

### CAL/OSHA OVERVIEW

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### **TOPICS**

- Cal/OSHA information
- Hot topics
- Updates
- Frequently cited regulations
- Resources

### **CONSULTATION SERVICES**

- Must be invited to the facility
- Consultants work proactively with employers
- No citations or penalties
- Free

- Information is not shared with Enforcement
  - Develop publications
- Answer questions by telephone

#### THE CATCH

- Serious and Imminent hazards identified during a consultation are expected to be corrected in a timely manner:
  - Serious 30 days
  - Imminent immediately
- Employee involvement
- Posting of identified serious hazards

### CAL/OSHA'S PURPOSE

- Ensuring that California workers have a safe and healthful work environment
- Standards are found in Title 8 of the California Code of Regulations
- Safety Engineers and Industrial Hygienists
- Cal/OSHA versus Federal OSHA

### WHAT TRIGGERS AN ENFORCEMENT INSPECTION?

- Complaints
- Accident Investigations
- (Next slide)
- Programmed Inspections
  - Construction / Agriculture
  - Tree Work
  - Confined Space, Heat Illness, Roofing & Framing Contractors
  - High Hazard Program Ex-Mod (EMR) ≥125%



## REPORTING SERIOUS INJURIES (342)

- Fatalities
- Loss of body part
- Permanent disfigurement
- Hospitalization >24 hours for medical treatment
- Catastrophes / Significant media coverage
- Call, fax, or email the local enforcement District Office (www.dir.ca.gov/dosh/DistrictOffices.htm):
  - Within 8 hours
  - Phones answered 24 / 7
  - Emergency responders will also notify Cal/OSHA

#### CITATION CATEGORIES & PENALTIES

- Regulatory
  - Up to \$12,471 / \$13,047
- General
  - Up to \$12,471 / \$13,047
  - Serious (including tower-cranes and carcinogens)
    - Up to \$25,000

- Repeat
  - Eliminates some adjustments
  - Up to \$124,709 / \$130,464
- Failure to Abate
  - Maximum penalty up to \$15,000 per calendar day
- Willful
  - Up to \$124,709 / \$130,464
  - Minimum: \$9,319

### **HOT TOPICS**

### CONFINED SPACE EMPHASIS PROGRAM

- In place since February 2012
  - Has not formally ended
  - Still one of the "Featured Safety Programs" on the Cal/OSHA website
  - Continues to be addressed on inspections/consultations
  - Key is employer awareness



### WHAT IS A CONFINED SPACE?

- Confined Space definition:
  - Is large enough and so configured that an employee can bodily enter and perform assigned work; and
  - Has limited or restricted means for entry or exit; and
  - Is not designed for continuous employee occupancy
- Permit-Required Confined Space a confined space with one or <u>more</u> of these additional hazards:
  - Contains a hazardous atmosphere;
  - Contains a material that may engulf an entrant;
  - Has a configuration that an entrant could be trapped or asphyxiated by inwardly converging walls; or
  - Contains any other recognized serious safety or health hazard

### REASONS FOR ENTRY - AND RELATED DEATHS

Repair/Maintenance Rescue

Inspection

Construction

**Dislodge Material** 

Retrieve Object

Unknown

40%

36%

10%

5%

5%

3%

1%



### **DEFINITION OF ENTRY**

Passes through an opening as soon as any part of the entrant's body breaks the plane of an opening into the space



### TREE TRIMMING

 Tree work includes trimming, pruning, felling, and removal of trees and bushes







#### TREE TRIMMING

 Involves climbing trees, using portable ladders, working at heights while using tools, working near energized overhead or downed power lines, feeding chippers, and other hazardous operations





#### TREE TRIMMING

- Requirements for a Qualified Tree Worker
  - An employee who, through related training and on-the job experience, has demonstrated familiarity with the techniques and hazards involved in tree maintenance, and removal, and use of special equipment
- Resources
  - Website: www.dir.ca.gov/dosh/Tree-Work-Safety.html
  - Fact Sheet: www.dir.ca.gov/dosh/dosh\_publications/Tree-Work-fs.pdf
  - Regulations: www.dir.ca.gov/Title8/sb7g3a12.html

