

# WORKSAFE

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



## IMPACT REPORT

2021





## INTRODUCTION

In 2021, Worksafe focused on advancing justice for all workers in California. Equality and equity are key drivers of workplace injuries; an empowered worker, a unionized worker, is a worker who is less likely to be injured on the job. Worksafe remains committed to ensuring that workers are healthy and safe in their workplaces and worker illness, injury, and death are prevented. We do this by increasing worker power, supporting more protective laws for workers, ensuring just treatment for injured workers, and raising awareness about occupational safety and health (OSH).

Racial equity lies at the heart of workplace health and safety, or—too frequently—racial inequity lies at the heart of the lack of health and safety on the job. In 2021, Worksafe engaged our coalitions, allies, and constituents in race and health equity issues and strategy in our movement building efforts and through our legal support services in an effort to ensure advancement towards more equity for workers.

In solidarity,

*AnaStacia, German, Jora, Karin, Lucy, Stephen, Thais*



# POLICY ADVOCACY

Worksafe advocates for strong occupational safety and health (OSH) protections for workers—particularly low-income, immigrant, and contingent workers. In recent years we've become the leading California organization monitoring and addressing OSH rulemaking at Cal/OSHA and the Occupational Safety and Health Standards Board.

## LOBBY DAY

The [California Coalition for Worker Power \(CCWP\)](#), the result of a merger between California Alliance for Secure Employment (CASE) and Future of Workers and Work (FOWW), held a breakthrough event in 2021: our first ever joint coalition lobby day! On May 26, we gathered to introduce ourselves and the coalition, share worker stories, highlight bills and priorities, and build relationships with legislators. CCWP's message was one of support for bills to deliver on the goal—as declared at the top of our Lobby Day flyer—that work can and should provide us and our families with stability, safety, dignity and respect, and every worker deserves to have a say in our work conditions and in shaping our society.

CCWP is a statewide coalition of labor organizations and worker centers focused on achieving better

security, protections, and power for workers through long-term policy, organizing, and narrative change. We had over 60 workers participating on May 26 in support of five bills. These included Worksafe co-sponsored legislation SB 321 (Durazo), the Health and Safety for All Workers Act and SB 606 (Gonzalez), for stronger health and safety enforcement tools; both are discussed elsewhere in this report.

Member unions and worker centers in CCWP partnered with and compensated workers for their vital participation in the full day lobbying event; all materials were translated and meetings interpreted in either Spanish or Chinese to ensure equal participation for all. We are confident that this powerful mobilization played a role in the passage of all five bills that CCWP took up in 2021, and we look forward to more in 2022. Stay tuned.







## SB 606

Worksafe partnered with the California Labor Federation as co-sponsors of UFCW's SB 606, introduced by Senator Lena Gonzalez. This legislation is one of the more important reforms to Cal/OSHA's power and authority in years.

[SB 606](#) codifies Federal OSHA's policy for penalizing employers with an egregious violation for every worker infected on the job as a result of a willful failure to properly observe health and safety laws. The stronger penalties can kick in where an employer committed intentional and knowing violations of a safety law.

In addition to these increased penalties, SB 606 also strengthened Cal OSHA's ability to protect frontline employees by empowering the organization to restrain or suspend large employers whose policies and procedures directly violate California's health and safety laws. The law builds on Federal OSHA's Corporate-Wide Settlement Agreements and allows Cal/OSHA to issue an enterprise-wide violation. Employers with multiple locations tend to maintain similar practices across locations, and Cal/OSHA was required to physically inspect each location in order to issue a citation.

SB 606 passed in 2021 and now serves as a strong incentive for employers to ensure that their frontline employees are as protected as possible in the workplace.





## FIGHTING FOR DOMESTIC WORKERS

There are over 300,000 domestic workers who work as housekeepers, nannies, and caregivers in private homes in California, yet household workers—who are majority immigrants and women of color—are categorically excluded by law from basic health and safety protections provided by CAL/OSHA. In 2021, we succeeded in winning the first major step to undo this inequity.

[The Health and Safety for All Workers Act](#) (SB 321 Durazo) requires Cal/OSHA to convene an advisory committee to create and publish occupational health and safety guidelines specific to the domestic work industry. The committee will include domestic workers, employers, and occupational health and safety experts. Worksafe was honored to co-sponsor the bill and is excited that Governor Newsom has signed it, taking the first step towards addressing health inequities in the workplace for domestic workers.

