



Accomplishments and Future Direction of Cal/OSHA

Presented by: Juliann Sum, JD, ScM
Chief of Cal/OSHA

2018 California Industrial Hygiene Council
Professional Development Seminar
San Diego, CA
December 10, 2018

Accomplishments

- ✓ Major policy breakthroughs
 - ✓ Education and information for the public
 - ✓ Increased resources
 - ✓ Stronger organizational systems and internal support
 - ✓ Emergency response related to wildfires
-

✓ Major policy breakthroughs

Regulations

- Electronic reporting of Form 300A data on occupational injuries and illnesses – emergency regulations in effect 11/1/18
 - Hotel housekeeping injury prevention – operative 7/1/18
 - Civil penalties – operative 9/14/17 and every January thereafter
-

✓ Major policy breakthroughs

Regulations (cont'd)

- Respirable crystalline silica – staggered operational dates starting on 10/23/17
 - Petroleum refinery safety – operative 10/1/17
 - Workplace violence in health care – operative 4/1/17
 - Definition of repeat violation – operative 1/1/17
-



✓ Major policy breakthroughs


Regulations (cont'd)

- Heat illness prevention amendments – operative 5/1/15
 - Abatement credit not given for serious violations without timely proof of abatement – operative 2/12/15
 - Safe patient handling – operative 10/1/14
 - Annual fees to support expanded oversight of refinery safety – operative 10/29/13
-

✓ Major policy breakthroughs

Legislation

- Earlier abatement of serious violations – effective 6/27/17
 - Refinery turnaround inspections – effective 1/1/15
 - Training of contractors working in refineries – effective 1/1/14
-



✓ **Education and information
for the public**

All programs and services posted online

Search engines to find the right district office

Cal/OSHA jurisdiction

Rulemaking steps

Rulemaking updates



Cal/OSHA

► en Español

The Division of Occupational Safety and Health (DOSH), better known as Cal/OSHA, protects and improves the health and safety of working men and women in California and the safety of passengers riding on elevators, amusement rides, and tramways – through the following activities:

- Setting and enforcing standards
- Providing outreach, education, and assistance
- Issuing permits, licenses, certifications, registrations, and approvals



Cal/OSHA safety engineers at work

Workers

- [Health & Safety Rights: Facts for California Workers](#)
- [Protecting Temporary Agency Employees](#)
- [Report a labor law violation](#)
- [Report a bad employer in the underground economy](#)
- [Request benefits for a work injury](#)
- [Young workers program](#)

[File a workplace safety complaint](#)
(Interpretation services available)

[File a workplace retaliation complaint](#)

[More for Workers](#) ►

Employers

- *Required for employers:*
 - » [Notifications](#) » [Postings](#) » [Recordkeeping](#)
- [Consultation Services and Partnership Programs](#)
- [Permits, registrations, certifications & licenses](#)
- [Payments—invoices and penalties](#)
- [Develop an injury & illness prevention program](#)
- [Appeal a Cal/OSHA enforcement action](#)
- [Develop a heat illness prevention plan](#)

[Report a Workplace Accident](#)

[Employer Reporting](#)

[Police & Firefighters](#)

[More for Employers](#) ►

Quick Links

- [File a workplace safety complaint](#)
(Interpretation services available)
- [Obtain a free consultation](#)
- [Important Cal/OSHA updates](#)

Cal/OSHA Branches & Units

Branches

- [Enforcement](#)
- [Consultation](#)

Units

- [Amusement Ride and Tramway](#)
- [Asbestos and Carcinogen](#)
- [Crane](#)
- [Elevator](#)
- [Heat and Agriculture Program](#)
- [High Hazard](#)
- [Labor Enforcement Task Force](#)
- [Legal and BOI](#)
- [Mining and Tunneling](#)
- [Pressure Vessel](#)
- [Process Safety Management](#)
- [Research and Standards](#)
- [Other Units](#)

