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February 29, 2024

TO: Each Supervisor

FROM: Barbara Ferrer, Ph.D., M.P.H., M.Ed.
Director

SUBJECT: **SILICOSIS PREVENTION EDUCATION
(ITEM 24, BOARD AGENDA OF DECEMBER 19, 2023)**

This memorandum is in response to the Board of Supervisors’ December 19, 2023 motion in which the Board approved delegated authority to execute agreements and approved a budget appropriation adjustment for \$500,000 to the Department of Public Health (Public Health) to provide silicosis outreach and education in the San Fernando Valley and throughout the County [Directives 1 and 2] and directed Public Health to: 1) continue collaboration with the California Department of Public Health (CDPH) and Cal/OSHA by participating in the Emergency Temporary Standard (ETS) process to improve workplace safety standards on silica and enhance business outreach, and 2) continue engaging stone fabrication businesses on the Cal/OSHA list and fabrication shops identified through outreach and share knowledge with Cal/OSHA [Directive 3]. The Board also directed the Department of Mental Health (DMH) in collaboration with Public Health, the Department of Health Services (DHS) and others as needed to develop and/or use existing resources and support materials in English and Spanish, to be made available for individuals diagnosed with silicosis and their families, including exploring opportunities to use the Mental Health Outpatient Clinic located on the Olive View campus to provide mental health support [Directive 4].

Moreover, the Board directed the Department of Economic Opportunity (DEO) to convene stakeholder representatives to discuss and coordinate additional outreach strategies to stone fabrication businesses and provide small business resources, as well as learn about what barriers exist that are preventing compliance with required safety protocols and use of personal protective equipment [Directive 5]. The Board also directed the Chief Executive Office (CEO) Legislative Affairs and Intergovernmental Relations unit (LAIR), in collaboration with other Departments, to continue to advocate in support of proposals that strengthen regulatory standards and enhance resources for education and the enforcement of regulations on silica dust to ensure better compliance [Directive 6]. Finally, the Board directed Public Health in collaboration with relevant Departments to continue engaging with stakeholders and report back on these directives in 60 days and quarterly thereafter [Directive 7].

Directive 2

Public Health's Public Health Councils Program executed a contract with Liberty Hill Foundation on February 7, 2024, to continue serving as a fiscal intermediary for silicosis education and outreach efforts. In late February, Liberty Hill Foundation executed a new agreement with Pacoima Beautiful, a San Fernando Valley-based community-based organization (CBO) whose original contract for silicosis outreach and education was described in Public Health's October 24, 2023 [report](#). Pacoima Beautiful will continue its outreach efforts in the San Fernando Valley while Liberty Hill has commenced discussions with other CBOs to explore options and determine a process for onboarding an additional CBO to conduct silicosis prevention education and outreach to workers in other areas of the county that have higher densities of engineered stone cutting and fabrication operations and facilities.

Public Health has been engaging in the following activities to better inform and support the new 2024 contracts for worker outreach and education and align efforts with the Cal/OSHA Silica Emergency Temporary Standard (ETS) which went into effect on December 29, 2023.

1. Reviewing and assessing application of the new Silica ETS rules by consulting subject matter experts, Cal/OSHA staff, CDPH Occupational Health Branch (OHB) and Industrial Hygienists/silicosis prevention subject matter experts with the Georgia Tech Research Institute - Safety, Health, and Environmental Services program.
2. Developing refresher trainings and educational materials to train outreach workers on the hazards associated with silica dust, preventive measures for silicosis, available resources for treatment, and safety recommendations for carrying out outreach and the latest updates on the new silica ETS rules.
3. Meeting with internal Public Health programs including Environmental Health, Service Planning Area (SPA) 2 Community and Field Services - and department leadership to coordinate strategy and planning activities related to silicosis.

Directive 3

Public Health staff maintain regular communication with CDPH and its Occupational Health Branch (OHB) staff and the Bi-Lingual Education unit within Cal/OSHA. We will be convening these partners once the CBO silicosis prevention outreach and education contracts are fully executed and outreach staff are fully trained to discuss opportunities for collaboration, coordination, and to share findings identified by outreach workers with these agency partners to help inform larger statewide communication strategies.

