

California Workers Have the Right to Protect Themselves During LA Wildfires

California law prohibits employers from retaliating or threatening to retaliate against workers for leaving the worksite or refusing to come into work when “the employee has a reasonable belief that the workplace or worksite is unsafe” due to an emergency condition. A reasonable belief that the worksite is unsafe is defined as where “a reasonable person, under the circumstances known to the employee at the time, would conclude there is a real danger of death or serious injury if that person enters or remains on the premises.”

In addition, the law prohibits an employer from preventing workers from accessing their personal cell phone or using any other communications device to seek emergency assistance, assess the safety of the situation, or communicate with loved ones to verify their safety.

There are exemptions to this law for workers who are charged with disaster relief, providing emergency response, classified as disaster service workers, or responsible for assisting others in evacuating during an emergency. The cell phone requirement does not apply to banks or correctional facilities.

This bill can be enforced by the California Labor Commissioner by going to [Report a Labor Law Violation](#) or in court. For more information, contact the California Federation of Labor Unions at info@calaborfed.org or go to [Bill Text - SB 1044 Employers: emergency condition: retaliation.](#)