Steps to Develop an Occupational Health Standard

Regular pre-rulemaking and rulemaking steps for an occupational health standard to be adopted and approved:¹

1. Cal/OSHA staff conducts preliminary work to prepare proposed text for a new or updated standard:²
 - a. Reviews applicable mandates and other reasons to update or develop a new standard based on sources such as federal standards, California legislation, directive from the Governor, petition from the public, enforcement experience, and staff recommendations
 - b. Consults with other state and federal agencies, key stakeholders, and subject matter experts as to whether a standard should be updated or a new standard developed
 - c. Researches and reviews current regulations, national guidelines or consensus standards, enforcement data, injury and illness data, and scientific literature
 - d. For complex and controversial standards, organizes and conducts advisory committee meetings using a discussion draft developed during the advisory committee process
 - e. Based on results of research and input received from advisors, prepares proposed text (or, if appropriate, terminates the process without proposing a new or updated standard)
2. Cal/OSHA and Director's Office staff (Department of Industrial Relations, or DIR) prepare and submit a pre-rulemaking package to Occupational Safety and Health Standards Board (Standards Board) staff that includes the following: (1) proposed text; (2) Initial statement of reasons, or ISOR; (3) economic and fiscal impact statement, or form 399; and (4) notice of proposed rulemaking.³

"Major regulation" means a regulation that will have an economic impact on California business enterprises and individuals in an amount exceeding \$50 million:⁴

 - a. If the proposed standard is not a major regulation, Cal/OSHA and Director's Office staff prepare an economic impact assessment and include the assessment in the ISOR.⁵
 - b. If the proposed standard is a major regulation, Cal/OSHA and Director's Office staff prepare a standardized regulatory impact analysis (BRIA)⁶ and submit the BRIA to the Department of Finance (DOF) at least 60 or 90 days prior to Step 8.⁷ DOF comments on the BRIA within 30 days.⁸ Cal/OSHA and Director's Office staff include the BRIA and a summary and analysis of DOF's comments in the ISOR.⁹
3. Standards Board staff reviews and finalizes the package for conformance with Administrative Procedure Act requirements.
4. Standards Board staff prepares a Secretary's Office Action Request (SAR) and routes the completed package to Director's Office staff.
5. Director's Office sends the package to Labor and Workforce Development Agency (Labor Agency) staff, allowing 45 days for approval.
6. Labor Agency approves and returns the package to Standards Board staff.
7. The form 399, signed by the fiscal officer of DIR and the Secretary of the Labor Agency, is sent to DIR Budget Office staff, who sends the form to DOF.¹⁰
8. Standards Board staff submits the package to the Office of Administrative Law (OAL).¹¹
9. OAL publishes the notice of proposed rulemaking in the California Regulatory Notice Register. Standards Board staff posts the notice and other documents and notifies interested parties.¹²
10. Standards Board staff holds a public hearing with advance public notice of at least 45 days.¹³ Cal/OSHA representative briefs the Standards Board on the proposal.¹⁴
11. Cal/OSHA staff responds to public comments. If necessary, Cal/OSHA staff modifies the proposed text accordingly, in collaboration with Standards Board staff.
12. If Cal/OSHA staff makes substantial changes that are sufficiently related to the public comments, Standards Board staff makes the changes available for public comment for at least 15 days.¹⁵
13. Director's Office staff obtains DOF approval of the Fiscal Impact Statement on the form 399, allowing approximately three months for approval.¹⁶ If the fiscal cost estimates on the original form 399 change, Cal/OSHA staff prepares an updated form 399 for DOF review and approval. The form 399 must be approved by DOF before OAL will approve the rulemaking action (in Step 15).
14. In collaboration with Cal/OSHA staff, Standards Board staff prepares and posts a notice of any additional documents relied on and notifies interested parties at least 15 days before the proposed standard is adopted.¹⁷
15. Cal/OSHA staff prepares a rulemaking package that includes the following: (1) final text; (2) final statement of reasons, or FSOR; (3) amended form 399 if necessary; and (4) updated informative digest.¹⁸
16. Standards Board staff reviews the package for consideration by the Standards Board.
17. Standards Board adopts the standard at a monthly public meeting.¹⁹
18. Standards Board staff submits the package to OAL within one year after publication in the California Regulatory Notice Register.²⁰
19. Within 30 working days, OAL reviews and approves the rulemaking action and transmits the standard to the Secretary of State for filing.²¹ If OAL disapproves the proposed standard, the Standards Board may:
 - a. Rewrite and resubmit the standard within 120 days;²²
 - b. Initiate review by the Governor's office.²³
20. The standard goes into effect on one of the following dates, unless otherwise specified:²⁴
 - a. January 1, if OAL approves the standard by November 30