#### **HEPATITIS A**

#### www.dir.ca.gov/dosh/Hepatitis-A-worker-protection.html

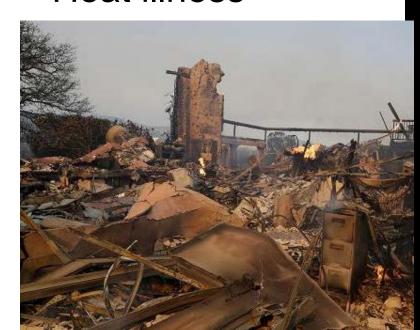
- Recent outbreak in San Diego
- No Cal/OSHA regulation, but guidance (think IIPP & BBP):
  - Maintain a clean and sanitary workplace
  - Clean toilet facilities
  - Provide handwashing facilities
  - Provide appropriate PPE
  - Provide training
  - Offer hepatitis A vaccinations



### FIRE CLEANUP / WORKING IN SMOKEY ENVIRONMENTS

- Electricity
- Flammable gases
- Carbon monoxide poisoning
- Unstable structures
- Demolition
- Sharp or flying objects
- Confined Spaces

- Ash, soot and dust
- Asbestos
- Stored chemicals
- Heat illness



## WORKING IN SMOKY ENVIRONMENTS

### Ash, soot and dust

- Use a N95 respirator
  - Voluntary versus mandatory use











## www.dir.ca.gov/dosh/Worker-Health-and-Safety-in-Wildfire-Regions.html

### Worker Safety and Health in Wildfire Regions







Wildfire smoke and cleanup presents hazards that employers and workers in affected regions must understand. Smoke from wildfires contains chemicals, gases and fine particles that can harm health. Hazards continue even after fires have been extinguished and cleanup work begins. Proper protective equipment and training is required for worker safety in wildfire regions.

Cal/OSHA encourages employers and workers to review the following pages with information and resources on protecting workers exposed to smoke from wildfires and worker safety during cleanup:

- Protecting Outdoor Workers Exposed to Smoke from Wildfires
  - Employer Notice: Worker Safety in Wildfire Regions and Distribution Locations for N95 Masks

### **CANNABIS**

- Electrical Hazards
- Exposures to Airborne
   Contaminants
- Flammable Liquids and Gases
- Hazard Communication
- Hazardous Energy Lockout/Tagout
- · Heat Illness Prevention
- Injury and Illness Prevention Program
- Machine Hazards

- Personal Protective Equipment
- Point of Operation Hazards
- Pressure Vessels
- Prohibition of Smoking in the Workplace
- Repetitive Motion Injuries
- Sanitation and Pest Control
- Slips, Trips, Falls and Use of Ladders

## www.dir.ca.gov/dosh/cannabis-industry-health-and-safety.html

### Cannabis Industry Health and Safety

All employers in the cannabis industry, including those who cultivate, manufacture, distribute, sell, and test marijuana products, must take steps to protect their employees from all health and safety hazards associated with their work.

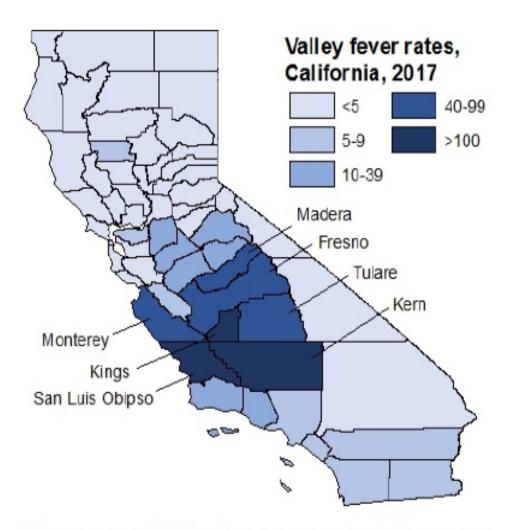
Several Cal/OSHA regulations apply to workplaces in the cannabis industry. This webpage contains links to these regulations and other helpful resources for providing a safe and healthy workplace in the cannabis industry in California.

