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AB-694 Department of Industrial Relations: advisory committee: occupational safety and health. (2025-2026)

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Date Published: 06/11/2025 09:00 PM

AMENDED IN SENATE JUNE 11, 2025

AMENDED IN ASSEMBLY APRIL 21, 2025

AMENDED IN ASSEMBLY MARCH 24, 2025

CALIFORNIA LEGISLATURE— 2025–2026 REGULAR SESSION

ASSEMBLY BILL

NO. 694

Introduced by Assembly Member McKinnor
(Coauthors: [Senators Cortese and Padilla](#))

February 14, 2025

An act to add Section 6330.1 to the Labor Code, relating to employment.

LEGISLATIVE COUNSEL'S DIGEST

AB 694, as amended, McKinnor. Department of Industrial Relations: advisory committee: occupational safety and health.

Existing law establishes the Division of Occupational Safety and Health in the Department of Industrial Relations, and charges the division with the enforcement of various laws affecting safe working conditions, including the California Occupational Safety and Health Act of 1973. Existing law requires the Director of Industrial Relations to prepare and submit to the Legislature an annual report on the activities of the Division of Occupational Safety and Health, as specified.

Existing law establishes the University of California, under the administration of the Regents of the University of California, as one of the segments of postsecondary education in the state. Existing law requires the Department of Industrial Relations to contract with the University of California, Los Angeles Labor Center, to conduct a study evaluating opportunities to improve worker safety and safeguard employment rights, as specified, and to convene an advisory committee to make recommendations regarding the scope of the study, as described.

This bill would require the department, upon appropriation by the Legislature, to contract with the University of California, Berkeley Labor Occupational Health Program and the University of California, Los Angeles Labor Occupational Safety and Health Program to conduct a study to evaluate the understaffing and vacancies within the division and make recommendations to the department, the Department of Human Resources, and the Legislature on policies the state shall use to inform the consideration and establishment of career pathways to the Compliance Safety and Health Officer classification. The bill would authorize the University of California to subcontract the responsibility for conducting the study to other specified entities. The bill would require

the University of California and its subcontractors, if any, to issue a report that includes certain information about the understaffing and vacancies of Compliance Safety and Health Officers within the division. The bill would further require the University of California to convene an advisory committee consisting of members from specified state agencies, worker advocacy organizations, ~~and~~ other academic institutions, *and other entities*, as specified, to make recommendations regarding the scope of the above-described study, and provide specified findings and recommendations to the division, as prescribed. The bill would require the advisory committee, within 60 days of entering into the contract the University of California, to hold at least one meeting, and the department, 18 months after entering into the contract with the University of California, to post the completed report on the division's *internet* website and to forward the completed report to the members of the advisory committee, the Governor, and specified legislative committee chairs. The bill would define terms for these purposes, and include finding and declaration relating to these provisions.

Vote: majority Appropriation: no Fiscal Committee: yes Local Program: no

THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

SECTION 1. (a) The Legislature finds and declares all of the following:

(1) The Division of Occupational Safety and Health has had an ongoing, multiyear understaffing and vacancy crisis, particularly in their enforcement division.

(2) The Division of Occupational Safety and Health reported in November 2024 that their ratio of Compliance Safety and Health Officers to workers is 1 inspector to every 120,102 workers in the State of California. This compares to ratios of 1 to 26,000 in the state of Washington, and 1 to 24,000 in the state of Oregon.

(3) As of November 2024, the enforcement division for the Division of Occupational Safety and Health has a 42.5 percent vacancy rate, with eight regional enforcement offices reporting vacancy rates above 50 percent.

(4) The ratio of inspectors to workers and the high vacancy rate in the Division of Occupational Safety and Health disproportionately impact certain industries, sectors, and geographic regions of the state.

~~(4)~~

(5) As of November 2024, only 10 Compliance Safety and Health Officers statewide are certified bilingual, while 5 million of the state's 19 million workers speak languages other than English and one in three employed workers are immigrants.

