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September 9, 2024

TO: Each Supervisor

FROM: Barbara Ferrer, Ph.D., M.P.H., M.Ed. *Anish P. Mahajan*  
Director On behalf of Barbara Ferrer

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

This memorandum is a quarterly report 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]. This report covers the period from the last report through August 2024.

## **Directive 2**

In alignment with recommendations submitted by Pacoima Beautiful at the culmination of their 2023 contract, Public Health executed a new contract with Liberty Hill Foundation on February 7, 2024, to continue serving as a fiscal intermediary for silicosis education and outreach efforts. Due to administrative delays among both organizations, the contract between Liberty Hill Foundation and Pacoima Beautiful was executed on April 16, 2024. Pacoima Beautiful will continue its outreach efforts in the San Fernando Valley as the organization did last year.

In February, Liberty Hill launched an effort to help identify a second community-based organization (CBO) to expand silicosis outreach and education activities across greater LA County. On April 25, 2024, Liberty Hill executed a contract with the Instituto de Educacion Popular del Sur de California (IDEPSCA). IDEPSCA is a highly respected community-based organization that operates five Job Centers throughout Los Angeles. With an extensive track record and experience in providing health and safety education and outreach to vulnerable worker populations, IDEPSCA was selected to join the project. Public Health and Liberty Hill are confident IDEPSCA will be able to conduct silicosis prevention education and outreach to workers in other areas of the county that have high densities of engineered stone fabrication shops and facilities, as well as to community members who live in these areas.

Public Health has since considered additional recommendations provided by Pacoima Beautiful in 2023. Since January, Public Health staff has been engaging in the following activities to develop all trainings, resources, and outreach materials in-house under the guidance of subject matter experts and clinicians. These efforts aim to support county staff and the two contracted CBOs with outreach and education training to ensure alignment with the Cal/OSHA Silica Emergency Temporary Standard (ETS) which went into effect on December 29, 2023. Public Health staff efforts also include meeting regularly with stakeholders, ongoing education, and support for the contracted CBOs to fully execute their scopes of work.

- 1) **Training and Materials Development:** Public Health developed trainings, created specialized materials and training aides and conducted several in-person outreach activities to field test materials and messaging with workers prior to finalizing content.
  - a. Public Health Counsel (PHC) program staff conducted field outreach on Branford Street on March 5, 2024, to ground test newly developed resources and messaging prior to training contracted outreach staff. Given the enforcement of the new ETS, this proved an invaluable experience for observing the impact that Cal/OSHA closures for non-compliance with the new ETS were having on fabrication shops and workers.
- 2) **Training Implementation:** Public Health conducted two seven-hour trainings,
  - a. The first training was held on April 29, 2024, and included all contracted CBO staff from IDEPSCA and Pacoima Beautiful, as well as Public Health Environmental Health Nurses (PHNs) and the SPA 1 and 2 Regional Medical Director. Training was provided in English with Spanish interpretation available. This interactive training focused on identifying silicosis, who is at risk, how the

disease impacts the human body, how to prevent exposure to and mitigate silica dust, and the new Cal/OSHA Silica ETS rules.