#### The cannabis industry includes:

- Cultivation
- Distribution
- Laboratory testing
- · Manufacturing
- Retail



### **VALLEY FEVER**



Rates of reported Valley fever cases per 100,000 population.

Darkest colored counties had the highest rates of Valley fever.

### www.dir.ca.gov/dosh/valleyfever-home.html

#### **Protection from Valley Fever**

Work-related cases of Valley Fever at solar installation plants in the Central Valley have drawn attention to the health risks faced by California workers whose jobs may expose them to fungal spores found in soil.

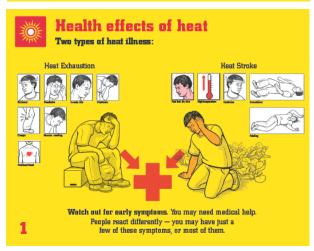
#### Information for Employers

- Employers have a legal responsibility to immediately report to Cal/OSHA any serious injury or illness, or death (including any due to Valley Fever) of an employee occurring in a place of employment or in connection with any employment. Employers also have responsibilities to control workers' exposure to hazardous materials.
- Applicable regulations with regard to Valley Fever protection and exposure can be found in the California Code of Regulations, Title 8, sections
  - 342 (Reporting Work-Connected Fatalities and Serious Injuries),
  - 3203 (Injury and Illness Prevention),
  - 5141 (Control of Harmful Exposures),
  - 5144 (Respiratory Protection) and
  - 14300 (Employer Records-Log 300).

## HEAT ILLNESS PREVENTION (3395) Stay safe and healthy! WATER REST. SHADE. The Work can't get

- Access to Water
- Access to Shade
- Weather Monitoring
- Acclimatization
- High Heat Procedures
- Employee and Supervisory Training
- Written Procedures
  - Including Emergency Response





### §3395 MAJOR CHANGES... ...EFFECTIVE MAY 1, 2015

#### www.dir.ca.gov/title8/3395.html

- Written Procedures
  - Kept at site
  - Translated
- Water Free
- Shade
  - Temperature trigger reduced to 80°F
  - Amount to provide
  - Preventative cool down rest
    - Shall be monitored and asked if he or she is experiencing symptoms
    - Not be ordered back to work until any signs or symptoms have abated



### §3395 MAJOR CHANGES... ...EFFECTIVE MAY 1, 2015

- Two New Sections (previously required only as an element of training)
  - (f) EMERGENCY RESPONSE PROCEDURES
  - (g) ACCLIMATIZATION
    - All employees shall be closely observed by a supervisor or designee during a heat wave
    - For purposes of this section only, "heat wave" means any day in which the predicted high temperature for the day will be at least 80° F and at least 10° F higher than the average high daily temperature in the preceding 5 days

# REGULATORY UPDATE

### WHAT ABOUT INDOOR HEAT?

- Currently use existing regulations to cite for indoor heat
- Use similar logic to 3395, main difference shade vs. indoor cool area
- SB 1176
  - Requires the division to propose to the Occupational Safety and Health Standards Board, for the board's review and adoption, a heat illness and injury prevention standard applicable to workers working in indoor places of employment by January 1, 2019

### WWW.DIR.CA.GOV/DOSH/DOSHREG/H EAT-ILLNESS-PREVENTION-INDOORS

### Heat Illness Prevention in Indoor Places of Employment

**Advisory Meetings** 

General Industry Safety Orders Chapter 4, subchapter 7, new section

If you have questions regarding these meetings, please contact Amalia Neidhardt at (916) 574–2993.

