

# Dr. LaShae Sharp- Collins

## 79<sup>th</sup> Assembly District



### AB 1371: Right to Refuse Unsafe Work With Pay

#### **SUMMARY**

AB 1371 updates California's Labor Code to allow workers to refuse unsafe work with full pay protection when they have reasonable concerns about health and safety violations. The legislation also strengthens anti-retaliation protections and enforcement mechanisms, ensuring workers do not have to choose between their safety or their paycheck.

#### **BACKGROUND**

California Labor Code provides workers with basic protections against termination for refusing unsafe work, but has significant limitations in practice. The law requires workers to prove both that they believe there is a labor law violation and that a "real and apparent" hazard exists. But the definition of "real and apparent" is vague and subjective. In practice meeting the conditions to actually utilize this law is incredibly difficult and rarely achieved.

Despite existing protections, many workers remain unable to exercise their right to refuse unsafe work because current law does not provide a right to refuse work with pay making it financially infeasible for most workers. Many workers feel financial pressure to continue working despite hazardous conditions. This is made all the worse as climate change has led to extreme heat and other dangerous weather conditions.

#### **THIS BILL**

AB 1371 establishes a "reasonable apprehension" standard for refusing unsafe work. It also guarantees full wages during periods when workers cannot perform tasks due to true safety concerns. Finally, it incorporates protections against retaliation, including immigration-related retaliation.

#### **SUPPORT**

California Labor for Climate Jobs (Sponsor)

#### **CONTACT**

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