

CALIFORNIA LEGISLATURE—2025-2026 SIMULATION SESSION

SENATE BILL

NO 52

Introduced by Senator Menjivar

October 1st, 2025

An act to expand protections, benefits, and workplace safety standards for emergency service workers in California.

LEGISLATIVE COUNSEL’S DIGEST

SB 52, as introduced, Menjivar. Emergency Service Worker Protection and Wellness Act

Current California labor law provides emergency service workers such as EMTs, firefighters, paramedics, and dispatchers with certain workplace protections and benefits. These include workers’ compensation coverage (Labor Code Section 3200 et seq.), health coverage requirements, and general occupational safety standards enforced by Cal/OSHA. Firefighters and peace officers also benefit from statutory presumptions of job-related illness or injury for conditions such as cancer, heart disease, tuberculosis, and post-traumatic stress disorder (Labor Code Sections 3212–3212.15). However, these presumptions do not extend to all emergency medical personnel, such as EMTs or dispatchers, creating uneven protections across professions.

Existing law further provides that emergency service workers are entitled to overtime pay under the Labor Code, but exemptions and special scheduling rules (such as the 7(k) firefighter exemption) often result in inconsistent application. Current statutes do not mandate hazard pay during declared emergencies, nor do they guarantee uniform access to trauma counseling or long-term disability support for duty-related injuries.

This bill would strengthen workplace protections, retirement benefits, and mental health support for emergency service workers by guaranteeing no-cost trauma counseling, expanding disability and retirement benefits for injuries sustained on duty, and requiring overtime pay and fair scheduling during declared emergencies. The bill also directs the Department of Industrial Relations (DIR) and the California Office of Emergency Services (Cal OES) to oversee implementation and compliance, with funds appropriated annually from the General Fund to support these expanded protections.

Vote: Majority Appropriation: Yes Fiscal Committee: Yes Local Program: No

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

SECTION 1. Title

This act shall be known and may be cited as the Emergency Service Worker Protection and Wellness Act.

SEC. 2. Definitions

In order to provide clarity within this Act, the following terms are defined:

(a) “Emergency service workers” means firefighters, paramedics, emergency medical technicians (EMTs), dispatchers, and other first responders employed by local or state government agencies.

(b) “Declared emergency” means any official state of emergency declared by the Governor of California or a local authority.

(c) “Hazardous duty” means assignments that expose workers to extraordinary risk to life or health, including but not limited to wildfires, earthquakes, floods, pandemics, and mass-casualty incidents.

(d) “Trauma counseling” means counseling services provided by a licensed mental health professional with specialized training in post-traumatic stress disorder (PTSD), crisis response, or emergency responder wellness.

(e) “Overtime pay” means compensation at a rate of one and one-half times the worker’s regular rate of pay for hours worked more than their scheduled duty shift during a declared emergency.

(f) “Enhanced disability benefits” means wage replacement and retirement credit beyond standard workers’ compensation, granted to employees who sustain duty-related injuries or psychological trauma.

SEC. 3. Mental Health Protections.

Recognizing the unique psychological toll of emergency service work, including repeated exposure to traumatic events, high-stress environments, and the long-term risk of burnout and post-traumatic stress disorder, and further recognizing the importance of making mental health support both accessible and stigma-free, the following provisions shall apply:

(a) All emergency service workers shall be entitled to no-cost trauma counseling and PTSD treatment services as part of their employment benefits.

(1) These services shall include access to individual and group therapy, crisis intervention, peer support programs, and long-term treatment options when necessary.

(2) Coverage shall extend to both in-person and telehealth formats to ensure accessibility regardless of geographic location.

(3) No worker shall be required to use personal insurance, accrue debt, or forgo wages to access these services.

(b) Employers must provide access to licensed trauma-informed providers within 30 days of a request.

(c) The Department shall establish minimum standards for these services, including provider qualifications, confidentiality protections, and culturally competent care.

SEC. 4. Workplace Protections and Benefits.

For the protection of emergency service workers and to recognize the physical and financial risks inherent in their duties, the following provisions shall apply:

(a) Emergency service workers injured on duty shall be entitled to enhanced disability benefits, including full wage replacement for up to 12 months.

(b) Time served in hazardous duty during declared emergencies shall count as additional credit toward retirement benefits.

(c) Overtime pay is mandatory during declared emergencies, with no exemptions allowed for budgetary shortfalls.

SEC. 5. Implementation and Oversight.

To ensure effective administration of this Act and accountability in its enforcement, the following provisions shall apply:

(a) The Department of Industrial Relations (DIR) shall enforce compliance and issue penalties for violations of this Act.

(b) The California Office of Emergency Services shall coordinate with DIR to ensure local jurisdictions implement the provisions of this Act.

(c) The Department shall submit an annual report to the Legislature on program outcomes, including the number of workers assisted, benefits granted, and recommendations for improvement.

SEC. 5. Appropriation.

Funds for the implementation of this act shall be appropriated annually from the General Fund to the Department of Industrial Relations, which shall allocate resources to local jurisdictions as needed.

(a) The sum of \$8,000,000 is hereby appropriated annually from the General Fund to the Department of Industrial Relations for the purpose of implementing this Act.

(b) Funds shall be distributed as follows:

(1) \$3,500,000 shall be allocated to the establishment and administration of trauma counseling and PTSD treatment services for emergency service workers. These funds may be used to contract with licensed trauma-informed mental health providers and to ensure timely access to services statewide.

(2) \$2,000,000 shall be allocated to enhanced disability benefits and retirement credit support for emergency service workers injured or disabled in the line of duty.

(3) \$1,500,000 shall be allocated to the enforcement of overtime and workplace protection provisions during declared emergencies, including staffing, compliance monitoring, and penalty assessments administered by the Department.

(4) \$1,000,000 shall be allocated to the California Office of Emergency Services for coordination with local jurisdictions, training, and technical assistance to ensure the effective implementation of this Act.

(c) Any unspent funds from this appropriation shall revert to the General Fund at the end of each fiscal year.

SEC. 6. Effective Date.

This act shall take effect immediately after passed.