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PASSAGE OF SENATE BILL 542 PROTECTS SAFETY WORKERS AND THEIR FAMILIES

BY: SCOTT A. O'MARA

Senate Bill 542 was approved by Governor Newsom on October 1, 2019. This legislation acknowledges the unique experiences and events which safety personnel have, such as firefighters and peace officers. Their traumatic experiences and events constitute exposures which potentially can change not only the lives of the victims involved, but the safety workers and their families as well.

The post-traumatic stress which develops or manifests is subject to a presumption which is rebuttable — the presumption that the stress is work-related. This presumption can be extended beyond the last day of work, depending upon the length of time the worker has been in the safety assignment.

Of great significance, however, is the fact that Senate Bill 542 is subject to a sunset provision which indicates the bill will expire as of January 1, 2025. Therefore, it will be extremely important to monitor this legislation — which will be very beneficial to safety workers and their families — to ensure that further legislation with the same provisions to protect safety personnel is enacted well before the sunset date of January 1, 2025.

The new legislation is very direct in identifying the fact that safety officers are called to make life-and-death decisions, and it speaks specifically of their exposure “to a myriad of communicable diseases and known carcinogens” and the fact that they “are constantly at significant risk of bodily harm or physical assault while they perform their duties”. In addition, they witness such emotionally traumatic situations such as witnessing “a young child dying with their grief-stricken family”.

Senate Bill 542 further acknowledges:

“Constant, cumulative exposure to these horrific events makes firefighters and law enforcement personnel uniquely susceptible to the emotional and behavioral impacts of job-related stressors. This is especially evident given that the nature of the job often calls for lengthy separation from their families due to a long shift or wildfire strike team response.”