There is still much work to be done—we look forward to building power with our partners in the upcoming years to require employers to provide healthy and safe workplaces for domestic workers.



## WILDFIRE SMOKE: HELPING WORKERS FIGHT FOR THEIR RIGHTS

Worksafe helped lead a coalition of organizations working to ensure Cal/OSHA passed the permanent wildfire smoke standard in 2020. Worksafe continues to partner with these organizations to push amendments to the wildfire smoke standard that include lowering air quality index (AQI) thresholds, addressing health and safety issues in mandatory evacuation zones, and more. In 2021, Worksafe was invited to join a roundtable discussion with other worker advocates to develop policy recommendations on worker health and safety during wildfires.



# LEGAL SERVICES AND 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.

## HELPING WORKERS SURVIVE THE PANDEMIC

The pandemic brought an unprecedented awareness about OSH rights, and in particular, employers' violation of those rights. In 2021, Worksafe provided over 17 trainings to workers, worker advocates and attorneys to build their capacity to assist workers facing OSH violations in their workplace. In 2021, we trained a total of 1,974 people. Some of our training topics were:

- ✓ The COVID-19 Prevention Standard
- ✓ Cultural Humility: Black Centered Equity in Community Engagement
- ✓ Worker's Compensation, OSH 101 & COVID-19
- ✓ Fundamentals: Occupational Health & Safety 101
- ✓ Employer Responsibilities and Protecting the Rights of Employees After a Disaster
- ✓ Other Common Disaster Legal Issues: Employer Responsibilities and Protecting the Rights of Employees After a Disaster
- ✓ Building Our Movement and Power Through Intersectionality: OSH and the Racial and Gender Justice Movement
- ✓ Salud, seguridad, y derechos en el lugar de trabajo (Occupational Health and Safety)
- ✓ Heat and Smoke Worker Safety Briefing
- ✓ Workplace Retaliation
- ✓ Race and Equity Training



Subsequent to our trainings, we provide technical assistance to worker advocates and legal aid attorneys who are assisting workers with active OSH cases. In 2021, we provided assistance to 40 different worker centers and legal aid organizations in California.

We also worked directly with worker centers and legal aid organizations to assist workers. In 2021, Worksafe met with many brave workers and their advocates to address on-going COVID-19 specific workplace violations that continued to expose workers to the coronavirus despite the existence of guidance and an emergency standard. Worksafe collaborated with legal aid organizations to assist workers in low-wage industries such as grocery workers, janitors, delivery drivers, retail stores, restaurant workers, food manufacturing factories, to advocate for themselves or to file Cal OSHA complaints.





## DEFENDING ETS IN COURT

Among the many ongoing efforts by employers to undermine COVID-19 protections for California workers is a lawsuit brought by the National Retail Federation and Western Growers Association to have the COVID Emergency Temporary Standards (ETS) declared illegal. In late 2020, the Occupational Safety & Health Standards Board voted to approve a detailed set of workplace protections for COVID-19 pandemic conditions. Key to winning this important rule was testimony from workers and advocates that Worksafe helped organize.

Powerful employer groups argued to the court that there was no emergency, that COVID wasn't a workplace issue, and that—somehow at the same time—the ETS was both incredibly onerous but that if the judge did away with it, all the rules would be in place and workers would be fully protected.

Worksafe coordinated the legal defense of the COVID-19 workplace standards, reaching out to the amazing lawyers at the Impact Fund about writing an amicus in support of the Standards Board's

decision to pass the ETS. We worked alongside attorneys at Altshuler Berzon representing SEIU with their amicus brief in support of the COVID protections, and supported the state Attorney General's office which defended Cal/OSHA. The Western Growers have filed an appeal, which remains pending as of early Dec. 2021.





# MOVEMENT BUILDING

We envision a world where all workers are safe and healthy—and this vision is deeply intertwined 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.

## DAY LABORERS

In 2021, Worksafe, Street Level Health Project and Centro Legal de la Raza applied for a COVID-19 Health Equity Pilot Project because many worker centers shared how COVID-19 had impacted these communities in devastating ways. The California Department of Public Health awarded us a total of about \$297,000 for all partners in the Northern California region to identify what underlying inequities existed that placed these workers at disproportionate risk of COVID-19 and its associated impacts. The goal is that either with COVID-19 or other pandemics these pilot projects can be replicated to reduce the risks of COVID-19 in the day laborer community who have suffered COVID-19 impacts.