Cal/OSHA

Quick Links

- [File a workplace safety complaint](#)
(Interpretation services available)
- [Obtain a free consultation](#)
- [Important Cal/OSHA updates](#)

Cal/OSHA Branches & Units

Branches

- [Enforcement](#)
- [Consultation](#)

Units

- [Amusement Ride and Tramway](#)
- [Asbestos and Carcinogen](#)
- [Crane](#)
- [Elevator](#)
- [Heat and Agriculture Program](#)
- [High Hazard](#)
- [Labor Enforcement Task Force](#)
- [Legal and BOI](#)
- [Mining and Tunneling](#)
- [Pressure Vessel](#)
- [Process Safety Management](#)
- [Research and Standards](#)
- [Other Units](#)

Educational Materials

- [Cal/OSHA publications](#)
- [Consultation eTools](#)

About Cal/OSHA

- [Contact Us](#)
- [Locations - Consultation offices](#)
- [Locations - Enforcement offices](#)
- [Get Cal/OSHA email notices](#)

Career Opportunities at Cal/OSHA

- [Work for Cal/OSHA](#)
- [Recruiting Health and Safety Inspectors](#)
- [Recruiting Elevator Safety Engineers](#)



✓ **Education and information
for the public (cont'd)**

Workers' rights

Protecting temporary employees

Respirable crystalline silica

Tree work safety

Wildfire safety and health

Cannabis industry safety and health



Tree Work Safety

What is Tree Work?

Tree work includes trimming, pruning, felling, and removing trees and bushes. It can involve climbing trees, using portable ladders, aerial devices, working at heights while using power tools, working near energized overhead or downed power lines, feeding wood chippers, and other hazardous operations.



What Are Common Hazards of Tree Work?



- Falls
- Electrical shock
- Being struck by a tree branch
- Being struck by falling objects
- Chainsaw lacerations
- Palm tree skirt collapses
- Ladder accidents
- Wood chipper accidents
- Poisonous plants
- Bees and other harmful animals
- Heat stress

Tree Work Safety Video



[video transcript](#)

Cal/OSHA

Quick Links

- [File a workplace safety complaint](#)
(Interpretation services available)
- [Obtain a free consultation](#)
- [Important Cal/OSHA updates](#)

Cal/OSHA Branches & Units

Branches

- [Enforcement](#)
- [Consultation](#)

Units

- [Amusement Ride and Tramway](#)
- [Asbestos and Carcinogen](#)
- [Crane](#)
- [Elevator](#)
- [Heat and Agriculture Program](#)
- [High Hazard](#)
- [Labor Enforcement Task Force](#)
- [Legal and SOI](#)
- [Mining and Tunneling](#)
- [Pressure Vessel](#)
- [Process Safety Management](#)
- [Research and Standards](#)
- [Other Units](#)

Educational Materials

- [Cal/OSHA publications](#)
- [Consultation eTools](#)

About Cal/OSHA

- [Contact Us](#)
- [Locations - Consultation offices](#)
- [Locations - Enforcement offices](#)
- [Get Cal/OSHA email notices](#)

Worker Safety and Health in Wildfire Regions

[▶ en Español](#)



