

Senate Bill 20:

Silicosis Training, Outreach, and Prevention (STOP) Act Senator Caroline Menjivar (D – San Fernando Valley)

SUMMARY

SB 20 will enhance worker safety in the stone fabrication industry and strengthen silicosis prevention efforts by increasing worker education, enforcing safety regulations, and tracking the accurate number and location of fabrication shops in the state.

PROBLEM

Silicosis is an irreversible and fatal but preventable occupational lung disease, caused by the respiration of silica dust. Silica is a common mineral found in quartz, sand, and other rock types.

Workers who cut, grind, polish, and drill artificial and natural stone are at risk of developing silicosis. Artificial stone is particularly dangerous due to its high silica concentration and harmful polymer resins, dyes, and other binding materials to form a stone slab. Typically, artificial quartz stone contains more than 93% silica compared to natural stone that contains between 0-45% silica.ⁱ

Between 2019 – 2022, 52 workers in the stone fabrication industry were diagnosed with silicosis due to their exposure to silica dust.ⁱⁱ Nearly all the patients were young Latino immigrant men with a median age of diagnosis at 45 years old.ⁱⁱⁱ These men were uninsured or underinsured.

Out of the 52 patients identified, 23% have either died or received a lung transplant and 12% are on oxygen.^{iv} A lung transplant can cost upwards of \$1.3 million and may only extend life expectancy on average by five years.^v

There is no cure for silicosis. Typically, from the time of diagnosis to death, individuals often live less than 3.5 years.^{vi}

Hazardous workplace environments and the threat of silicosis looms as the demand for artificial stone countertops continues to grow. Artificial stone countertops have become the leading countertop product for residential and commercial projects in 2021, and demand is expected to continue growing at 9.6% annually until 2026.^{vii}

BACKGROUND

The dangers of artificial stone products and its link to silicosis has garnered worldwide attention. On July 1, 2024, Australia became the first country in the world to ban the use, sale, and manufacture of artificial stone. New Zealand Council of Trade Unions Te Kauae Kaimahi has also called for a ban to protect workers.

In California, Cal/OSHA approved emergency temporary standards (ETS) on December 14, 2023 in response to the rising silicosis cases across the state. The ETS prohibits the dry cutting of silica-based products containing more than 0.1% crystalline silica and natural stone containing more than 10% crystalline silica. Additionally, there are requirements for respiratory protection, exposure monitoring, and silicosis reporting to Cal/OSHA and the California Department of Public Health (CDPH). Since December 9, 2023, Cal/OSHA has conducted 29 workplace inspections and issued 13 Orders Prohibiting Use (OPUs).^{viii} OPUs require fabrication shops' operations to cease until employers can demonstrate their workplace is in compliance with Cal/OSHA's standards.

While the ETS have resulted in increased enforcement actions, they are set to expire on December 27, 2024. Cal/OSHA is currently undergoing their rulemaking process to make the ETS permanent standards.

SOLUTION

SB 20 establishes a comprehensive plan to protect the safety of workers in the stone fabrication industry. The bill prohibits the use of dry cutting methods and requires the use of wet methods for fabrication activities involving silica based products. Additionally, the bill requires CDPH:

- To adopt a training program on best practices related to fabrication activities on or before July 1, 2026
- To develop a certification process for fabrication shops that includes at minimum that employers will adhere to Cal/OSHA safety standards and all

workers will have undergone CDPH's training program on or before January 1, 2027

- To start issuing three-year certificates to fabrication shops that meet CDPH's certification criteria, starting January 1, 2027
- To create and maintain a public database and tracking system that displays information related to fabrication shops' compliance with Cal/OSHA safety standards and their certification status by January 1, 2027
- To create and maintain a public tool where employees can report suspected or alleged violations of worker safety standards by January 1, 2027
- To share data related to fabrication shops' noncompliance and confirmed silicosis cases with Cal/OSHA and local prosecutors to aid in enforcement of workplace standards, starting January 1, 2027

The bill will also prohibit manufacturers of stone slabs from providing their product to uncertified fabrication entities, starting January 1, 2027.

By establishing an accurate tracking system and increasing enforcement efforts along with worker education, SB 20 will truly protect the health and safety of fabrication workers.

STATUS

Introduced – December 2, 2024

SUPPORT

None listed

CONTACT

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ⁱ Occupational Safety and Health Standards Board, "Occupational Exposures to Respirable Crystalline Silica Non-Emergency Initial State of Reasons." June 20, 2024. <https://www.dir.ca.gov/oshsb/documents/Respirable-Crystalline-Silica-Non-Emergency-ISOR.pdf>

ⁱⁱ Fazio JC, Gandhi SA, Flattery J, et al. Silicosis Among Immigrant Engineered Stone (Quartz) Countertop Fabrication Workers in California. *JAMA Intern Med.* 2023;183(9):991–998. doi:10.1001/jamainternmed.2023.3295

ⁱⁱⁱ Ibid.

^{iv} Ibid.

^v County of Los Angeles Public Health. "Silicosis Prevention and Care" Memo. October 24, 2023. https://file.lacounty.gov/SDSInter/bos/bc/1150183_SilicosisPreventionandCareItem10BoardAgendaof6.6.2023.pdf

^{vi} Ibid.

^{vii} Occupational Safety and Health Standards Board, "Occupational Exposures to Respirable Crystalline Silica Non-Emergency Initial State of Reasons."

^{viii} Ibid.