~~(5)~~

(6) This gap in language access creates communication barriers that reduce the ability of workers with limited English proficiency to report health and safety violations.

~~(6)~~

(7) Amidst this chronic vacancy issue, the Division of Occupational Safety and Health opened 12 percent fewer inspections and issued 12 percent fewer citations during the first three quarters of 2024 than during the same period in 2023. The cited violations for this period in 2024 were 50 percent lower than in 2022.

~~(7)~~

(8) The health and safety of California workers depends on a fully staffed Division of Occupational Safety and Health. California must enact new and urgent strategies to address the ongoing staffing vacancies with the goal of increasing and diversifying the pool of candidates for enforcement positions that can serve California's diverse workforce.

(b) Therefore, it is the intent of the Legislature to develop recommendations for the design of a Division of Occupational Safety and Health Compliance Safety and Health Officer workforce development pipeline program, and any relevant policy improvements to aid in the effective implementation of that program, in order to expand and diversify the candidates who may fill these positions and therefore improve health and safety enforcement outcomes in the state of California. This effort is intended as part of a multipronged strategy that should complement, and in no way delay, current and ongoing efforts to address staffing issues of the Division of Occupational Safety and Health.

SEC. 2. Section 6330.1 is added to the Labor Code, to read:

6330.1. (a) (1) The department shall contract with the University of California, Berkeley Labor Occupational Health Program and the University of California, Los Angeles Labor Occupational Safety and Health Program, within 120 days of an appropriation by

the Legislature, to conduct a study to evaluate the understaffing and vacancies within the division and make recommendations to the department, the Department of Human Resources, and the Legislature on policies the state shall use to inform the consideration and establishment of career pathways to the Compliance Safety and Health Officer classification.

(2) The University of California may subcontract, in whole or in part, the responsibility for conducting the study to another academic institution.

(b) (1) The entity or entities with which a contract or subcontract is entered into pursuant to subdivision (a) shall conduct the study in the manner described in this section.

(2) The University of California and its subcontractors, if any, shall issue a report that includes, but is not limited to, all of the following:

(A) Literature review compiling existing research related to the division's understaffing and vacancy ~~problem~~ *problem, impacts of these problems at statewide, regional, or industry levels*, and models for workforce development programs that could increase the career pathways for Compliance Safety and Health Officers.

(B) An analysis to identify primary causes of the division's Compliance Safety and Health Officer vacancies.

(C) Recommendations to address the division's Compliance Safety and Health Officer understaffing and vacancies, including recommended timeline and strategies to implement a workforce training program. In making these recommendations, the study and committee shall consider all of the following:

(i) How to improve the effectiveness of hiring and retention and decrease the hiring time for the division's Compliance Safety and Health Officer positions.

(ii) A summary of all relevant division Compliance Safety and Health Officer position responsibilities, skills, and tasks, as provided by the division or through interviews with certified safety and health officials.

(iii) An analysis of different workforce development and training models including third-party certification and apprenticeship.

(iv) Identification of current programs, institutions, or organizations in the field that could partner in a new workforce development training program and what role they could play.

(v) An analysis of external workforce populations who may have matching skill sets and experience that would make them effective candidates for a Compliance Safety and Health Officer workforce training program, including linguistic and cultural competencies that match the diverse California workforce. This may include an analysis of the level of fit between these candidates and current minimum qualifications.

(vi) Recommendations on Compliance Safety and Health Officer qualities and skills that would encourage worker engagement with the division based on data collected from low-wage and immigrant workers.

(vii) Identification of core curriculum components for the eventual development of a workforce training program for Compliance Safety and Health Officers.

(c) (1) The University of California shall convene an advisory committee to make recommendations regarding the scope of the study required pursuant to subdivision (b), and provide the findings and recommendations described in subparagraph (C) of paragraph (2) of subdivision (b) to the division.

(2) The advisory committee shall meet at least once while the study is being conducted, and at least two times to review findings and recommendations. The committee shall hold at least one public meeting while the study is being conducted and one additional public meeting to gather input on recommendations and findings. The division, Department of Human Resources, and the Division of Apprenticeship Standards shall provide timely responses to requests for information from the committee.