- b. The second training was held on May 7, 2024, involved real-time outreach to worker and businesses in Van Nuys targeting several high-density zones with many fabrication shops in a close vicinity. Public Health staff, accompanied by DHS' silicosis subject matter expert, Dr. Jane Fazio, and contracted CBO outreach staff, conducted outreach and spoke with workers and employers to provide information and resources about silicosis prevention and the new ETS. The training concluded with an afternoon debrief session where teams reported their outreach experiences and highlighted requests for additional resources and support for the CBOs to fulfill outreach obligations successfully.
- 3) **Collaboration and Subject Matter Expert Review:** Since January 2024, Public Health has organized bi-weekly meetings with subject matter experts, retired 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. These experts have thoroughly reviewed and vetted the developed materials and trainings.
- 4) **Site Visit and Best Practices:** On March 6, 2024, Public Health staff were invited to tour a stone fabrication shop in Orange County to meet with employers and industry representatives, see first-hand a Cal/OSHA Silica ETS compliant business operation and learn more about best practices for silica dust prevention and exposure mitigation. Additionally, the team heard about the perspectives and impacts the new regulations are having on business owners.
- 5) **Silicosis Conference:** On May 16, 2024, numerous County staff attended a conference titled "Preventing Silicosis: An Ancient Disease in Modern Times" sponsored by the UCLA [Center For Occupational & Environmental Health](#). The conference was attended by representatives from Public Health, DHS, and DEO, state regulators, CBOs, public health and industrial hygiene experts from across the county, physicians, industry and labor representatives, attorneys, journalists, and academics. Conference highlights included panels on background and scope of the problem, issues with medical screening and diagnosis and workplace controls. There were breakout sessions co-facilitated by Public Health staff, and a panel presentation by Dr. Nichole Quick, Public Health Deputy Director, Health Protection Bureau, regarding local outreach efforts. A leading Australian pulmonologist provided a keynote speech and discussed Australia's timeline of events and journey that resulted in a nationwide effort to ultimately implement a ban on artificial stone products that takes effect in July 2024.
  - a. On May 17, 2024, three Public Health staff attended an invitation-only workgroup where participants were charged with synthesizing key takeaways from the previously days' conference. This workgroup addressed timely issues such as identifying what a diverse group of stakeholders would like to see happen to reduce/eliminate silicosis among artificial stone workers in the next five years. Through a moderated consensus building model of engagement, discussions focused on reflection from the previous days, strategy analysis, and next steps which include development of a policy and guidance document that can be used by decision makers and policy leaders to help drive the cohesive and united approach to addressing silicosis. The policy document is expected later in 2024.

- 6) On May 16, 17 County Staff from Public Health, DHS, and DCBA supported a Telemundo 52 "Tus Derechos Laborales" Phone bank on labor issues including silicosis. The phonebank was at the culmination of a four-part series on Silicosis in Southern California hosted by News Anchor Enrique Chiabra. Most calls focused on worker rights issues and other employment related issues, like wage theft and worker's compensation questions. Public Health provided talking points and message maps and other resources for phone scripts. Bilingual county staff connected callers to appropriate state, local and nonprofits based on the type of questions each caller had.
- 7) On June 7, Public Health's Tuberculosis (TB) Control Program's First Friday Continuing Medical Education Session topic, "Silicosis and NIOSH Isolation Guidelines" included internal Public Health speakers: Dr. David Fuller and Dr. Eric El-Tobgy. Over 160 clinical staff from the entire county attended including TB clinic physicians, TB clinic nurses, Nurse Practitioners, District Public Health Nurses, Public Health Nurse Supervisors, Area Nurse Managers, Regional Medical Directors, and other TB Control Program staff.

### **Directive 3**

Public Health staff maintain regular communication with CDPH's Occupational Health Branch (OHB) staff. On April 10, 2023, Public Health met with Cal/OSHA's Bilingual Community Engagement Unit to discuss their current outreach strategies, and on June 27, Public Health Staff met with the Cal/OSHA Field Enforcement Branch to discuss respective organizational activities, goals, and to identify opportunities for collaboration. Public Health continues to engage with stakeholders from the state, industry representatives, SMEs and our contracted CBOs. Starting on July 7<sup>th</sup>, Public Health added contracted CBO partner agencies to participate in the monthly meeting with government stakeholders, including Cal/OSHA Bi-lingual Education Unit, Los Angeles County Department of Economic Opportunity (DEO), UCLA Labor Occupational Safety and Health Program (LOSH) silicosis subject matter experts, CDPH OHB and Georgia Tech. The goal of these meetings is to provide a forum for connecting outreach workers to government staff and subject matter experts in real-time to discuss opportunities for collaboration and coordination, and to share information and challenges identified by frontline outreach workers and Public Health. This will help inform larger statewide outreach and communication strategies, in addition to policy discussions.

