

WORKSAFE

safety, health, and justice for workers
seguridad, salud y justicia para los trabajadores

2019 IMPACT REPORT

INTRODUCTION

As the decade draws to a close, we at Worksafe are “counting our gratefuls” — reflecting on the gains of the past year and the forward momentum of the worker health and safety movement in California. Big challenges loom, but so do big opportunities. We will rise to meet them, like always, in partnership with our many wonderful allies across the state.

2019 was a busy and exciting year. Worksafe successfully petitioned the state to pass a regulation to protect outdoor workers from dangerous wildfire smoke — the first of its kind in the nation. With this victory, Worksafe did what it does best: organized a coalition of labor, immigrant rights, and environmental justice organizations to enact progressive change.

And we’ve got big plans for 2020. In addition to monitoring the implementation of the new wildfire smoke protections, we will continue to push for stronger laws to keep workers safe from heat, toxic chemicals, violence, and other hazards. We will continue to spread powerful

knowledge about health and safety rights by training hundreds of workers and advocates throughout the state. We will continue to play a leading role in multiple coalitions engaged in innovative campaigns to address unsafe and unjust work. And as the only California legal support organization that focuses on occupational health and safety, we will continue to support legal aid attorneys who serve the most under-served workers.

Worksafe is committed to staying at the cutting edge of workplace justice — for you, for your loved ones, for every worker in the community. We envision a world where everyone can access work that is safe, healthy, and fair. We are honored to be a part of this movement, and we are humbled to work alongside brave workers and dedicated advocates like you.

In Solidarity,
Augustin, Joan, Jora, Karin,
Nicole, Maggie, Mara, and Thais



Nicole Marquez-Baker addresses the Cal/OSHA Standards Board

POLICY ADVOCACY

Worksafe advocates for strong occupational safety and health (OSH) protections for workers — particularly low-income, immigrant, and contingent workers. We are a leading voice monitoring and addressing OSH rulemaking at Cal/OSHA and the Occupational Safety and Health Standards Board.

Policy Highlights in California

In 2019, Worksafe organized support, submitted comments, and testified in favor of more protective health and safety standards on a variety of issues:

- Heat Hazard Protections for Indoor Workers
- Worker Access to Injury & Illness Prevention Plans
- Workplace Violence Prevention in General Industry
- Wildfire Smoke Protections for Outdoor Workers
- Nighttime Lighting for Agricultural Workers
- Employer Reporting of Injuries & Illnesses
- Fall Protection for Telecommunication Workers
- Chemical Exposure Limits in the Workplace

Protecting Outdoor Workers from Wildfire Smoke

Employers are obligated to assess occupational hazards and provide their workers with adequate protections, but during the 2017 and 2018 wildfires we saw that some employers were unprepared or unwilling to address employee concerns about smoke. Reports of agricultural workers laboring unprotected in smoky conditions troubled labor, environmental justice, and community groups throughout California and prompted volunteer efforts to distribute N95 masks in the fields.

In 2019, Worksafe partnered with the California Labor Federation and California Rural Legal Assistance to petition Cal/OSHA to develop an emergency standard to protect outdoor workers from wildfire smoke. After months of organizing and advocacy, the Standards Board approved the petition and implemented a new rule — the first of its kind in the nation. This new standard affirms that affected workers, including low-income and immigrant workers, should not have to rely on personal resources or volunteer charity to get the protective equipment they need. In 2020 Worksafe will work to make the rule permanent.

Strengthening Salon Workers' Right-to-Know

Disinfectants, polishes, dyes, straighteners, and other beauty care products contain a multitude of chemicals known or suspected to cause cancer, allergies, respiratory, neurological, and reproductive harm.

In 2019, Worksafe teamed up with the California Healthy Nail Salon Collaborative (CHNSC) to cosponsor AB 647 (Kaira). The bill, which was signed into law by Governor Newsom, will require manufacturers to translate Safety Data Sheets about these products into Spanish, Vietnamese, Chinese, Korean, and other languages — and post them on a website that workers can access. This will enable salon workers and owners to better understand and avoid the health hazards of salon products.

Worksafe is proud to stand with nonunionized workers in the fight to improve workplace conditions. As a steering committee member of the CHNSC, we have worked with allies to advance the health and safety of the approximately 100,000 low-income immigrant men and women in California's nail salon industry.