Environmental Health subject matter experts actively supported the new Cal/OSHA Silica ETS to improve workplace safety standards on silica by providing input gathered from employer outreach and assessment. Public Health staff have been reviewing and identifying requirements of the new ETS rules and are including this education and information to enhance outreach to businesses. Public Health Nurses have visited 218 stone fabrication businesses as of February 2024 and will be receiving additional training over the next few months on how to educate employers about the new silica ETS standards and the importance of silicosis prevention. Public Health staff will share knowledge with Cal/OSHA if they identify barriers to implementation of ETS standards. Work will continue to identify and provide outreach to unregistered worksites through outreach activities.

Directive 4

Public Health and DMH held an initial meeting to discuss mental health resources that are needed to enhance existing efforts to support silicosis patients and their loved ones. Public Health plans to present on silicosis awareness and prevention at the upcoming Public Health quarterly SPA 2 all-staff meeting that will reach an estimated 200 DMH employees. Public Health also helped connect DMH with Dr. Jane Fazio, the leading physician and medical subject matter expert at Olive View Hospital treating silicosis patients, to receive her consultation on resource and support material development for silicosis patients. Resources will be available in English and Spanish. DMH will further explore opportunities to utilize the Mental Health Outpatient Clinic located on the Olive View campus as a resource to provide mental health materials and support for silicosis patients and assess opportunities for DMH promotores to partner with Public Health-contracted community health workers to collaborate and disseminate information and increase awareness of the mental health impacts of silicosis among workers that cut and fabricate engineered stone. The need to increase awareness among medical providers on the mental health impacts of silicosis on workers and the community was further identified as a priority by DMH.

Directive 5

To date, DEO has achieved the following:

1. DEO has met several times with Public Health to explore the process and priorities for convening relevant stakeholders to discuss and coordinate additional outreach strategies to stone fabrication businesses and provide small business resources. At this time the focus of stakeholder convening will be to raise general awareness about silicosis, provide updates about the recent Cal/OSHA silica ETS, and identify resources and supports for workers and employers as described in more detail below.
2. Initiated outreach to additional key stakeholders mentioned in the motion, such as the Los Angeles and Orange County Building Trades, the Bricklayers and Allied Craftworkers, and Western States Carpenters. These discussions will continue via monthly stakeholder meetings (discussed below) and will help ensure unified messaging around silicosis awareness and compliance as well as securing commitments for ongoing collaboration on outreach (e.g., action items listed in the “Next Steps” section below).
3. Engaged DEO’s Rapid Response team, which helps workers and businesses alike experiencing mass layoffs with recovery services, such as unemployment insurance assistance and linkages to County re-employment services.

Next Steps

DEO plans to integrate the efforts of all its relevant teams, including the County’s America’s Job Centers of California (AJCCs) and DEO-staffed teams (Office of Small Business [OSB] and Rapid Response) into a singular public-facing outreach effort, which will be launched by the end of the current Fiscal Year. This unified effort will emphasize a consolidated outreach strategy that serves both our business and worker-facing customers.

This campaign will include, but is not limited to, the following components:

1. DEO will utilize approved educational materials and collateral provided by Public Health.
2. DEO will leverage its network AJCCs to serve as the host sites for relevant outreach meetings. These include:
 - a. Monthly stakeholder convenings and webinars at select AJCCs for several months, which we anticipate beginning by the end of the Fiscal Year.

DEO will invite the key stakeholders identified above (e.g., Los Angeles and Orange County Building Trades, Bricklayers and Allied Craftworkers, Western States Carpenters, businesses and their associations, etc.) and any additional stakeholders identified as the group begins to meet. These meetings will include information on the availability of training funds for upskilling the existing workforce to comply with silicosis preventative measures or to acquire additional skills.

One key program is Incumbent Worker Training, a business service training program available to employers that partially reimburses the cost of training incumbent employees, whom have a work history with the employer for a minimum of six months, that commit to retain and avert the layoff of their trained employees. The employers' share of the training cost is dependent on various factors, such as the size of the employer and allowable in-kind contributions.