(d) The advisory committee shall be composed of at least ~~14~~ *15*, and not more than 17, members, ~~including at least 2 members who are representatives from central California~~, and shall include all of the following members:

(1) One member from the division.

(2) One member from the Department of Human Resources.

(3) One member from the Division of Apprenticeship Standards.

(4) One member for each representing union of the division's enforcement and administrative classifications, including one member for the representing union for safety engineers, one member for the representing union for industrial hygienists, and one member for the representing union for administrative staff in Bargaining Unit 1.

(5) One member from a statewide organization that represents labor unions in the high-risk industries of the building and construction trades, and one member for the representing union for proprietary workers from California refineries to advise on the Division of Occupational Safety and Health Process Safety Management Unit.

(6) One member from a statewide organization representing public and private sector unions whose membership includes workers subject to the occupational health and safety provisions of the Labor Code.

(7) Three members from community-based nonprofit organizations that have at least five years of experience advocating on behalf of workers to address health and safety issues in the workplace, and represent diverse geographies.

(8) One member from the California Community Colleges with experience in workforce development training for health and safety-related careers.

(9) One member from an academic institution.

(10) One member who has worked for or on behalf of employers in California related to compliance with occupational health and safety provisions of the Labor Code and related regulations for more than five years, and who has more than five years of experience in either interacting with or working with division staff.

(e) At least two members of the membership described in subdivision (d) shall represent areas of the state with high proportions of workers who are at high risk of unhealthy or unsafe working conditions due to immigration status, language barriers, geographic isolation, and high violation industries, as determined by the University of California, including, but not limited to, the San Joaquin Valley area.

~~(e)~~

(f) (1) The division, Department of Human Resources, and Division of Apprenticeship Standards shall appoint the members in paragraphs (1) to (3), inclusive, of subdivision (d) from their respective agency.

(2) The representing labor organizations shall appoint the members in paragraph (4) of subdivision (d) from their respective organizations.

(3) The University of California shall appoint the organizations in paragraphs (5) and (6) of subdivision (d) to the committee, and those organizations shall appoint their designated members.

(4) The University of California shall appoint the members in paragraphs (7) to ~~(9)~~, *(10)*, inclusive, of subdivision (d) to the committee by selecting an individual who submits an application with, and developed by, the University of California.

~~(f)~~

(g) (1) Within 60 days of entering into the contract with the University of California pursuant to subdivision (a), the advisory committee shall hold at least one meeting.

(2) Eighteen months after entering into the contract with the University of California pursuant to subdivision (a), the report shall be completed and the department shall post the completed report described in subdivision (b) on the division's *internet* website and forward the completed report to the members of the advisory committee, the Governor, and the Chairs of the Assembly Committee on Labor and Employment and the Senate Committee on Labor, Public Employment and Retirement.

(3) The report shall be submitted in compliance with Section 9795 of the Government Code.

~~(g)~~

(h) In conducting the study required pursuant to subdivision (b), the University of California and any subcontractors shall consider and be guided by the recommendations of the advisory committee, if any, only so long as the recommendations would not substantially increase the cost of the study or cause the report to be issued after the required submission date pursuant to subdivision (b).

~~(h)~~

(i) Implementation of this section shall be subject to an appropriation made by the Legislature for the express purpose of this section.



(j) For purposes of this section, the following terms apply:

(1) "Academic institution" means a public college or university accredited by a commission recognized by the United States Department of Education.

(2) "Compliance Safety and Health Officers" means personnel in the safety engineer and industrial hygienist classifications of the Division of Occupational Safety and Health.

(3) "Department" means the Department of Industrial Relations.

(4) "Division" means the Division of Occupational Safety and Health.

(5) "The University of California" means the University of California, Berkeley Labor Occupational Health Program and the University of California, Los Angeles Labor Occupational Safety and Health Program.