Workers Urge the Cal/OSHA Standards Board to Pass Wildfire Smoke Protections



Worksafe Meets with Assemblymember Ash Kalra, Author of AB 647

“When choking wildfire smoke blanketed our region after some of California’s worst wildfires, thousands of farmworkers continued to labor in the fields without protection. Worksafe built a broad coalition of labor, immigrant rights, and environmental justice organizations and leveraged the issues raised by local grassroots organizations into effective statewide policy change.”

— Lucas Zucker, Policy and Communications Director
Central Coast Alliance United for a Sustainable Economy (CAUSE)

LEGAL SERVICES & TRAINING

Worksafe promotes access to justice for low-wage and immigrant workers by providing free legal training and technical assistance to legal aid programs, worker advocacy groups, and unions. We continue to be the only legal services organization in California focused on worker health and safety.

Select Training Topics

- Occupational Safety & Health 101
- Know Your Workplace Safety & Health Rights
- How to File a Cal/OSHA Complaint
- Workers Rights and Climate Change
- Legal Strategies for Organizing and Building Power
- Practical Skills for Direct and Cross Examinations
- The Intersection of Workplace and Domestic Violence

Select Training Audiences

- Legal Aid Attorneys
- Worker Advocates
- Airport Workers
- Janitorial Workers
- Day Laborers
- Warehouse Workers
- Domestic Violence Survivor Advocates
- Occupational Health Nursing Students

Assisting Legal Aid Organizations

DYK? Worksafe is certified by the California State Bar to provide legal support services to the state’s Qualified Legal Service Providers (QLSPs). As a Support Center, we aim to increase the capacity of QLSPs to assist low-income and immigrant clients facing workplace safety rights violations.

“Worksafe collaborated with our organization to successfully represent seven janitorial workers who were denied the right to use bathroom facilities during their work shift. Worksafe attorneys were knowledgeable about the applicable standards, procedures, and jurisdiction — they were also emphatic to the workers’ plea, and conveyed the legal concepts and ideas in a precise, synthesized, and timely way.”

— Alejandra Cuestas, Workers’ Rights Director
La Raza Centro Legal



431 workers, advocates, and legal aid attorneys trained



13 legal organizations assisted with OSH issues



Worksafe Attorneys Hold a Strategy Session

MOVEMENT BUILDING

We envision a world where all workers are safe and healthy — and this vision is closely aligned with other movements for racial, gender, and economic justice. That’s why Worksafe is a leader in several statewide coalitions, working with organizations from multiple sectors to ensure that all workers can access safe, healthy, and fair work.

Pushing Back on Precarity

This year Worksafe continued our leadership in the California Alliance for Secure Employment (CASE), a statewide network of labor and legal aid organizations addressing the abuses of temporary, gig, and other insecure work arrangements. Through CASE, we’re pursuing a worker-secured policy agenda to make sure all Californians can access stable employment, safe workplaces, and sustainable incomes.

One of our big victories this year was the passage of AB 5 (Gonzalez), a bill intended to curb the rampant misclassification of workers as independent contractors. This new California law is a big deal because it clarifies employer responsibilities for providing critical protections like minimum wage, overtime pay, and workers’ compensation. In 2020, CASE will continue developing a long-term agenda while engaging in organizing and policy campaigns on specific issues such as discrimination, retaliation, and misclassification.