Environmental Health subject matter experts continue to actively outreach to employers and worksites in all areas of the county. Public Health staff continue to share the new ETS rules, incorporating this education and information to enhance outreach to businesses. Since the new ETS rules, as of August 2024, the nurses have revisited 199 of the 218 stone fabrication businesses they previously visited. Public Health staff will share findings from the field with public health partners and government stakeholders to identify barriers in the implementation of ETS standards and will continue to update the development of educational handouts and training materials as needed. Public Health Nurses will collaborate with health care providers and stakeholders to identify available health care resources for underserved countertop fabrication workforce members and continue outreach to unregistered worksites. Additionally, Public Health Nurses have participated in trainings, outreach events, and community events to educate

employers about the new silica ETS standards and the importance of silicosis prevention and medical surveillance screening.

#### **Directive 4**

Public Health conducted a presentation on silicosis for all Service Area (SA) 2 staff on March 14, 2024. This briefing included employees across various roles, such as administration, housing navigation, and teams from child/youth and adult directly operated programs. The session was designed to equip staff with essential information on silicosis, enhancing their capacity to disseminate this knowledge within the community effectively. Additionally, the training aimed to prepare the staff for potential roles in providing supportive counseling related to silicosis in the future.

The DMH Public Information Office (PIO) has developed public-facing materials on silicosis prevention and care in English and Spanish. These materials are currently available on both the [DMH](#) and [DPH](#) Silicosis websites.

Collaborative efforts at the Olive View Medical Center, involving the SA 2 Outreach and Engagement Team, Olive View Mental Health Clinic (OVMHC), and SA 2 Peer Resource Center (PRC) will aim to enhance community education, specialty mental health services, and peer support. These programs are strategically positioned for optimal service access. Additionally, a pulmonary specialist will coordinate patient referrals to OVMHC for immediate intake assessments, ensuring timely distribution of informational materials, including electronic clinic brochures and welcome packets in English and Spanish.

The Service Area Leadership Team (SALT) and Health Neighborhood actively collaborate with various stakeholders to enhance service delivery and awareness about silicosis service area wide. They are slated to receive specialized training sessions conducted by the Public Health's Speakers' Bureau.

Educational materials on silicosis and mental health have been developed with feedback from Public Health staff and a physician silicosis SME. These materials are now live on the Public Health and Mental Health websites and will be distributed widely and made available in multiple languages, in clinic lobbies, and at every outreach event, ensuring that critical information reaches all community members and healthcare providers.

#### **Directive 5**

##### **Silicosis Prevention Education**

DEO is identifying, outreaching to, and leading a series of virtual and in-person stakeholder meetings with DPH and Cal/OSHA to inform 285 State-identified stone fabrication businesses and their workers in the LA County area about safety concerns related to silicosis and the required safety protocols and use of personal protective equipment for prevention, as well as to hear directly from these businesses and employees about barriers to compliance. DEO is working with DPH and Cal/OSHA to host virtual meetings for stone fabrication businesses with certified professionals who are independent from the enforcement division. This ensures that all

participants can learn critical information about silicosis prevention from subject matter experts and engage in an open dialogue without concerns about potential penalties. DEO, DPH, and Cal/OSHA are also planning to host in-person meetings with the employees of these businesses at the America's Job Centers of California (AJCC). DEO is also sharing readily available resources through our AJCCs, Office of Small Business, and partner organizations that support compliance for workers and businesses as needed.

