

CALIFORNIA LEGISLATURE—2025-2026 SIMULATION SESSION

SENATE BILL

NO. 49

Introduced by Senator _____Melissa Hurtado_____

September 20th, 2025

To protect outdoor workers, including farmworkers, from heat-related illnesses by requiring employers to provide shaded rest areas, access to drinking water, and scheduled cooling breaks, with oversight and enforcement by state agencies.

LEGISLATIVE COUNSEL’S DIGEST

SB 49, as introduced, Senator Hurtado. The Heat Safety for Outdoor Workers Act.

Existing California law provides a framework for protecting outdoor workers from heat-related illnesses. The Cal/OSHA Heat Illness Prevention Standard (Title 8 CCR § 3395) requires employers to provide access to shade, drinking water, rest breaks, training on heat illness, and high-heat procedures when temperatures reach 95°F or higher. Additionally, California Labor Code § 6400 mandates that employers maintain a safe and healthful workplace for all employees.

While these laws establish basic protections, gaps remain in enforcement and consistency, particularly for farmworkers and other outdoor laborers, leaving many vulnerable to heat stress, a gap the proposed Heat Safety for Outdoor Workers Act seeks to address. This bill requires employers of outdoor workers to provide shaded rest areas, access to drinking water, and scheduled cooling breaks whenever workers are exposed to high temperatures. The Division of Occupational Safety and Health (Cal/OSHA) will oversee implementation and enforcement, while the Labor Commissioner’s Office and local health agencies will support education, outreach, and compliance monitoring. To implement and enforce the provisions of this act, the bill appropriates three million dollars (\$3,000,000) from the General Fund to Cal/OSHA, in consultation with the Labor Commissioner’s Office.

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

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

SECTION 1. This act shall be known and may be cited as the Heat Safety for Outdoor Workers Act.

SEC. 2.

(a) Outdoor workers, particularly farmworkers, are critical to California’s economy and food security but are highly exposed to heat stress and heat-related illnesses during the summer and periods of extreme heat.

(b) Exposure to high temperatures without proper protection can lead to heat exhaustion, heat stroke, permanent injury, and death.

(c) It is the intent of the Legislature to protect outdoor workers by mandating shaded rest areas, access to potable water, and scheduled cooling breaks, and to provide education and enforcement mechanisms to ensure compliance.

SEC. 3.

(a) Employers shall train workers on recognizing signs of heat-related illness and procedures for seeking assistance.

(b) Employers shall maintain records of compliance with this act, including shaded areas, water provision, and break schedules.

SEC. 4.

(a) Cal/OSHA shall Monitor and enforce compliance with this act such as conduct inspections and investigations of complaints related to heat safety.

(b) The Labor Commissioner's Office shall assist with education outreach to outdoor workers/employers.

SEC. 6.

(a) Cal/OSHA shall submit an annual report to the Legislature detailing compliance rates, enforcement actions, and educational efforts.

(b) The report shall include recommendations to improve worker safety and reduce heat-related illnesses.

SEC. 7.

To implement and enforce this act, the sum of three million dollars (\$3,000,000) is hereby appropriated from the General Fund to Cal/OSHA, for allocation in consultation with the Labor Commissioner's Office.