

DEPARTMENT OF INDUSTRIAL RELATIONS  
Division of Occupational Safety and Health  
1515 Clay Street, Ste 1901, Oakland, CA 94612  
Telephone: 510-286-7100  
[SB 321 Email Address:](mailto:SB321@dir.ca.gov) SB321@dir.ca.gov

**SB 321 - Employment Safety Standards Advisory Committee:****Household Domestic Services**

Minutes of Meeting

Tuesday, October 18, 2022

**Attendees**

Suzanne Teran, *facilitator*

Laura Stock, *facilitator*

Erika Alonso

Nicole Brown-Booker

Socorro Diaz

Martha Herrera

Lian Hurst Mann

Martha Marquez

Megan Whelan

Nancy Zuniga

Anna Pisarello

Nicanora Montenegro

Jessica Lehman

Eileen Boris

Julietta Hua

**Absent:**

Kevin Riley

Theresa Peterson

Jose Mercado

Eduardo Garcia

**DIR Attendees:**

Sulma Guzman, *Deputy Director of Policy, Legislation and Regulatory Affairs*

Carl Paganelli, *Deputy Chief of Cal/OSHA*

Carmen Cisneros, *Cal/OSHA Area Manager of Consultation*

Deanna Ping, *Chief Deputy Director*

**Interpreters:**

Anabelle Garay Montenegro

Laura Ruiz

### **Announcements (Sulma Guzman)**

- Spanish interpretation available.
- Meeting is being recorded.
- Closed captioning available today, so speak slowly.
- Will allow time for public comment at the end.
- Email [SB321@dir.ca.gov](mailto:SB321@dir.ca.gov) with any written comments.

### **Welcome and Overview (Suzanne Teran & Laura Stock)**

- Introductions from Committee Members (*attendance recorded above*).
- Goals for Today
  - Discuss draft policy report and obtain feedback.
  - Assess the extent of agreement among committee members on each policy recommendation.
- Committee Process
  - October: Focus is on the policy report draft. Will also discuss any recommendations for promoting the guidelines.
  - November: Discussion of written guidelines (2<sup>nd</sup> draft).
  - December: Final review and approval.
- Agenda for Today
  - Cal/OSHA will address committee questions
  - Discuss Policy Recommendations Draft
    - Legal responsibilities and enforcement
    - Safe work environments and outreach & education
  - Assessment of Committee Agreement on Policy Recommendations
  - Feedback for Future Agenda Topics & Next Steps
  - Public Comment
- Submit written comments by next Wednesday (Oct. 26, 2022)
- Recap of September Meeting
  - Any reflections? Any corrections to minutes?
  - Eileen Boris
    - Clarification: The home is a workplace and lose privacy when home becomes a workplace. If you are letting a worker into your private sphere, you have a responsibility.
  - Approval of Minutes from September. No objections.

### **Cal/OSHA Responses to Questions (Carl Paganelli)**

- How long does it take Cal/OSHA to develop internal policies and procedures?
  - Internal policies and procedures are internal guidance for how we do our work.
  - It can take months to many months depending on the complexity. It can take months to review the requirements for our work. We might need to do a pilot project in one office. We also need to train our staff on the new procedures.
- When are Advisory Committees developed in rulemaking process?
  - During Informal Rulemaking, Advisory Committees happen before a proposed rule goes to the Standards Board.