Since the last report, DEO has achieved the following:

### 1. **Outreach and Stakeholder Engagement**

- a. DEO actively participates in the monthly DPH-hosted Silicosis Meeting, alongside DPH, Cal/OSHA, County agencies, and community partners such as Pacoima Beautiful. These meetings focus on building the capacity of partners to address silicosis, equipping them to support businesses and workers with preventative measures, while also formulating a comprehensive outreach plan.
- b. DEO and DPH have successfully contacted 86 of the 285 companies identified by the State and engaged them through door-to-door outreach by DPH and direct call campaign through our AJCCs.
- c. DEO, DPH, and Cal/OSHA held one of four virtual webinars on August 13<sup>th</sup>, 2024 with nine business attendees. Additional virtual webinars are in planning for October and December of 2024 and February of 2025.
  1. For each virtual session, a bilingual flyer (in English and Spanish) will be produced by DEO, featuring a QR code for easy registration. The flyers will be shared for Countywide distribution at least one month prior to the event. Feedback from the nine attendees at the first session is still being collected.
- d. In tandem with the virtual webinars, the partners will also offer a minimum of two in-person workshops at select AJCCs. These workshops, scheduled to take place no later than December 2024, will target impacted employees. Trade organizations will be involved to provide certified equipment and tools necessary for workers to protect themselves from silicosis.

**Business Support Initiatives:** DEO is also engaging its Office of Small Business (OSB), Business Technical Assistance ("Layoff Aversion"), and Rapid Response teams to support businesses that may be at risk of layoffs or closures due to the implementation of new safety standards set by Cal/OSHA.

### **Next Steps**

1. **Ongoing Convenings with Stakeholders:** DEO will continue to join the monthly convening hosted by DPH, Cal/OSHA, and other relevant trade organizations to ensure that silicosis prevention efforts in the region are comprehensive and up to date. These ongoing meetings will focus on refining the content and outreach strategies for upcoming events and ensuring that all parties are fully informed and aligned.

2. **Continued Outreach Efforts:** DEO's AJCCs and their partners will engage in ongoing outreach activities to ensure broad participation in these planned webinars and in-person workshops. This includes targeting businesses and employees across the County to raise awareness of the resources available to them and encouraging their participation in upcoming webinars and workshops.
3. **Evaluation and Feedback:** DEO will also collect feedback from participants in both the webinars and workshops to evaluate the effectiveness of these sessions. This feedback will be crucial in refining future outreach efforts and ensuring that the information and resources provided meet the needs of the businesses and employees most affected by the risks of silicosis.

### **Directive 6**

As mentioned above, following the Board's December 18, 2023 motion, the Cal/OSHA Silica Emergency Temporary Standard (ETS) was adopted and went into effect on December 29, 2023. Public Health met with subject matter experts to review and identify the requirements of the new ETS rules and developed educational materials and messaging for community outreach purposes. Public Health representatives continue to participate in public meetings to support the ETS and provided oral comments in support of a strengthened permanent Silica standard at the California Occupational Safety & Health Standards Board hearing on June 20, 2024.

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 (43<sup>rd</sup> District) and State Senator Caroline Menjivar (20<sup>th</sup> 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 year, Assemblymember Rivas introduced [Assembly Bill \(AB\) 3043](#), legislation which would have provided 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, among other provisions. CEO-LAIR worked with Public Health, DHS, and other relevant Departments to provide a full analysis of AB 3043's provisions and the County took a support position on the bill. AB 3043 passed the Assembly but was held in the State Senate's policy committee and did not progress this year. CEO-LAIR will continue to work with Public Health, DHS, and other stakeholders to identify legislative proposals next year that help strengthen workplace protections for workers.

## **Challenges**

When the Silica ETS was approved in December 2023, CDPH Occupational Health Branch (OHB) reported a 92% increase in known silicosis cases in the artificial stone industry over five months, from 52 cases in July to 100 by December, including ten fatalities. As of August 21, 2024, OHB reports there are 176 cases in California, with 105 in LA County. Three more fatalities have been reported in California, bringing a total of 13 known deaths statewide, and 19 workers that have received lung transplants. State authorities expect this number will continue to increase, causing more disease and deaths, devastating families, and placing a greater burden on counties and healthcare facilities that serve these patients.

While the ETS has provided Cal/OSHA with new tools to protect workers in the artificial stone fabrication industry, further assessment is needed to determine if these strengthened regulatory standards will achieve intended results of reducing Respirable Crystalline Silica (RCS) exposure, and subsequently the number of silicosis cases and deaths in the state.

