

AMENDED IN ASSEMBLY JUNE 15, 2011

AMENDED IN SENATE MAY 31, 2011

SENATE BILL

No. 432

Introduced by Senator De León

February 16, 2011

An act to add Section 6714 to the Labor Code, relating to workplace safety.

LEGISLATIVE COUNSEL'S DIGEST

SB 432, as amended, De León. Workplace safety: lodging establishments: housekeeping.

Existing law establishes the Occupational Safety and Health Standards Board within the Department of Industrial Relations and requires the standards board to adopt and, through the Division of Occupational Safety and Health, to enforce all occupational safety and health standards. Under existing law, a knowing or negligent violation of any standard, which is deemed to be a serious violation, constitutes a misdemeanor.

This bill would require the standards board to adopt a standard relating to housekeeping in transient lodging establishments requiring the use of fitted sheets on beds and the use of long-handled tools for cleaning bathrooms. The bill would require the division to enforce the standard in the ordinary course of its duties pursuant to existing authority.

Because this bill would require the standards board to adopt a new standard, the serious violation of which would, when effective, create a new crime, the bill would impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: yes.

The people of the State of California do enact as follows:

1 SECTION 1. Section 6714 is added to the Labor Code, to read:
2 6714. (a) The standards board shall, no later than September
3 1, 2012, adopt an occupational safety and health standard for
4 lodging establishment housekeeping. The standard shall apply to
5 all hotels, motels, and other similar transient lodging establishments
6 in California. The standard shall ~~require all of~~ include the
7 following:

8 (1) The use of a fitted sheet, instead of a flat sheet, as the bottom
9 sheet on all beds within the lodging establishment. For the purpose
10 of this section, a “fitted sheet” means a bed sheet containing elastic
11 or similar material sewn into each of the four corners that allows
12 the sheet to stay in place over the mattress.

13 (2) The use of long-handled tools such as mops or similar
14 devices in order to eliminate the practice by housekeepers of
15 working in a stooped, kneeling, or squatting position in order to
16 clean bathroom floors, walls, tubs, toilets, and other bathroom
17 surfaces.

18 (b) ~~The standard established pursuant to this section is not~~
19 ~~subject to a permanent variance pursuant to Section 143. Nothing~~
20 ~~in this section limits the authority of the board to grant a variance~~
21 ~~to Section 143 or any other provision of law.~~

22 (c) The division shall enforce this section in the ordinary course
23 of its duties pursuant to authority set forth in this part.

24 SEC. 2. No reimbursement is required by this act pursuant to
25 Section 6 of Article XIII B of the California Constitution because
26 the only costs that may be incurred by a local agency or school
27 district will be incurred because this act creates a new crime or
28 infraction, eliminates a crime or infraction, or changes the penalty
29 for a crime or infraction, within the meaning of Section 17556 of
30 the Government Code, or changes the definition of a crime within

1 the meaning of Section 6 of Article XIII B of the California
2 Constitution.

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