- We draft regulations and present the drafts to a committee. People can attend and make comments. Cal/OSHA staff review the comments. If it is a large proposal, it can take several meetings to get through the topic.
  - The meeting includes Cal/OSHA staff and members from the public. We look for diverse perspectives.
- The Formal Rulemaking process is a year-long process.
  - The Standards Board publishes a draft.
  - The Standards Board will hold hearings where people can present their comments.
- Voluntary Guidelines: how do voluntary guidelines relate to requirements from Cal/OSHA or Cal/OHSA enforcement?
  - Guidelines are voluntary. Employers can pick and choose which ones they will follow. They are not enforceable by Cal/OSHA. The only way guidelines become enforceable by Cal/OSHA is if the guidelines are explicitly included in a law (i.e. Labor Code) or adopted through the rulemaking process through Standards Board.
  - Guidelines are useful for employers and employees but not enforceable by Cal/OSHA.
- Anti-retaliation: Are workers currently covered by anti-retaliation provisions?
  - Yes, most workers are. Leaving aside household domestic workers, most workers are covered by anti-retaliation provisions. Employers cannot retaliate against a worker for making a health & safety complaint.
  - For domestic workers, they are also protected from retaliation for complaining about health & safety.
  - Carve-out: workers that are publicly funded are not covered by anti-retaliation provisions. If no public funding of work, then protected by anti-retaliation provisions.
  - All workers, including household domestic workers, are protected for evacuation zones.
  - Which Agency enforces? DLSE (Labor Commissioner's Office)
- What is expected of employers during the rulemaking period? Are they expected to comply with the rules? (Megan Whelan)
  - Carl Paganelli: Cal/OHSA can only enforce a law (i.e. Labor Code) or a regulation. Until a regulation is adopted, Cal/OSHA cannot enforce. Employers can take voluntary steps, but Cal/OHSA cannot issue penalties or citations.
  - What about messaging for outreach and education? Does Cal/OSHA enforcement wait for that process?
    - It depends on the requirements. We could start enforcement.
    - Are stakeholders involved in internal procedures? No
    - Written internal policies can be shared? Yes.
- If the exemption was lifted, would household workers fall under all existing Cal/OSHA regulations? (Eileen Boris)
  - It depends on what the legislation says. If the legislation removes the exception, then every requirement in Title 8 would apply.
  - Would rulemaking be needed? Maybe, it depends.

- Fungibility of who is an Employer? How does it work into Cal/OSHA enforcement in this sector? It depends on what the legislation states. Currently, we deal with many situations with joint employer (i.e. temp agency). We deal with multiple employers (i.e. construction site),
  - If a CBO had a hiring hall, could they be a joint employer? It depends on employment relationship.
- Are there some regulations that might easily apply without additional rulemaking be needed if the exemption is lifted? (Laura Stock)
  - Deanna Ping: This is a good opportunity for this committee to recommend that certain regulations should apply.
  - Carl Paganelli: There are thousands of regulations. This committee could highlight the regulations that could go into effect immediately.
- Megan Whelan: Have there been advisory committees like this committee in the past?
  - Yes, but it depends on the complexity of the rulemaking.
  - Deanna Ping: Meetings are not the only mechanism for feedback. Draft regulations will be posted and people can submit comments.
  - Laura Stock: There were invited Advisory Committees held by the Standards Board for many years. There was a desire to make it more open and include more public input. Some discussion at Standards Board about gathering input from stakeholders.
- Is the IIPP something that would need to be part of the rulemaking if there are existing requirements on IIPP? (Nancy Zuniga)
  - Deanna Ping: Committee looking at existing requirements for IIPP and provide recommendations on what requirements in IIPP would apply.
- Megan Whelan Question: for existing regulations, are there industry-specific ways that regulations apply?
  - Carl Paganelli: there are industry-specific rules (i.e. construction industry). There are other standards that apply only to certain industries (i.e. heat regulations). We do not enforce guidelines.
- Lian Hurst Mann
  - When Kevin gave proposal of existing OSHA regulations that could apply that would be an example of what could apply immediately if exclusion is removed. We also have the committee chart from the Facilitators with Cal/OSHA regulations.

## **DISCUSSION OF POLICY RECOMMENDATIONS**

First Recommendation: Once statutory exemption removed, Cal/OSHA should enforce.

- Laura Stock
  - Option 1: Once exemption is removed, all existing Cal/OSHA regulations apply and are enforced in this sector/industry.
  - Option 2: Cal/OHSA develops industry specific regulations based on the work on the guidelines.
- Carl Paganelli
  - There are prescriptive standards and performance-based standards.
  - Prescriptive: tell you what you can and can't do (i.e. ladders in the workplace)

