




CALIFORNIA  
ASSOCIATION  
of WINEGRAPE  
GROWERS

## ASSEMBLY FLOOR ALERT AB 2403 – OPPOSE



June 8, 2020

TO: Members, California State Assembly

FROM: Rob Moutrie,  
Policy Advocate,  
California Chamber of Commerce  
Michael Miiller,  
Director of Government Relations   
California Association of Winegrape Growers

Agricultural Council of California  
American Pistachio Growers  
California Apple Commission  
California Blueberry Association  
California Blueberry Commission  
California Citrus Mutual  
California Cotton Ginners and Growers Association  
California Farm Bureau Federation  
California Farm Labor Contractors Association  
California Fresh Fruit Association  
California League of Food Producers  
California Manufacturers & Technology Association  
California Professional Association of Specialty Contractors.  
California Rice Commission  
California Tomato Growers Association  
Family Winemakers of California  
Far West Equipment Dealers Association  
Olive Growers Council of California  
United Ag  
Western Agricultural Processors Association  
Western Growers Association  
Western Plant Health Association  
Wine Institute

**SUBJECT: AB 2053 (R. RIVAS) OCCUPATIONAL HEALTH AND SAFETY,  
AGRICULTURAL WORKERS: COVID-19  
OPPOSE – AS AMENDED JUNE 4, 2020**

The California Chamber of Commerce, California Association of Winegrape Growers and the organizations listed above are respectfully **OPPOSED** to **AB 2043 (R. Rivas)** as amended June 4, 2020 and ask for your NO vote. We fully agree with the intent of this bill as our employees are the heart of our industry and we care deeply about their safety and health. However, by codifying evolving guidelines, creating an overlaying

standard, and relying on county guidelines as well, this bill would create confusion in the workplace as employers try to determine what is required of them to best protect employees. While this is not the intent of the bill, it would ultimately put employees at risk.

The negative impacts resulting from the confusion created by this bill would not only effect agricultural employers but also those companies throughout our supply chain. Our primary concerns are listed below:

**This bill proposes an inflexible standard when instead, requirements need to evolve as we learn more about COVID-19.**

Federal, state, and local agencies have been constantly revising and tweaking their health guidance as our understanding of COVID-19 has evolved. Such evolutions, though difficult to keep up with, are somewhat necessary with such a new and grave hazard. However, by requiring Cal/OSHA to pass an emergency standard that would be difficult to change down the road, AB 2043 misses this critical element of COVID-19: Our evolving knowledge and best practices.

**Existing guidance is already enforceable by Cal/OSHA.**

As Cal/OSHA states they already have full authority to cite employers for not implementing guidance, this bill is unnecessary and would not provide greater safety for workers. To the contrary it would only create confusion by subjecting employers to guidelines that do not apply to their workplace.

For example, this bill would require packing houses to comply with a guidance for employees handling livestock. Additionally, it would apply a food processing guidance to vineyard operations. This makes no sense.

**Cal/OSHA Safety & Health Standards Board is considering adopting a standard.**

The Board has already been formally petitioned to adopt an emergency regulation related to COVID-19 in the workplace. The Board does not need this bill to adopt COVID-19 workplace standard as it is required by law to act on the petition.

**AB 2043** is unnecessary and would not improve safety. Instead, this bill would create workplace confusion which could ultimately put workers at risk.

For these reasons, we are **OPPOSED** to **AB 2043**.

cc: Stuart Thompson, Office of the Governor  
Barbara Mohondro, Office of Assembly Member R. Rivas  
Megan Lane, Assembly Committee on Labor and Employment  
Lauren Prichard, Assembly Republican Caucus