Since December 29, 2023, Cal/OSHA has conducted 29 inspections of artificial stone fabrication shops and issued 13 Orders Prohibiting Use (OPUs) under subsection 5204 (g), ceasing stone cutting operations until employers are able to demonstrate that they have effectively mitigated RCS exposures (i.e., implemented wet cutting).

With the recent Cal/OSHA OPUs and subsequent citations issued in late August 2024 to shops clustered in the San Fernando Valley, anecdotal reports from the field have suggested that some operations and workers are moving to less densely populated or targeted areas, such as the Antelope Valley and Bakersfield, and others are operating during noncustomary hours (in the middle of the night or early morning) to avoid Cal/OSHA inspections.

## **Opportunities**

On Saturday, October 12<sup>th</sup>, IDPESCA will host a large community event in partnership with Vision y Compromiso, with the goals of providing education, resources, and a forum for workers that cut engineered stone and the broader community to gather and discuss challenges they are facing regarding strategies to prevent silicosis. IDPESCA will bring together various state and local government agencies, health care providers, and CBOs that can assist in enrolling workers in Medi-Cal and other benefits and services.

Pacoima Beautiful is sharing a range of different health resources and information with workers, which includes DPH Silicosis prevention flyers, Cal/OSHA information about what employers and workers should know about the Emergency Temporary Silica Standard, and information from the local health clinic, Northeast Valley Health Corporation, and the CASS Study being conducted by Dr. Jane Fazio. Since June, Pacoima Beautiful has visited 172 worksites, spoken with 541 workers, and reaching 479 community members in the San Fernando Valley about silicosis awareness and prevention.

Where it previously took Cal/OSHA several months to open an inspection and issue citations before an employer was required to reduce RCS exposures, under the ETS, Cal/OSHA has been



able to move quickly and efficiently to mandate worker protections in near real-time. Notwithstanding the concerns discussed above, these measures are more comprehensive and more effective than those previously required under Section 5204.

Through collaborative efforts and workgroups that Public Health has been convening over the past year, our knowledge, experience, and relationships have expanded and improved. Our stakeholder network and access to top subject matter experts has also increased, enabling us to develop high-quality materials and trainings and connect with peers engaging in similar work from across the county and the globe.

Public Health has received positive feedback from peers and public health offices at the state and national level. The multi-pronged approach of boots on the ground and collaboration with community-based organizations has been regarded as a positive strategy that other jurisdictions would like to emulate. Public Health fully intends to share all trainings, resources, and materials developed as soon as they are finalized and translated into Spanish.

Public Health has also received feedback following up on the Department's two silicosis trainings with community partners and initial community and worker outreach activities that identified the following resource needs:

- 1) Identification of free or low-cost silicosis screening resources in the San Fernando Valley and central/metro LA County so outreach workers can refer people to appropriate facilities.
- 2) Lists of registered Industrial Hygienists Consultants that shops can hire to advise employers on equipment and engineering and administrative controls needed to comply with the new Cal/OSHA ETS.
- 3) Lists of tool and machine suppliers or sellers that can sell or lease the necessary tools, machines, and PPE to small shops to help them achieve compliance.
- 4) Trainings for workers, independent contractors, and employers so they can learn proper handling of artificial stone and receive current education and information on preventing silicosis. These resources were also requested in Pacoima Beautiful's set of program recommendations and are part of the contracted CBO's scopes of work.

### **Conclusion**

The number of silicosis cases in CA has risen by 57% since December 2023. Los Angeles County is home to more than half of these cases, and the numbers are only expected to rise. Public Health, in consultation with relevant County Departments, will continue to report back on these directives and all additional efforts to prevent silicosis on a quarterly basis.

BF:lpm

c: Chief Executive Officer

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Executive Officer, Board of Supervisors  
County Counsel  
Department of Economic Opportunity  
Department of Health Services  
Department of Mental Health