Joining with Allies to Promote Secure Employment

Building Power Among Worker Advocates

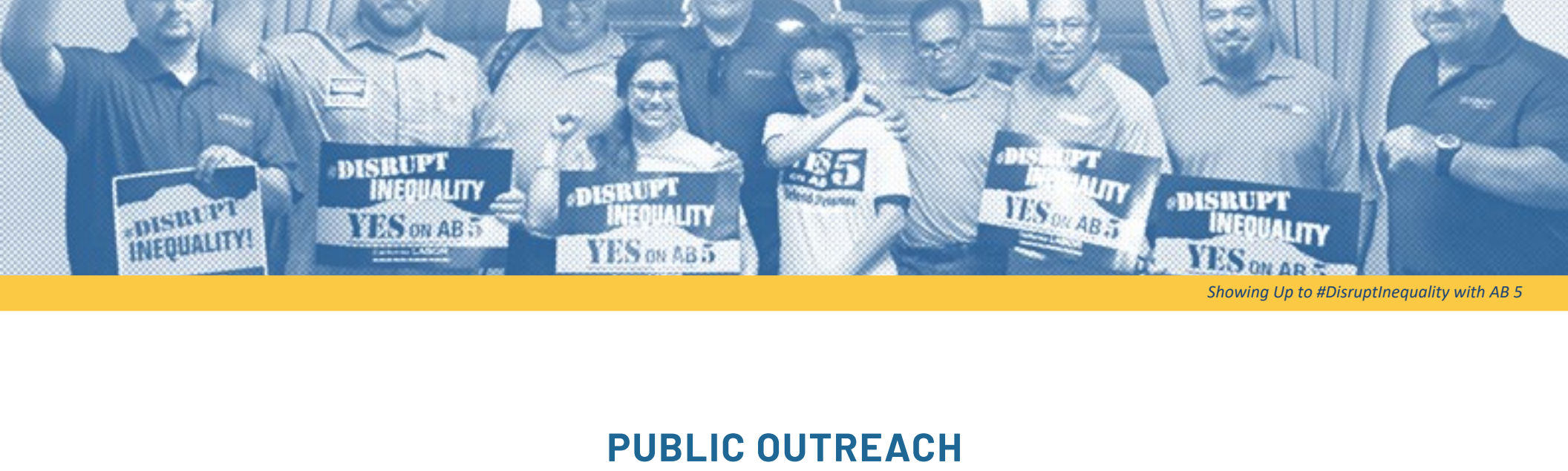
This year we also continued our leadership in the Coalition of Low Wage and Immigrant Worker Advocates (CLIWA). CLIWA is a California coalition of worker centers, legal services programs, community based organizations, and workers’ rights clinics who partner with low-wage and immigrant workers to enforce workers’ rights to fair pay, safe working conditions, and the right to work without discrimination or harassment.

In May 2019, Worksafe co-chaired the CLIWA Annual Retreat in Los Angeles. The event welcomed 29 legal aid organizations and worker centers with over 60 participants including workers, advocates, legal aid attorneys, and representatives from government agencies. Participants attended ten panels on labor issues facing low-wage and immigrant workers including misclassification, sexual harassment, and human trafficking.

Supporting Northern California Day Laborers

Worksafe’s long standing partnership with Street Level Health Project and Centro Legal de la Raza has grown into the Northern California Day Laborer Network, a group of regional day labor centers, legal aid organizations, and public health advocates who are working together to advance the interests of day laborers through organizing and policy advocacy.

Worksafe’s involvement with this network is one of our top priorities because it aims to grow and leverage the power of low-wage and immigrant workers. At a recent strategic retreat, participants gave local updates and reviewed recent policy achievements — including the passage of new wildfire smoke protections and AB 5 — before diving into strategic planning for 2020.



Showing Up to #DisruptInequality with AB 5

PUBLIC OUTREACH

Worksafe raises awareness about occupational health and safety to help people better understand the connections between work and health. We strive to build collective understanding of how workplace exposures intersect with broader public health and social justice issues.

Raising Awareness

During Workers Memorial Week 2019, Worksafe published our eighth annual *Dying at Work in California* report to raise awareness about the human toll of hazardous work and highlight policy recommendations. This year’s report included contributions from the Labor Occupational Health Program, the Healthy Work Campaign, and National COSH. Contact us if you’d like to contribute to our 2020 *Dying at Work* report.

Bearing Witness

On April 26, 2019 Worksafe observed Workers Memorial Day with a community gathering in downtown Oakland’s Frank Ogawa Plaza. The program included opening remarks by Doug Parker, comments from outgoing Cal/OSHA Director Julian Sum, a ceremonial reading of the names of deceased workers, and a public art display created by Worksafe staff and allies. Contact us if you’d like to help organize next year’s memorial.