January 29, 2019	Revised Draft Standard
	After careful review of the comments received on the draft standard posted on October 24, 2018, further revisions have been made. Interested parties are invited to submit comments on this further revised draft.  Please submit your comments by Friday February 22, 2019, to: rs@dir.ca.gov
	• Comments

### §1618.1

- Mobile and tower crane operator qualifications in construction
- Effective November 10, 2018
- Operators of cranes over 2,000 pound capacity must be "certified" (used to be 15,000 pounds)



### §1618.1

- Valid certificate of competency (valid for a maximum of 5 years)
- Pass substance abuse test
- Pass physical exam (physician)
- Pass a written exam
- Pass a hands-on exam to demonstrate proficiency

- Hotel Housekeeping Musculoskeletal Injury Prevention
- Effective July 1, 2018
- Control the risk of musculoskeletal injuries and disorders to housekeepers in hotels and other lodging establishments



- Lodging Establishment
  - Establishment that contains sleeping room accommodations that are rented or otherwise provided to the public, such as hotels, motels, resorts, and bed and

Bed and Breakfast

breakfast inns

- Housekeeping tasks include, but are not limited to:
  - (1) sweeping, dusting, scrubbing, mopping and polishing of floors, tubs, showers, sinks, mirrors, walls, fixtures, and other surfaces;
  - (2) making beds;
  - (3) vacuuming;
  - (4) loading, unloading, pushing, and pulling linen carts



- Housekeeping tasks include, but are not limited to:
  - (5) Removing and supplying linen and other supplies in the rooms;
  - (6) Collecting and disposing of trash;
     and
  - (7) Moving furniture



### §3345

- Housekeeping musculoskeletal injury prevention program (MIPP)
  - Persons with authority and responsibility
  - Ensuring that supervisors and housekeepers comply
  - System for communicating
  - Identifying and evaluating housekeeping hazards through a worksite evaluation
  - Procedures to investigate musculoskeletal injuries
  - Methods or procedures for correcting
  - Procedures for reviewing, at least annually, the MIPP at each worksite
- Annual training

### RESPIRABLE SILICA (HORCHER)

 Cal/OSHA already has 1530.1, Control of Employee Exposures from Dust-Generating Operations Conducted on Concrete or Masonry Materials

#### New:

- 1532.3, Occupational Exposures to Respirable Crystalline Silica (CSO – Effective 9/2017)
- 5155, Table AC-1 new PEL of 50 μg/m<sup>3</sup>
- 5204, Occupational Exposures to Respirable Crystalline Silica (GISO Effective 6/23/18)



### **BERYLLIUM (HORCHER)**

- Effective October 2, 2017
  - 1535.1, Occupational Exposures to Beryllium (CSO)
  - 5155, Table AC-1 New PEL of 0.2 μg/m<sup>3</sup>
  - 5205, Occupational Exposures to Beryllium (GISO)
    - Enforcement (Federal) was to start March
       12, 2018 but delayed to May 11, 2018



#### REFINERIES

- New Section 5189.1, Process Safety
   Management for Petroleum Refineries
- www.dir.ca.gov/title8/5189\_1.html
- Effective October 1, 2017



## FEDERAL OSHA INJURY AND ILLNESS RECORDKEEPING AND REPORTING REQUIREMENTS

- Adopted in California November 1, 2018
- As of today (March 20, 2019) Federal OSHA requires <u>300A</u> data for:
  - Employers with 250 or more employees in industries covered by the recordkeeping regulation
  - Eliminated the requirement for 300 & 301 data

## FEDERAL OSHA INJURY AND ILLNESS RECORDKEEPING AND REPORTING REQUIREMENTS

- As of today (March 20, 2019) Federal OSHA requires <u>300A</u> data for:
  - Employers with 20 249 employees in industries on the High Risk Industry list

### **HIGH RISK INDUSTRIES (20-249)**

### www.osha.gov/recordkeeping/NAICScodes forelectronicsubmission.pdf

Establishments in the following industries with 20 to 249 employees must submit injury and illness summary (Form 300A) data to OSHA electronically