- o Performance: (i.e. oil refinery) The IIPP is performance based, but it is very directive (employer must do many things and it is specific).
- Martha Marquez
  - o It should be a combination. It should be specific to our industry's risks. Each industry has its own risks.
- Megan Whelan
  - o Agree with Martha Marquez. There are existing regulations that can apply for the home. We should make sure those regulations are configured for the home. We should not start from scratch and use the voluntary guidelines.
- Julietta Hua
  - o Employee in the home v. day laborer (i.e. on construction site). For me there are some things that aren't in Cal/OSHA rules. How should things apply to specific individual employers (i.e. disabled employer). Harder to apply Cal/OSHA rules in those situations.
- Lian Hurst Mann
  - o Clarification on regulations v. guidelines. How do we get from guidelines to something in the regulation. We need to make a recommendation. We need to think about how we are going to use the guidelines for education/outreach.
  - o The Legislature already voted to eliminate exclusion the year prior. I like the 1A recommendation but feel they should be separate. The first thing should be removal of the exclusion. That will create a lot of possibilities. The IIPP is a second recommendation.
- Suzanne Teran
  - o Committee has stated that hazards in this industry have parallels in other industries.
  - o In written comments, we did receive feedback from employer representatives that guidelines could be a resource (i.e. list of options for protecting workers).
- Nicanora Montenegro
  - o What should the Advisory Committee accomplish? To make policies or voluntary guidelines. Voluntary guidelines turned into regulations. What are we supposed to be doing? Is the goal to submit voluntary guidelines or are we examining standards for the industry? How can we turn our voluntary guidelines into regulations so it can be enforced?
  - o Laura Stock: The charge of committee is to develop voluntary guidelines. There are multiple purposes for the voluntary guidelines even if exemption was not lifted. The voluntary guidelines will be useful, so we want to ensure we get the guidelines out there. But they are not enforceable by Cal/OSHA without changes.
- Megan Whelan
  - o Even under option 1, it sounds like rulemaking process will still happen. Cal/OSHA will need to figure out how it applies and propose industry-specific rules. I'm not sure what the purpose of option 1 is if rulemaking will be needed.
  - o Suzanne Teran: Based on what he reviewed on existing regulations, do you think they would need to be adapted for home setting OR could they apply day 1?
- Eileen Boris

- o It depends on how the exclusion is removed. It depends on the legislation that is passed. It depends on if the legislation has any carve-outs. Recommendation that potential legislation should end the exclusion and direct Cal/OSHA to act (ie. Ca/OSHA should do A, B, and C.)
- Jessica Lehman
  - o Politics: If there is recommendation on legislation, what happens in the legislature? How do we acknowledge some of the complexity in our policy recommendation on what Cal/OSHA should examine in the rulemaking to remove opposition?
  - o In the minutes or follow up email, could your question about sending written comments be included.
- Martha Marquez
  - o We have a chart with Cal/OSHA requirements and guidelines from National Domestic Workers Coalition.
  - o We can get our backs injured lifting a person with a disability. We could say that we want a recommendation that companies providing in-home health care should provide appropriate lifting equipment. Are we talking about these recommendations?
  - o Suzanne Teran: We did that with the voluntary guidelines from last meeting. But today we are thinking big picture about paths/options to be considered by Cal/OSHA or legislature on next steps. We are talking about big picture today.
- Nicanora Montenegro
  - o By December, what are we submitting?
  - o Laura Stock: Charge of this committee is to do two things: develop voluntary guidelines AND develop report with policy recommendations. We are not empowered to write and enforce regulations.
- Question for Carl Paganelli
  - o Current situation: we have industry-specific regulations and regulations that apply to all workers.
    - Example: Construction industry: There are hundreds of requirements because they need detail for various hazards. They are very specific.
    - We also have general regulations that apply to construction industry AND everyone else. Example is IIPP. Heat Illness applies to anyone working outdoors.
  - o Laura Stock
    - If exclusion is removed, domestic workers would be covered by all general regulations. If we had recommendation to develop industry-specific regulation for domestic workers, those rules would also apply. There could be a path that covered both types of regulations.
  - o Deanna Ping
    - For regulations that apply to all employees, mostly the focus has been on pulling out which standards could apply in the home context.
- Jessica Lehman
  - o Difference between an agency v. individual employer. Is there a precedent to build on?

