safety measures. These guidelines are aimed at employers and are not readily accessible to workers. Without more robust education and training, agricultural workers likely will not be able to adequately protect their health against the dangers of future wildfires.

SOLUTION

AB 73 will equip both agricultural employers and workers with tools and resources to reduce the harm caused by hazardous conditions associated with wildfire smoke. Specifically, AB 73 will:

- Require immediate deployment of specialized wildfire smoke strike teams within the appropriate Cal/OSHA regional offices during major unhealthy air quality events. These teams will be composed of existing department employees who will inspect agricultural workplaces for compliance of wildfire smoke regulations.
- Expand the definition of essential workers to include agricultural workers for the purpose of accessing the personal protective equipment (PPE) stockpile for emergencies established by the State Department of Public Health (CDPH) and the Office of Emergency Services.
- Require the Occupational Safety and Health Standards Board to develop and distribute information on wildfire safety to agricultural employees in both Spanish and English and also include pictograms.

At a time where people throughout the world are encouraged to stay home, our agricultural workers are still working shoulder to shoulder on the front lines of our food supply chain. This bill will equip agricultural employers with the best practices to ensure health and safety measures are available to farmworkers in order to remain safe during unhealthy air quality conditions.

SUPPORT

- Agricultural Council of CA
- CA Association of Winegrape Growers
- CA Central Valley Journey For Justice



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- CA Farmworker Foundation
- CA Human Development
- CA Immigrant Policy Center
- CA Rural Legal Assistance Foundation
- CA Teamsters Public Affairs Council
- Consumer Attorneys of CA
- County of Monterey
- Dolores Huerta Foundation
- La Cooperativa Campesina de CA

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