As part of this project that will be completed in 2022, day laborer centers have already selected members to form a worker comite that will meet to discuss these impacts and engage in leadership training, health and safety training and more. Stay connected with us to learn more about this project and how it’s developing.





# 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.

In 2021, Worksafe provided training, technical assistance and related OSH expertise to attorneys and staff with 40 different legal aid/legal service providers in California and trained 1,974 people.

## Select Training Topics:

- ✓ The COVID-19 Prevention Standard
- ✓ Medical and Vaccine Anxiety
- ✓ Worker's Compensation, OSH 101 & COVID-19
- ✓ Fundamentals: Occupational Health & Safety 101
- ✓ Employer Responsibilities and Protecting the Rights of Employees After a Disaster
- ✓ Other Common Disaster Legal Issues: Employer Responsibilities and Protecting the Rights of Employees After a Disaster
- ✓ CLIWA Virtual Retreat
- ✓ Building Our Movement and Power Through Intersectionality: OSH and the Racial and Gender Justice Movement
- ✓ Salud, seguridad, y derechos en el lugar de trabajo (Occupational Health and Safety)
- ✓ Heat and Smoke Worker Safety Briefing
- ✓ Young Workers Advocating for Change
- ✓ Facebook Live: Intro to Health and Safety
- ✓ Facebook Live: COVID ETS
- ✓ Facebook Live: Retaliation
- ✓ Race and Equity Training
- ✓ SEIU Local 721 in Los Angeles County Over COVID prevention
- ✓ IFPTE Training: COVID ETS

## LIFTING UP HEALTH & SAFETY HEROES

Every year, Worksafe recognizes outstanding leaders and campaigns at the forefront of workplace justice in California. Our 2021 Health & Safety Heroes were Assemblymember Ash Kalra, the workers at UFCW Western States Council, and Glenn Shor. Our 40th anniversary event will take place in May 2022 in Berkeley—we hope you can join us!

## HONORING FALLEN WORKERS

For Workers Memorial Week in 2021, Worksafe and our partners around California lifted up community-based organizations like

[The Pilipino Association of Workers & Immigrants \(PAWIS\)](#), which has fought for 20 years against injustice faced by Filipino workers & immigrants in Santa Clara County

East Oakland's [Black Cultural Zone](#) whose Neighborhood Messenger Program connects residents via trusted voices with resources on COVID-19 workers rights, emergency housing, Personal Protective Equipment and more

