


ACCOUNTABILITY

California contractor fined for heat violations. They are still under investigation for retaliation

BY MATHEW MIRANDA

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Erika Deluque, left, talks at a press conference outside the Capitol for Senate Bill 1299 on Monday, as she recounts her experience with the help of an interpreter, right, when she became sick while working in triple-digit heat in a Dixon tomato field. LEZLIE STERLING lsterling@sacbee.com



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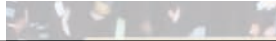
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A labor contractor near Sacramento has been fined by California regulators, months after former employees alleged they were fired for leaving their work shifts early during a heat wave.

California's Division of Occupational Safety and Health, or Cal-OSHA, levied \$17,550 in fines [against Ruiz Farm Labor earlier this week](#) for what it deemed three "serious" violations of California's heat illness prevention standard. The violations included failing to provide proper heat training to employees and not implementing emergency response procedures.

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"Every worker should be treated with dignity and respect, and no one should face retaliation for protecting their health," Cal-OSHA's chief Debra Lee said in a news release. "Employees deserve a safe work environment, especially in extreme conditions, and businesses that fail to follow the rules will be held accountable."

Cal-OSHA began investigating the incident in June after six farmworkers picking tomatoes in triple-digit heat for Ruiz Farm Labor alleged they were fired one day after receiving permission to end their shift early. At least one of the workers reported suffering from heat illness symptoms that day.

Jorge Santana, one of the now-called "Yolo Six" farmworkers, said he felt satisfied after hearing news of the fine because it will hopefully encourage his former employer to change their ways. Santana, 61, said he only worked two weeks for Ruiz Farm Labor but observed repeated heat violations and experienced verbal misconduct.

Agricultural workers are more likely to die from heat-related stress than workers in other industries, according to the National Institutes of Health.

“We’re not looking for money,” said Santana. “We just don’t want them to continue doing this to workers. This should be a lesson.”

Ruiz Farm Labor, based in Dixon, about 24 miles from Sacramento, could not be reached for the comment. The company has appealed the initial penalties. It was also fined about \$7,900 for another [“serious” violation in 2020](#).

Following the incident, Santana and the other workers [became the face of an effort to prevent similar situations](#). They publicly backed Senate Bill 1299, legislation that would have made workers’ compensation claims for farmworkers presumed work-related when agricultural employers are not complying with heat safety standards.

Bill author Sen. Dave Cortese, D-San Jose, and advocates argued the measure was designed to promote employer compliance with added financial pressure.

But last month, [Gov. Gavin Newsom vetoed the legislation](#). In his statement, Newsom called the bill’s intentions “not an effective way” to protect California’s farmworkers from the risk of heat-related illness.

The California Labor Commissioner’s Office is still looking into the allegations of retaliation involving Ruiz Farm Labor. Additional infractions could mean lost wages for the workers and more penalties.

Meanwhile, California’s Agricultural Labor Relations Board is investigating unfair labor practice claims filed against Cooley Enterprises, Inc., the company that hired Ruiz Farm Labor.

Santana hopes the California agencies continue to hold agricultural employers accountable for state standards.

One in six farmworkers, many of which are undocumented, reported not receiving the minimum number of rest breaks, according to a 2022 study from the UC Merced Community and Labor Center.

“The state should pay more attention,” said Santana, who continues to work in the fields. “There’s a lot of people who don’t want to talk. They’re scared.”

Workers who have questions about heat illness prevention standards are encouraged to call 833-579-0927 to speak with a Cal-OSHA representative.

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