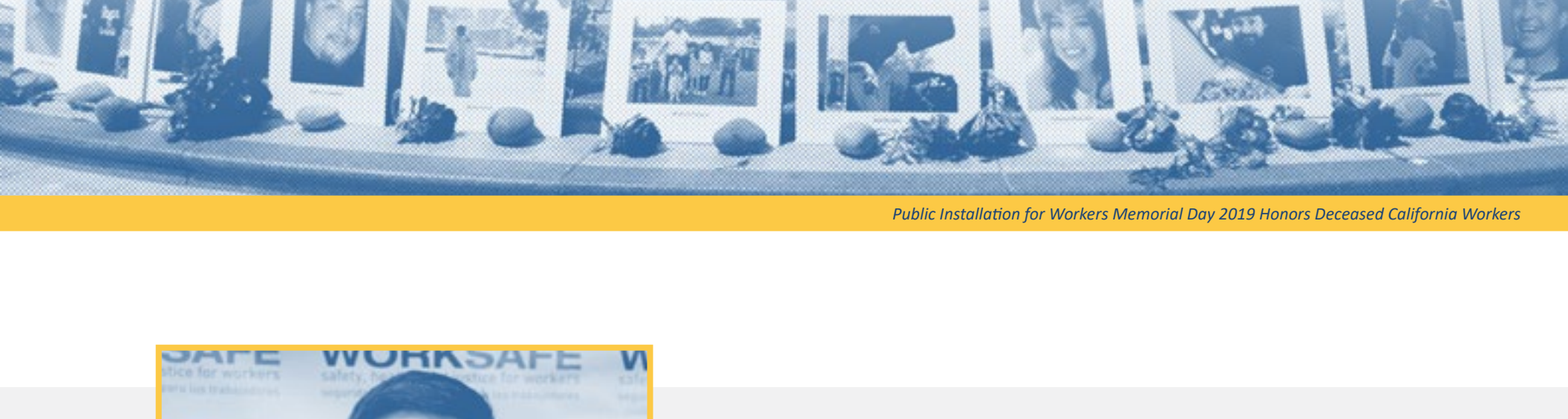
Lifting Up Health & Safety Heroes

Every year, Worksafe recognizes outstanding leaders and campaigns at the forefront of workplace justice in California, and in 2019 we honored some truly great Worker Health & Safety Heroes. The work of Dr. Brenda Eskenazi demonstrates how socially engaged research can improve the health of workers and their children. Her scholarship and advocacy help us understand how workplace exposures are connected to broader public health and environmental justice issues. The incomparable Deeg Gold has long been a model in our movement of how to be strategic and intersectional in our activism. Deeg is a steadfast worker justice advocate whose years of leadership in Cal/OSHA and beyond have made work safer for countless Californians.



UNITE HERE! at Worksafe’s 38th Anniversary Celebration

We also honored UNITE HERE’s groundbreaking campaign to pass the Hotel Housekeeping Musculoskeletal Injury Prevention standard in the Hotel. The leadership of many determined and courageous housekeepers brought this victory home — a victory that reminds us how important it is to center the expertise of workers.



Public Installation for Workers Memorial Day 2019 Honors Deceased California Workers



Cal/OSHA Chief Doug Parker

Worksafe Director Becomes Cal/OSHA Chief

In August, Governor Newsom appointed our executive director, Doug Parker, to the position of Cal/OSHA Chief. This is an incredible opportunity for California workers, and we are confident that Doug’s experience at Worksafe will help him succeed in his new role. “This new opportunity would not be possible but for the incredible welcome and support I received when I arrived at Worksafe, from the staff, the Board, and from Worksafe’s many friends in the labor, public health, and legal communities,” says Doug.

WHO WE ARE

- Staff**
- Augustin Eichwald-Romero, Staff Attorney
 - Thais Forneret, Associate Director of Development & Operations
 - Nicole Marquez-Baker, Senior Staff Attorney
 - Mara Ortenburger, Director of Communications & Research
 - Maggie Robbins, Occupational & Environmental Health Specialist
 - Jora Trang, Managing Attorney
 - Joan Uhlig, Administrative & Accounting Assistant
 - Karin Umfrey, Legal Fellow
- Board**
- Laura Boatman — CA State Building & Construction Trades Council
 - Justin Bosl — Kazan, McClain, Satterley, & Greenwood
 - Alor Calderon — Employee Rights Center
 - Matthew DeCarolis — Bet Tzedek
 - Linda Delp — UCLA Labor Occupational Safety & Health Program
 - Surit Goldmacher — CA Department of Public Health (ret.)
 - Robert Harrison — UCSF & CA Department of Public Health
 - Laura Kurre — California Teachers Association
 - Danielle Lucido — IFPTE Local 20
 - Ryan Spillers — Gilbert & Sackman
 - Mitch Steiger — California Labor Federation
 - Suzanne Teran — UCB Labor Occupational Safety Program
 - Cheryl Wallach — Ford & Wallach
- Organization names are listed for identification purposes only

MISSION

Preventing injury, illness, and death by bringing justice to the workplace

VISION

A world where workers and their communities are safe and healthy

VALUES

- We believe that all workers deserve a safe and healthy workplace
- We know that there is rights in all work and all workers deserve respect
- We demand that workers have equal access to justice in the workplace
- We center the experiences of vulnerable workers, including low-wage and immigrant workers
- We seek worker-centered and community-based solutions for protecting health and safety
- We promote a collaborative, movement-building approach to action and advocacy

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