- o Carl Paganelli
    - For dual employment (i.e. temp agency and a site employer), the law is that both employers are equally responsible. Requirements are the same for agency with 1 temp worker v. hundreds of temp workers. Penalties could be adjusted.
  - o Laura Stock
    - Precedent for adjusting requirements for small employers?
    - Carl Paganelli: Yes, in the IIPP requirements, some requirements are adjusted.
- Megan Whelan
  - o Joint liability for Cal/OSHA is the same as LCO? Carl: not sure because not familiar with how LCO handles joint liability.
  - o For a wage claim, the homecare agency is the primary target. The individual employer is also listed on the wage claim. Don't want to create a recommendation that puts into question what exists for joint liability
- Eileen Boris
  - o Who provides the PPE? Who pays for it? This raises the issue of responsibility. For home attendant, is it the responsibility of the agency or the individual (on-site employer)? These are important Qs about equality and ability to pay. There are multiple parties involved in hiring home attendants.
- Laura Stock
  - o Drafted during the break a paragraph to share with Committee to see if capture committee's feedback.
  - o 1A: Once the statutory exclusion is removed, DIR and Cal/OSHA shall enforce health and safety regulations in these sectors.
    - The AC recognizes that **Cal/OSHA has existing regulations for many of the hazards** that are commonly faced by domestic workers and day laborers. In the development of the voluntary guidelines, the AC considered how these could be adapted or modified for a home setting. The AC **recommends that Cal/OSHA in its rulemaking identify the most expeditious way to extend these requirements to the home**, whether it is by adapting the way existing regulations are applied in the home and/or developing new industry-specific standards with additional requirements. In this process, to the greatest extent possible, Cal/OSHA should **draw on the Voluntary Guidelines** already developed.
  - o For November consider: In addition, the Committee **considers that the IIPP standard requirements are easily transferable to the home without modification**, and recommends that this be enforced while other rulemaking is in process.
- Nancy Zuniga
  - o This is a great summary. Both things should be true. We should have industry-specific requirements. I would also like to see the IIPP be a part of initial requirements.
- Megan Whelan
  - o This language looks good. Looking forward to talking about IIPP in November.

Written tasks added to IIPP process through voluntary guidelines.

- Lian Hurst Mann
  - o This language is great. Since any work on regulations will take substantial time, don't want to jeopardize enforcement of regulations in these sectors.
- Laura Stock: written comments on this language would be great

Recommendation #8: Establishing a financial assistance program for low-income Employers to purchase necessary equipment?

- Question: Who are we directing this to? Anyone in particular? Is there a specific entity?
- Nicanora Montenegro
  - o Department who cares for Aging and Disabled workers. They typically look into the needs of the disabled. Some disabled have an attachment to the home. Not sure what the budget necessary would be.
- Suzanne Teran
  - o Other ideas? Oregon Model; Medicare reimbursement
- Lian Hurst Mann
  - o Some of this needs to be investigated and studied. The Committee should encourage the formation of some entity to study this area.
- Eileen Boris
  - o Advisory Committee understands that guidelines and recommendations are only as good as they can be put into practice.
- Nancy Zuniga
  - o What agencies are already supporting these needs for employers? (Ie. Car Wash Restitution Fund under DIR). Is there an agency that could make these needs more accessible?
  - o Deanna Ping: The Car wash restitution fund is a fund for workers.

Recommendation #9: Outreach & Education - Promoting and Disseminating the Guidelines

- Suzanne Teran: Anything more specific on the promotion of the guidelines?
- Megan Whelan
  - o I think they should be promoted by Cal/OSHA, including published on website and other ways to make visible to the industry.
  - o Expanding DWEOP to include voluntary guidelines into the program.
- Nancy Zuniga
  - o Cal/OSHA support and training for employers on the voluntary guidelines even if no regulations in place? Could we add this?
  - o Carl Paganelli: We can look into that. Our consultation program is supported by a federal grant.
- Nicanora Montenegro
  - o Will we put in recommendation for grants and funding for Employers for employers? Could that be included in this recommendation?
  - o Suzanne Teran: Yes, we could include recommendation on need for funding.
  - o Nicanora Montenegro: There are programs already in place for Employers and Employees through CBOs. CBOs be part of the implementation of guidelines and be

an extension of Cal/OSHA.