NAICS	Industry
11	Agriculture, forestry, fishing and hunting
22	Utilities
23	Construction
31-33	Manufacturing
42	Wholesale trade
4413	Automotive parts, accessories, and tire stores
4421	Furniture stores
4422	Home furnishings stores
4441	Building material and supplies dealers
4442	Lawn and garden equipment and supplies stores
4451	Grocery stores
4452	Specialty food stores
4521	Department stores
4529	Other general merchandise stores
4533	Used merchandise stores
4542	Vending machine operators
4543	Direct selling establishments
4811	Scheduled air transportation
4841	General freight trucking
4842	Specialized freight trucking
4851	Urban transit systems
4852	Interurban and rural bus transportation

## FEDERAL OSHA INJURY AND ILLNESS RECORDKEEPING AND REPORTING REQUIREMENTS

- As of March 19, 2019: Data entered into ITA by March 2<sup>nd</sup> of each year
  - www.osha.gov/injuryreporting/index.html

Injury Tracking Application



Launch the Injury Tracking Application
Who
What
When

#### **CALIFORNIA AB 2334**

- Governor signed (late 2018) to make various workplace safety and health changes to California law
  - Requires Cal/OSHA to monitor federal electronic recordkeeping requirements and, depending on federal action, to convene an advisory committee to evaluate how to move forward with a state-law version of the proposed recordkeeping requirements

### WWW.DIR.CA.GOV/DOSH/DOSHREG/EL ECTRONIC-INJURY-REPORTING

### Electronic Submission of Workplace Injury and Illness Records

#### **Advisory Committee Meeting**

Date	Thursday, May 9, 2019
Time	10:00 a.m 3:00 p.m.
Location	Elihu Harris State Building 1515 Clay Street, Suite 1304 Oakland, CA
Contact	Glenn Shor (510) 286-7000
Submit written comments by May 24	ElectronicReporting@dir.ca.gov

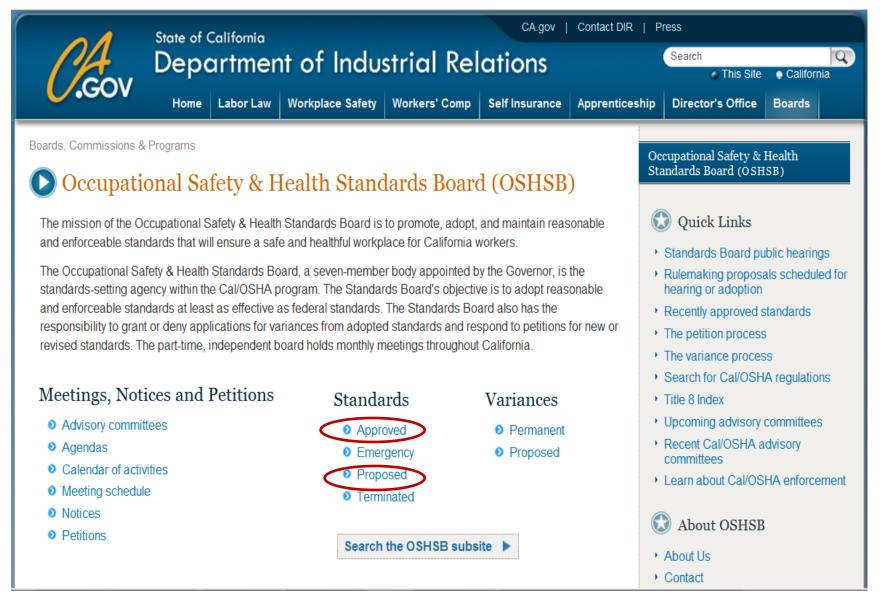
#### **AB 2334**

- Resurrects the so-called "Volks Rule," which provides for a longer statute of limitations for record retention violations
  - Five-year statute of limitations for recordkeeping violations (Forms 300, 300A, & 301)
- AB 2334 goes into effect on January 1, 2019

