November 11, 2026

The Honorable Anna Caballero
Senator, 15th District
State Capitol
Sacramento, CA 9581

RE: Senate Bill 82, Farmworker Heat Safety and Small Farm Support Act – Oppose Unless Amended

Dear Senator Caballero, Chair Smallwood-Cuevas, Vice Chair Valladares, and Members of the Senate Committee on Local Government and Labor,

On behalf of our member employers, the California Chamber of Commerce respectfully **opposes** Senate Bill 82 unless it is amended. CalChamber represents job creators of every size, from small family-owned businesses to the state's largest employers, and we share the author's goal of protecting workers from dangerous heat. However, as amended, SB 82 now applies to nearly every outdoor and physically demanding industry in the state. It adds new paid time and costs for employers, starts with no phase-in, keeps penalties that can grow quickly, and reduces the only compliance funding while limiting it to small farms.

Specifically, CalChamber asks that SB 82 be amended to address the following:

Limit the bill's scope or phase in non-agricultural industries. Section 6720.1(i) extends the bill from agriculture to construction, roofing, road work, landscaping, utilities and telecommunications, oil and gas, solar, warehouses, and wildland fire support. Section 6720.1(i)(10) also allows Cal/OSHA to add more occupations by regulation. Section 6720.7(c) keeps existing Cal/OSHA heat rules in place, so employers would have to follow two sets of standards with different measurements and thresholds. Section 6720.1(a) defines a covered employer as "any employer," which could include cities and counties, even though the bill is listed as not creating a local program. CalChamber asks that the bill apply to agriculture, with any other industries added through Cal/OSHA rulemaking that combines SB 82 with the existing standards.

Reduce mandatory paid downtime. Section 6720.3(a)(1) requires a paid 10-minute break every hour at a heat index of 90 degrees, which is 80 minutes of an 8-hour shift. Section 6720.3(b)(1) raises this to 15 minutes every hour at 100 degrees, which is 2 hours, or a quarter of the shift. Current regulations require a 10-minute break every two hours at 95 degrees. Section

6720.3.5(c) also requires a full shift of pay during acclimatization, when a worker may work only 20 percent of the shift on the first day, rising 20 percent each day. That equals about two full shifts of pay for work not performed for every new worker and every worker returning after 7 days away. CalChamber asks for a paid 10-minute break every two hours at 90 degrees and every hour at 100 degrees, while keeping the worker's right in Section 6720.4(b) to rest at any time. We also ask that acclimatization allow workers to perform tasks outside the heat during reduced hours and that "returning workers" apply after 14 days away.

Give employers time to comply and restore funding. The bill includes no start date or phase-in, and parts of it depend on rules Cal/OSHA has not yet written, including the sun adjustment in Section 6720.2(c) and the wet bulb globe temperature levels in Section 6720.2(b). Section 4 reduces the appropriation from $15 million to $7 million. After the 5 percent administrative limit in Section 16104, that funds about 133 grants at the $50,000 maximum, and Section 16101 limits eligibility to farms with 25 or fewer workers. CalChamber asks for at least one year before the bill takes effect, no enforcement of any provision until its regulations are final, and for small farms, a start date one year after the first grants are awarded. We also ask that the appropriation be restored to at least $15 million and that eligibility be raised to employers with 50 or fewer workers.

Make enforcement proportionate. Section 6720.7(a) allows penalties of up to $1,000 per affected worker per day. For a 40-person crew, that is $40,000 for a single day. Section 6720.6(b) separately allows a civil action for up to $10,000 per violation plus attorney's fees. CalChamber asks that penalties be capped per violation rather than per worker per day, that employers acting in good faith have 14 days to correct a first-time violation, and that workers file with the Labor Commissioner or Cal/OSHA before bringing a civil action.

With these amendments, SB 82 would keep strong heat protections for workers while giving employers a clear standard they can meet. We are open to working with the author to provide proposed language for each amendment. If they are adopted, CalChamber would be glad to reconsider our position. If not, our position will remain **Opposed**, and we urge a no vote. We welcome the chance to meet with the author, the Chair, and Committee members before the bill is heard.

Sincerely,

Aishah Apalara

Aishah Apalara (She/Her/Hers) - Lobbyist