These meetings will also provide information on Rapid Re-employment efforts, the availability of AJCC services and training funds to individuals that may be adversely impacted with a loss or decrease of employment to place them into different career pathways.

Public Health and contracted partners will also help promote the County's AJCCs and their resources so interested workers can be assessed for retraining opportunities and/or different career pathways.

- b. Silicosis safety awareness workshops, which we anticipate beginning by the end of the Fiscal Year, will target local businesses on best practices for compliance and prevention. DEO, will coordinate workshops at corresponding AJCCs based on impacted businesses' and individuals' locations, with support as needed from DPH or other subject matter experts.
3. DEO will complement these convenings with outreach efforts to provide both educational materials as well as services and supports to businesses and workers as needed. These efforts will be carried out by the following teams:
 - a. DEO-OSB will provide technical assistance on silicosis prevention requirements and compliance for businesses identified by the stakeholders we have already convened.

- b. DEO's Business Technical Assistance (BTA or "Layoff Aversion") program, operated by the Los Angeles County Economic Development Corporation (LAEDC) will distribute additional educational materials about silica best practices to local businesses not already reached by other partners and, if necessary, provide additional BTA services should businesses become at risk of laying off workers or shutting down.

These additional BTA services include, but are not limited to, assistance with permitting, basic project management assistance, referrals to tax incentives and new sources of capital, and recommendations for site relocation.

- c. DEO's Rapid Response team will, when applicable, provide layoff assistance to impacted businesses and employees should layoffs be unavoidable.

Directive 6

In response to the Board's [June 6, 2023 motion](#) on silicosis prevention, CEO-LAIR issued a [report](#) on August 8, 2023, on legislative and regulatory advocacy options at the State and federal levels regarding the health risks associated with the use of silica-fabricated stone and strengthening regulatory enforcement.

As mentioned above, following the Board's December 18, 2023 motion, the silica ETS was adopted and went into effect on December 29, 2023. Also mentioned above, Public Health and DHS are working with stakeholders to review and identify the requirements of the new ETS rules and develop educational messaging. County representatives also continue to participate in stakeholder opportunities to advise on the roll out of the ETS, statewide education and outreach efforts, and the development of a permanent standard that incorporates the requirements of the ETS.

Following up on the recommendation to host educational sessions for elected officials who represent the San Fernando Valley, CEO-LAIR convened informational briefings on silicosis for Assemblymember Luz Rivas (43rd District) and State Senator Caroline Menjivar (20th District), whose districts include the most heavily impacted areas of the San Fernando Valley in which the County's stone fabricator businesses are concentrated. Public Health and DHS participated in these briefings, providing subject matter expertise and perspectives on regulatory approaches to prevent silicosis, educational efforts, potential outcomes of a product ban, and other strategies to mitigate harms to workers from fabricated stone products. CEO-LAIR, Public Health, DHS, and other county stakeholders also participated in a stakeholder briefing on silicosis hosted by Assemblymember Rivas, along with State partners including CDPH and Cal/OSHA.

With the new 2024 State legislative session, CEO-LAIR and County partners are monitoring additional opportunities for advocacy at the State level. This month, Assemblymember Rivas introduced [Assembly Bill \(AB\) 3043](#), legislation which provides a promising framework for licensing of engineered stone fabrication businesses, requiring licensed entities and enforcement actions to be listed on a State website, implementing industry requirements in the ETS (including banning dry cutting and requiring wet cutting processes), requiring the development of training curriculum for safe practices in consultation with apprenticeship programs and requiring that workers in licensed businesses receive the training, and imposing prevailing minimum wage requirements for workers, among other provisions. CEO-LAIR is working with Public Health,

DHS, and other relevant Departments to provide a full analysis of AB 3043's provisions and make further recommendations to the Board.

Conclusion

Public Health, in consultation with relevant County Departments, will continue to report back on these directives and other efforts to prevent silicosis on a quarterly basis.

BF:lpm

- c: Chief Executive Officer
- Executive Officer, Board of Supervisors
- County Counsel
- Department of Economic Opportunity
- Department of Health Services
- Department of Mental Health