beyond first injuries and it	Eaid. You must also n Ellinesses that meet an	cord significant work-related in yelf the specific recenting only	less that invo		OSHA's Form 300 (Rev. 01/2004) Log of Work-Related Injuries and Illnesses			Attention: This torus contains information relating to employee health and must be used in a manner that protects the coefidentiality of employees to the cotent possible while the information is being used for accupational safety and health perposes.										
			rise listed in 20	sees that are diagnosed by a physician of CFR 1994.8 through 1994.12. Facilities	à adivity or jeb transfer, days away from work, or medical book ellectrised health core professional. You meet disp record work to use her lines for a ningle case if you seed to. You would son you've not some whether a case is recordable, call your local ICS	related spints as		Establishm	ent name		В	Fe lack Off			443 no. 1	1218-017	76	
				-,				City Las Vegas				State		Nevada				
Identify	fy the person			Describe the case	ve .	Class	ity the case	2	STATE OF THE PARTY			OTHER						
(A) Case Er No.	(II) Employee's Name	(C) Job Title (e.g., Welder)	(D) Date of injury or greet of	(E) Where the event occurred (e.g. Loading dack north end)	(F) Describe injury or liness, parts of body affected, and object/substance that directly injured or made	CHECK CNLY ONE box for each case based on the most serious outcome for that case:  Or made		ured or ill	Check the "injury" column or choose ane type liness.			i type c						
		other or flexus (two Aday)	person ill (e.g. Second dagree burns on right forearm from acetylene bech)	Dest	Days away from work	Remain Job transfer or matricilon	Other record-	Away From Work (days)	On job transfer or restriction (days)	Islany	Sen Disorder	Pespherary Condition	Palsoning	Hearing Lass	All other libease			
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### **OSH Standards Board's Website**

www.dir.ca.gov/oshsb/oshsb.html



# FREQUENTLY CITED REGULATIONS

### THE 10 MOST FREQUENTLY CITED VIOLATIONS

- IIPP
- Heat Illness\*
- Hazard Communication
- Portable Fire Extinguishers
- Lockout/Blockout
- Respiratory Protection
- Reporting Serious Injuries\*
- Air Compressor Permits
- Blocked Electrical Panels
- Openings in Electrical Panels



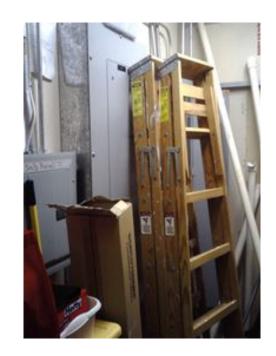
### **TOP 10 MOST INSPECTED INDUSTRIES-CY 2017**

Industry Sector	# of Inspection	Total Initial Penalty
General Industry	5584	\$42,232,907
Construction	2308	\$14,374,686
Services	2134	\$12,053,115
CA Manufacturing (with Ship Building)	1246	\$16,660,004
Manufacturing	1239	\$16,615,064
Ag	686	\$4,157,115
Transportation-Public Utilities	433	\$3,154,820
Retail Trade	372	\$2,152,469
Wholesale	258	\$2,544,190
Mining	202	\$501,970
Public Admin	197	\$637,380
Finance/Insurance/Real Estate	75	\$472,779
Maritime	19	\$100,935

### MOST CITED REGULATIONS

### TOP 10 MOST CITED REGULATIONS GENERAL INDUSTRY - CY 2017 & 2018

No Injury and Illness Prevention Program	2438 Citations
No Heat Illness Prevention Program	1196
Failing to Report Serious Injuries, Illness	808
No Hazard Communication Program	639
No Air Compressor Operating Permit	531
No ANSI Approved Eyewash Unit	483
No Safety Inspections / Failing to ID Hazards	424
Fire Extinguishers not checked monthly	335
Failing to Lockout Machine before Servicing	334
Electrical Panels Blocked	282
No First Aid Kit at worksite	267



### **TOP 10 MOST CITED REGULATIONS CONSTRUCTION - CY 2017 & 2018**

**No Injury and Illness Prevention Program** 1347 Citations No Heat Illness Plan 1155 No Postings of Code of Safe Practices 594 No First Aid Training for Employees 334 No Reporting of Serious Injuries or Illness 326 274 No Code of Safe Practices in Writing **No Protection from Impalement Hazards** 221 No Fall Protection 203 No Heat Illness Training for Employees 203 No First Aid Kit Present at the Jobsite 117



