

Assembly Bill No. 1050

Passed the Assembly August 30, 2016

Chief Clerk of the Assembly

Passed the Senate August 23, 2016

Secretary of the Senate

This bill was received by the Governor this _____ day
of _____, 2016, at _____ o'clock ____M.

Private Secretary of the Governor

CHAPTER _____

An act to amend Section 143.1 of the Labor Code, relating to employment safety.

LEGISLATIVE COUNSEL'S DIGEST

AB 1050, Low. Occupational safety and health: permanent variances.

Existing law establishes the Occupational Safety and Health Standards Board in the Department of Industrial Relations and authorizes the board to adopt, amend, or repeal employment safety and health standards and orders. Existing law authorizes the board, upon the application of an employer, to grant a permanent variance from an occupational standard or order after specified notice and hearing requirements regarding employees or employee representatives are met.

This bill would, when the request for a permanent variance pertains to a conveyance covered by the elevator safety orders, require the applicant to provide the required notice regarding the hearing to the local union representing elevator workers and to those workers who will be performing the tasks pursuant to the proposed variance, or their authorized representative. The bill would grant party status at the hearing to those workers or their authorized representative upon their request to the board.

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

SECTION 1. Section 143.1 of the Labor Code is amended to read:

143.1. (a) The board shall conduct hearings on such requests for a permanent variance after employees or employee representatives are properly notified and given an opportunity to appear.

(b) If a request for a permanent variance pertains to a conveyance covered by the elevator safety orders, the applicant shall notify the union representing elevator workers in the region where the building is being constructed or modified and to those workers who will be performing the tasks pursuant to the proposed

variance, or their authorized representative, pursuant to the requirements of subdivision (a). These workers, or their authorized representative, shall be granted party status upon request to the board.

(c) All board decisions on permanent variance requests shall be final except for any rehearing or judicial review provided for by law.

Approved _____, 2016

Governor