- Martha Marquez
  - o Under the jurisdiction of Cal/OSHA, if Cal/OSHA is supervising CBOs around the state, could they carry out the training?
- Suzanne Teran
  - o For the Employer Training program, is it only on the context of the exclusion being removed? Should it be a mandatory training program? Should it be voluntary? Any other feedback on the employer training program
- Nancy Zuniga
  - o For the voluntary program, it is only recommended. Having fact sheets available and recommending employers review those materials.
  - o When the exclusion is removed, the employer training is required, which is similar to other industries. We should discuss the how.
  - o Putting in day laborers might not be clear to people. Many people do not refer to them as day laborers. Is there a way to better define day laborer? Just using term day laborer might not capture everything we are discussing. What do we mean by domestic service? Need to add more definition to day laborer.
  - o Suzanne Teran: written feedback on that item would be helpful for the next draft.
- Carl Paganelli
  - o Generally, the employees need to be trained. We do not generally require employer training. Employers need to ensure their workers are trained. For example, the IIPP does not require that ER receive training.
- Laura Stock
  - o Are there any models for business licenses or similar requirements?
  - o Carl Paganelli: Example is asbestos radiation work. Employees needs to meet certain requirements.
  - o Deanna Ping: Farm Labor Contractors, Janitorial trainings required by LCO. Required to take a test.
- Nicanora Montenegro
  - o Department of Labor training for licensing, focus on those trainings are on worker rights. What about an industry specific training? I.e. Yard cleaner might be different from home cleaner. Need for training curriculum that is specific to particular work (i.e. nannies, home cleaners, day laborers, caregivers).
- Megan Whelan
  - o For employers, having trainings available for them integrated into a larger outreach effort will be helpful to maintaining health & safe workplace.
- Eileen Boris
  - o Many employers do not think of themselves as employers, they don't know requirements, so educational outreach is crucial even before mandatory training. Employers do not understand or think it matters.
  - o Training Modules: the lines on employment/jobs are not always clear.
  - o Should employers be certified as a good place to work?
- Martha Marquez
  - o Accidents are happening now in the workplace. If there is a way to do training to

avoid these accidents now, that would comply with our committee's purpose. That is very important to have these trainings to avoid these accidents.

- Nancy Zuniga
  - o For day laborers, need to explain further in the definitions who this is addressing. It is ok if we name day laborers but adding more information on the type of the tasks or work performed.
  - o Using our Committee's work should be used as starting point for Standards Board rulemaking.
  - o It would be helpful to have training modules (i.e. general cleaning). Having that training available in the voluntary phase would be great.
  - o Creating a checklist from the voluntary guidelines would be very helpful for employers. Translate the guidelines into a checklist.
- Anna Pisarello
  - o Worker working in multiple homes. Want to make sure employers know that they are employers. Put burden on employer. They might see a certificate from a worker but does not cover training for employer.
  - o Move forward with some language in policy recommendations that employers have some training. At very least, employer sign piece of paper that they received the voluntary guidelines.
- Suzanne Teran
  - o Some people liked the idea of training certificate. Others did not like the idea of a certificate.
  - o Day-of Training: any specifics on this idea?
  - o Employer's Role is what? To ensure EEs are trained?
  - o Are the ERs the best people to provide the training? Is there a better source? What about someone who works for 5 employers? Who provides the training?
- Megan Whelan
  - o Workplaces are so diverse. It would make sense to ensure every household is responsible for talking about particular job tasks. ER should have conversation with worker about the job tasks and health and safety risks.
- Laura Stock
  - o We all agree that employers need training on these guidelines and recommendations. We should discuss how that happens.
  - o Enforcement: not common to have a requirement that employer get training. Regulations are result-driven.
- Nancy Zuniga
  - o Day-of Training: the same worker might be called every month. If on that day the worker is called, they are expected to be trained on a particular job tool/equipment. When worker is called, they get to see video on how to use equipment and proper PPE.
- Martha Marquez
  - o After having the training, in practice you can assign the person to a company (i.e. clean a house) to a worker who has experience. Workers still need guidance and direction. The training provides the theory, but the worker still needs hand-on

practice to retain that new information.

- Erika Alonso
  - o Propose a test at end of training that is multiple choice that we pass at least at 90% to ensure we retained information. That could be an option. Could provide a certificate (approved/completion of training) and we could keep certificate with us.
- Eileen Boris
  - o Ways in which voluntary guidelines and mandatory regulations will end the chaos of the industry. Parallel would be the garment industry. Some standardization in a field that lacks standardization.
  - o In unionized industries, job letters mean that you get higher pay.
  - o If done certification, those people could be paid more.
- Nancy Zuniga
  - o Importance of hands-on training. This training is necessary. The industry is not standardized. The hands-on training is better fit for the CBO partnership because of the trust between workers and CBOs. We should have multiple ways for workers to get training.
  - o A checklist could be a precursor to IIPP.

### **Recommendation #3: Partnerships with CBOs**

- Does committee have feedback on who is included in CBOs? Any criteria?
- Lian Hurst Mann
  - o We could look at DWEOP Program and how that process works. That program has evaluation criteria.
- Megan Whelan
  - o We should use same criteria from the DWEOP program when established under DLSE.
- Nicanora Montenegro
  - o Mediation program requires a lot of trust. We can expand DWEOP and include mediation program.