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](#)
 - **NEW** [Employer Notice: Worker Safety in Wildfire Regions and Distribution Locations for N95 Masks](#)
 - [N95 Mask Commonly Asked Questions](#)
 - [Using Disposable Respirators](#) (in English and Spanish)
- [Protecting Indoor Workplaces from Wildfire Smoke with Building Ventilation Systems](#)
- [Worker Safety and Health During Fire Cleanup](#)
 - [Respiratory Protection During Fire Cleanup](#)
 - [Personal Protective Equipment During Fire Cleanup](#)
 - [General Contractor and Subcontractor Duties](#)
- [Safety and Health of Workers Rebuilding after Wildfires](#)
 - [Cal/OSHA Guidance for Construction Employers](#)

Cal/OSHA

Quick Links

- ▶ [File a workplace safety complaint](#)
- ▶ [Obtain a free consultation](#)
- ▶ [Important Cal/OSHA updates](#)
- ▶ [Public records requests](#)

Cal/OSHA Branches & Units

Branches

- ▶ [Enforcement](#)
- ▶ [Consultation Services](#)

Units

- ▶ [Amusement Ride and Tramway](#)
- ▶ [Asbestos and Carcinogen](#)
- ▶ [Census of Fatal Occupational Injuries](#)
- ▶ [Crane](#)
- ▶ [Elevator](#)
- ▶ [Heat and Agriculture Coordination Program](#)
- ▶ [High Hazard](#)



✓ Increased resources

- Obtained approval for new positions in 2014, 2015, 2016, 2017, and 2018
 - Increased staffing by more than 15 percent
 - New positions in different Cal/OSHA programs:
 - Enforcement Branch
 - Research and Standards
 - Legal Unit
 - Elevator Unit
 - Amusement Ride and Tramway Unit
 - Asbestos and Carcinogen Unit
-



✓ Stronger organizational systems and internal support

- Communications program
 - Managerial support for Legal Unit and Bureau of Investigations
 - Toxicology expertise
 - Internal procedures and email lists
 - Staffing for public records requests
 - Professional development and language learning support
 - Post-traumatic stress awareness training
-



✓ Emergency response related to wildfires

- Training, website educational information, advisory notices
 - Compliance assistance
 - Support for Governor's Office of Emergency Services (CalOES)
 - Enforcement
-

Major in-progress efforts

- ➔ Pending regulations
 - ➔ Tree work safety
 - ➔ Educational materials
 - ➔ Staffing
 - ➔ Recognizing and celebrating
-



Pending regulations

- Elevator safety
- Indoor heat illness prevention
- Workplace violence prevention in general industry
- Lead in construction and general industry
- Marijuana (cannabis) safety and health
- Anti-neoplastic drugs
- Naturally occurring asbestos

See complete list at

<https://www.dir.ca.gov/dosh/documents/rulemaking-updates.pdf>



- Indoor heat illness prevention

Critical issues:

- (a) Scope and application
 - (b) Definition of “indoor”
 - (e) Control measures for higher-risk situations
-



Tree work safety

- Proactive outreach campaign
 - Proposed legislation to authorize the Contractors State License Board (CSLB) to discipline contractors that violate Cal/OSHA tree work safety standards
 - CSLB trade exam to include questions about Cal/OSHA tree work safety standards
-



Educational materials

- Continue to produce and update publications and webpages
 - Translate into Spanish and other languages spoken by California workers and employers
 - Continue to publicize significant enforcement actions
-



Staffing

- Increase personnel resources to meet state and federal mandates
 - Continue to publicize and recruit candidates
 - Overcome barriers to hiring and promoting
 - Seek support within the Administration
-

Recruiting Cal/OSHA Safety and Health Inspectors



The California Division of Occupational Safety and Health (Cal/OSHA) is hiring safety and health inspectors throughout the state. These are field positions that conduct compliance inspections in many different settings and consult with employers on a wide range of health and safety issues.