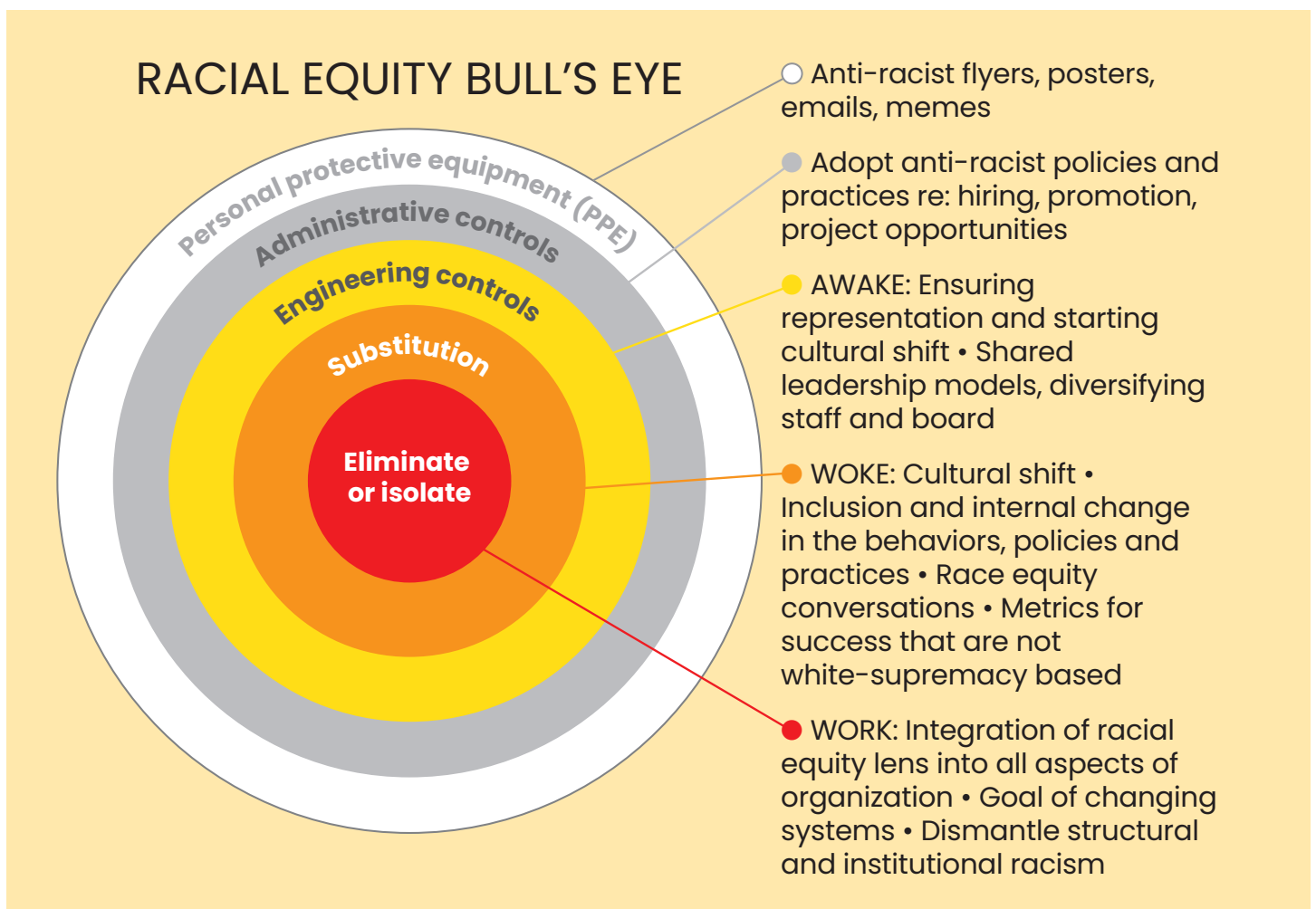
[Trabajadores Unidos Workers United \(TUWU\)](#), a multi-racial, bilingual organization dedicated to improving the quality of jobs for SF workers. TUWU members are building a world where low-wage service workers have dignity and respect at work.

Overwhelmed with the enormous toll on workers from the COVID-19 pandemic, and with the inability of our usual yearly *Dying at Work* report to capture the scope of the pandemic with the agency's out of date data, we instead came together as a regional and statewide coalition to share and celebrate the amazing efforts of our diverse coalition partners.



## RACIAL EQUITY FOR WORKPLACE SAFETY

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. In 2021, Worksafe engaged with advocates in various venues to advance race and health equity in the workplace. In May, we partnered with advocates from worker centers and labor to put on a presentation on [Cultural Humility: Black-Centered Equity in Community Engagement](#), where we highlighted historical issues of *Medical Racism*. The presentation was attended by almost 100 lawyers and community advocates.



This graphic illustrates the integration of racial equity (RE) into the traditional OSH framework for hazard reduction and elimination. It is based on the report [Awake to Woke to Work: Building a Race Equity Culture](#) by Equity in the Center.



## CWOP

As the Bay Area regional lead for the [California COVID-19 Workplace Outreach Project](#), Worksafe has worked to ensure that vulnerable Bay Area communities receive critical information regarding their workplace rights, strategies for being safe in the workplace from COVID-19, and information on where they can access resources such as personal protective equipment and vaccinations. By mid-May, the Bay Area achieved the following outreach numbers:



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**80,603** People reached via interactive outreach

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**60,501** Interactive outreach attempts

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**437** General community outreach activities

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**79,238** One-way activities

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In addition, as the project pivoted to vaccine appointments, CBOs in the Bay Region also made a significant number of confirmed vaccination appointments. In total, as of May 2021, there were 7,937. The CWOP project ramped up in early 2021, and by June 2021, CWOP reached 10 million people.





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*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 dignity 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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