### TOP 10 MOST CITED REGULATIONS AGRICULTURE - CY 2017 & 2018

No Heat Illness Prevention Plan	236 Citations		
No Injury and Illness Prevention Program	132		
No Drinking Water at the Work Site	107		
Failing to Report Serious Injuries or Illness	72		
No Heat Illness Prevention Training	84		
No Shade	61		
No Toilets	46		
No First Aid Training for Employees	40		
No Safety Training for Employees	39		
Lockout not used for Servicing Machinery	39		
No Records for Employee Safety Training	35		



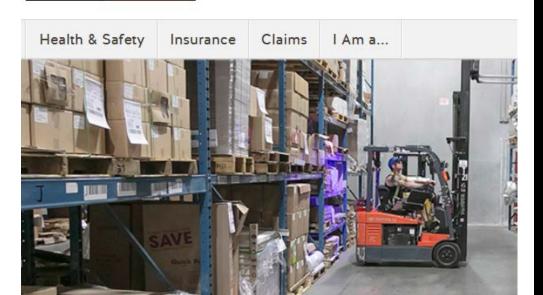
### RESOURCES

### **WORKSAFE BC - VIDEOS**

#### www.worksafebc.com

- FREE videos (Streaming or downloaded)
- Click on "Health & Safety", then alphabetical by topic (will include topic publications & other resources)

  WORK SAFE BC
  FORMS & RESOURCES



### HAZARD EVALUATION SYSTEM AND INFORMATION SERVICE'S (HESIS)

www.cdph.ca.gov/Programs/CCDPHP/DEODC/OHB/ HESIS/Pages/HESIS.aspx

Free safety and health publications

Fact Sheets, Booklets, Technical Documents,

Diacetyl (Butter Flavor Chemical) Use in Flavoring Manufacturing Companies

Health

ALERI

Exposure to diacetyl used in flavoring manufacturing companies may cause a serious lung disease called bronchiolitis obliterans. Workers from two California flavoring companies that use diacetyl have been diagnosed with this disease. Damage to the lungs can be permanent, can require a lung transplant, and can lead to death. The main symptoms are a persistent cough and shortness of breath when using extra energy (such as walking fast or up a slight hill) and wheezing when you do not have a cold. The symptoms do not go away in the evenings, on weekends, and on vacations. They can start gradually and get worse over time, or they can suddenly be very severe. Doctors sometimes think the symptoms are due to asthma, chronic bronchitis, emphysema, pneumonia, or smoking. If you work at a flavoring company that uses diacetyl, see a doctor immediately to make sure that your health is not being affected. Take this information sheet with you. Your company should follow the recommendations on page 2 to reduce exposure to diacetyl and other flavoring chemicals.

#### **OSHA**

#### Cal/OSHA

#### www.dir.ca.gov/dosh

- Publications
- Title 8 regulations
- Policy and Procedure

#### Fed/OSHA

#### www.osha.gov

- Educational materials
- Title 29 of the Code of Federal Regulations

### CAL/OSHA CONSULTATION SERVICE TOLL-FREE NUMBER 1-800-963-9424

- San Fernando Valley 6150 Van Nuys Boulevard, Suite 307 Van Nuys, CA 91401 (818) 901-5754
- LA/Orange 1 Centerpointe Drive, Suite 150 La Palma, CA 90623 (714) 562-5525
- San Bernardino 464 W 4th Street, Suite 339 San Bernardino, CA 92401 (909) 383-4567
- San Diego 7575 Metropolitan Drive, Suite 204 San Diego, CA 92108 (619) 767-2060

- Northern California 2424 Arden Way, Suite 410 Sacramento, CA 95825 (916) 263-0704
- San Francisco Bay Area 1515 Clay Street, Suite 1103 Oakland, CA 94612 (510) 622-2891
- Central Valley 2550 Mariposa Mall, Room 2005 Fresno, CA 93721 (559) 445-6800