### **Committee Member Voting on Policy Recommendations**

- For each recommendation, do you:
  - o Agree
  - o Disagree
  - o Agree with modification --- if you have modifications, please submit written comments explaining your modification so we can integrate into next draft
- Recommendation 1: Remove the household domestic services exclusion from the California Labor Code.
  - o Agree: 11
  - o Disagree: 0
  - o Agree with Modification: 1
- Recommendation #1A: Once the statutory exclusion is removed, the Department of Industrial Relations (DIR) and Cal/OSHA shall enforce health and safety regulations in these sectors. The Advisory Committee recognizes that Cal/OSHA has existing regulations for

many of the hazards that are commonly faced by domestic workers and day laborers. In development of the voluntary guidelines, the Advisory Committee considered how these could be adapted or modified for a home setting. The Advisory Committee recommends that Cal/OSHA in its rulemaking identify the most expeditious way to extend these requirements to the home, whether it is by adapting the way existing regulations are applied in the home and/or developing new industry-specific standards with additional requirements. In this process, to the greatest extent possible, Cal/OSHA should draw on the Voluntary Guidelines already developed.

- Agree: 11
    - Disagree: 0
    - Agree with Modification: 0
- Recommendation #1B: DIR and Cal/OSHA should use the multi-employer responsibility policy to hold the owner or renter of the home jointly liable for the working conditions in cases where there are multiple employers.
  - Agree: 9
    - Disagree: 0
    - Agree with Modification: 2
- Recommendation #2: Implement an industry-specific system for investigation and enforcement.
  - Agree: 12
    - Disagree: 0
    - Agree with Modification: 0
- Recommendation #3: Develop and fund a pilot mediation program.
  - Agree: 12
    - Disagree: 0
    - Agree with Modification: 0
- Recommendation #4: Maintain the existing civil monetary penalty structure for health and safety violations.
  - Nicanora Montenegro: does not include industry-specific health & safety violations?
    - Suzanne Teran: This refers to any regulation in place. The amount would be the same as the amount assessed in other settings.
    - Agree: 9
    - Disagree: 1
    - Agree with Modification: 0
- Recommendation #5: Provide resources for employers to facilitate compliance (Cal/OSHA consultation role).
  - Agree: 11
    - Disagree: 0
    - Agree with Modification: 0
- Recommendation #5A: A resource hotline should be made available by DIR to employers and workers, where they can receive assistance and support from Cal/OSHA in a timely manner.
  - Agree: 9

- Disagree: 0
  - Agree with Modification: 2
- Recommendation #6: Create a liaison position within Cal/OSHA and train Cal/OSHA staff.
  - Agree: 12
  - Disagree: 0
  - Agree with Modification: 0
- Recommendation #7: Uphold robust anti-retaliation protections for workers who speak out.
  - Agree: 11
  - Disagree: 0
  - Agree with Modification: 0
- Recommendation #8: Establish a financial assistance program for low-resourced employers.
  - Agree: 11
  - Disagree: 0
  - Agree with Modification: 0
- Recommendation #9: Promote and disseminate the Voluntary Guidelines to protect the health & safety of household services workers developed by SB 321 Committee.
  - Agree: 12
  - Disagree: 0
  - Agree with Modification: 0
- Recommendation #10: Develop a training program for domestic household service employers.
  - Suzanne Teran: We will add more description to this recommendation after today.
  - Agree: 12
  - Disagree: 0
  - Agree with Modification: 0
- Recommendation #11: Develop a core worker training program.
  - Jessica Lehman: What if we agree with a training program that takes into account existing resources and trainings?
  - Nancy Zuniga: What about certification component?
  - Agree: 11
  - Disagree: 0
  - Agree with Modification: 0
- Recommendation 12: Develop a broad campaign to reach workers and employers.
  - Agree: 10
  - Disagree: 0
  - Agree with Modifications: 1
- Recommendation 13: Develop and promote resources to supplement core health and safety training.
  - Megan Whelan: Would the agency be promoting the resources? Who is promoting?
  - Agree: 10
  - Disagree: 0