Cal/OSHA inspectors describe their jobs as interesting and enjoyable. They report enormous satisfaction knowing they are helping to improve health and safety conditions in workplaces besides making a positive difference in the lives of working men and women. In addition, the State of California offers long-term job security and excellent benefits, such as medical coverage and a pension. See the reverse side of this sheet for more information about Cal/OSHA.

Examinations are offered periodically for the classifications listed below. Candidates must meet the minimum qualifications, possess strong analytical and communication skills, be able to prioritize tasks and meet multiple demands and deadlines. Bilingual candidates and candidates with combined safety and industrial hygiene experience are encouraged to apply.

| CLASSIFICATION | MONTHLY SALARY RANGE |
|--------------------------------|-------------------------------------|
| Junior Safety Engineer | \$5,098–\$6,078, plus differential* |
| Assistant Safety Engineer | \$5,837–\$7,303, plus differential* |
| Associate Safety Engineer | \$7,632–\$9,547 |
| Junior Industrial Hygienist | \$3,977–\$5,179 |
| Assistant Industrial Hygienist | \$4,659–\$6,366 |
| Associate Industrial Hygienist | \$5,632–\$7,692 |

*Junior Safety Engineers and Assistant Safety Engineers receive a recruitment and retention pay differential of \$200 per month.

For descriptions of these classifications and their minimum qualifications, visit <https://www.jobs.ca.gov/CalHRPublic/Tools/ClassSalarySearch.aspx>

For a listing of current exam bulletins and job vacancies in the Department of Industrial Relations, visit www.dir.ca.gov/dirjobs/dirjobs.htm and click on "Browse Job Openings."



- To apply for an exam, click on the exam bulletin link for the particular job title that interests you and click on the particular exam ID. Then click on "ACCESS AN OFFICIAL COPY OF THE BULLETIN ON THE DEPARTMENT OF INDUSTRIAL RELATIONS' WEBSITE." Follow the instructions to complete and file the exam application. You will be notified of your admittance status at least 10 days before the exam date and provided with instructions on taking the exam. You must take and pass the exam before applying for a job with Cal/OSHA. If you pass the exam, you will be placed on an eligibility list.
- To apply for a job, click on the job vacancy link for the particular job title that interests you and click on the job title link. This will take you to a page that requires you to either create a CalCareer account or login if you already have an account. Then follow the instructions to complete and submit your job application.

Cal/OSHA home page: www.cal-osh.ca.gov

August 2017



OUR MISSION

The California Division of Occupational Safety and Health (Cal/OSHA) protects and improves the health and safety of working men and women in California and the safety of passengers riding on elevators, amusement rides, and tramways through the following activities:

- Setting and enforcing standards
- Providing outreach, education, and assistance
- Issuing permits, licenses, certifications, registrations, and approvals

CAL/OSHA FAST FACTS

- Largest state OSHA plan in the United States
- Offices throughout California
- Branches and Units: Enforcement, Consultation Services, Amusement Ride and Tramway, Asbestos and Carcinogen, Crane, Elevator, High Hazard, Labor Enforcement Task Force, Legal, Bureau of Investigations, Mining and Tunneling, Pressure Vessel, Process Safety Management, and Research and Standards
- The Enforcement Branch: Responsible for investigating complaints and accidents, inspecting targeted workplaces, citing employers for violations, stopping unsafe work, and issuing permits, certifications, licenses, and approvals.

BENEFITS

- Medical, dental, and vision insurance
- Pension plan
- 401(k)/457 retirement plans
- Short-term and long-term disability coverage
- Flexible spending account to save on medical and child care expenses
- Paid vacation and holidays
- Union representation
- Professional development support

For instructions c



Cal/OSHA home

August 2017



Recognizing and celebrating

- Continue to convene internal committee on recognizing and celebrating our accomplishments and employees
 - Implement recommendations being developed by the committee
-



QUESTIONS?