- o Agree with Modifications: 1
- Recommendation 14: Establish partnerships with Community-based Organizations (CBOs) that represent workers and employers.
  - o Agree: 12
  - o Disagree: 0
  - o Agree with Modifications: 0
- Recommendation 14A: The Advisory Committee recommends maintaining the current or establishing a new Advisory Committee made up of workers, employers, and health & safety experts to monitor the progress of compliance and troubleshoot challenges.
  - o Agree: 9
  - o Disagree: 0
  - o Agree with modifications: 2
- Recommendation 15: Expand the existing Domestic Worker & Employer Outreach and Education Program (DWEOP).
  - o Agree: 12
  - o Disagree: 0
  - o Agree with Modifications: 0

### **Announcements/Next Steps**

- November & December meeting dates: (Sulma Guzman)
  - o We are looking at week of November 14<sup>th</sup>. Look for an email asking about meeting options for the week of November 14.
  - o November 14-15: DIR & Cal/OSHA unavailable because of a legislative hearing.
  - o November 17: Standards Board meeting.
  - o We will send out an email to committee members because we still need quorum.
  - o We will also send out an email regarding the December meeting date.
- Voluntary Guidelines (Suzanne Teran)
  - o We received written comments on the guidelines. We will review the written comments and meeting notes. Due date was Friday, but please submit comments ASAP if have additional comments.
  - o We will send another draft of voluntary guidelines before the November meeting.
- Policy Report (Suzanne Teran)
  - o October 26, 2022 --- deadline for submitting written comments on the policy report draft. We will move forward on the policy report.
  - o If you voted Agree with Modifications, please send us your ideas on the modifications
- Jessica Lehman
  - o It is hard scheduling for full-day meetings. Can you pinpoint November/December dates in the next 7-10 days?
- Megan Whelan
  - o Diversity of Employers --- UCLA would be able to prepare document on diversity of private employers for this Advisory Committee to make sure demographic profile has influence on policy recommendations.
  - o DWEOP --- Hoping to have more presentation on the outreach and education program. Can we share documents with committee based on the learnings from the current program?

**Public Comment (*limited to 3 minutes per person*)**

- **Patti Maciesz**
  - o Parent to 3- and 6-year-old. I employ a babysitter, nanny and housecleaner.
  - o I was lucky to attend a workshop at local university hosted by Hand-in-Hand. Learning how to be a responsible employer from people who have done it was pivotal for me. There is no manual for how to handle these situations.
  - o I began to help facilitate these workshops for Hand-in-Hand.
  - o Providing resources is such an important part of work by Hand-in-Hand. If everyone had access to these resources and we had broader, structured program, we would see greater focus on health and safety.
  - o I support the voluntary guidelines and the wide dissemination of the guidelines.
- **Diana Ramos (CHIRLA)**
  - o Support creation of domestic worker education and outreach program.
  - o CHIRLA organized domestic workers for expanding and fighting for labor rights under law. Through program, have heard from domestic workers about lack of health and safety.
  - o Vicenta is a house worker/cleaner. While she was working outdoors, she was exposed to fire smoke. She was not provided mask or gloves from her employer. She couldn't afford to purchase on her own. She continued working. She spent 3 weeks working in these conditions. She still suffers from complications from these working conditions.
  - o There are still dangers for workers in the private home sector. We need education on these topics.
- **Karin Umfrey (Worksafe)**
  - o Worksafe is committed to ensuring domestic workers and day laborers retain protections for health and safety.
  - o Extreme heat and wildfires highlight vulnerabilities for these workers because of the exclusions. We would like to see voluntary guidance become mandatory with legislation. These workers are particularly vulnerable. Health and safety regulations will lead to a safer workplace and will benefit women and people of color.
- **Mayra Perez**
  - o I am a domestic worker and been supporting the collective in SF for 8 years.
  - o I have learned from our collective workshops. I'm learning so I can help other women be better informed. Because of lack of information, women domestic workers don't get to these organizations don't know about. These workshops reach a lot of women so they can be protected at their workplace. I learned about protecting my health and safety and I asked my employers about masks and gloves for protection during COVID-19. There were also some employers that did not want to provide this safety equipment.
- **Yeni Linares**
  - o I have been domestic worker for 14 years.
  - o I want to highlight importance of education and training I've received last 3 years. Thanks to training, I learned how to protect myself at work safely and make my rights known.
  - o I've suffered many accidents in my years as domestic worker. I've also been

exposed to illnesses. The guidelines can help us learn and be trained. Also establish awareness for our employers about establishing a safe workspace.