

Cal/OSHA CONSULTATION

Herman Jett Area Manager
Cal/OSHA Consultation Service
10350 Heritage Park Drive, Suite 201
Santa Fe Springs, CA 90670
(562) 944-9366

HJett@dir.ca.gov
www.dir.ca.gov

OVERVIEW

- The Division of Occupational Safety and Health (DOSH) or Cal/OSHA
- Cal/OSHA Enforcement
- Being prepared for an enforcement visit
- Cal/OSHA Consultation Services
- Hazard Categories and Penalties
- Multi and Dual Employers
- Hazard Communication Elements
- Recognition/Partnership Programs

DOSH-Cal/OSHA

- **The make-up of the Division of Occupational Safety and Health (DOSH)**
 - Enforcement
 - Consultation
 - Standard Board
 - Appeals Board
 - Legal Unit

ENFORCEMENT

- **Re-active**
 - Employee complaints
 - Accident investigations
 - Programmed inspections in
 - ASHIP
 - CSHIP, and in
 - Other High Hazard Industries
 - Any of the above actions could involve follow-up inspections
 - All citations issued could result in monetary penalties

PREPARING FOR AN ENFORCEMENT VISIT

- You will not know, when, or if, they're coming, however
- An employer can try to stay prepared for a visit, and possibly prevent a visit by:
 - Listening to employees about safety and health concerns
 - Insisting on employees following the rules

PREPARING FOR AN ENFORCEMENT VISIT

- **Staying prepared by:**
 - Maintaining an **effective** written Injury and Illness Prevention Program (IIPP)
 - Responsibility
 - Compliance
 - Communication
 - Hazard assessment
 - Accident investigation
 - Hazard correction
 - Training
 - Recordkeeping
 - And, any other required written programs

PREPARING FOR AN ENFORCEMENT VISIT

- **Staying Prepared by:**
 - Maintain your form 300
 - Maintain your form 301
 - Post form 300A
 - www.californiaosha.info/
 - Document all training and safety meetings
 - Be receptive when they arrive, however, you do have the right to refuse entry
 - Correct hazards in time agreed upon

Cal/OSHA CONSULTATION

- **Pro-active**
 - Request only
 - Addresses all employer's concerns
 - Review of required programs
 - Limited survey
 - Full service survey, and also the Voluntary Protection Program (VPP)
 - Confidentiality from enforcement
 - Answer phone calls
 - No penalties

CONSULTATION CONTINUED

■ **Employer's rights and responsibilities**

- Must abate violations identified
- Abatement time-limit on serious items
- May terminate the visit at anytime
- The employer determines what area/equipment will be surveyed/inspected
- The IIPP will be reviewed

CONSULTATION/ ENFORCEMENT

■ **Hazard categories**

- Regulatory; \$500-\$7,000
- Other than serious/general; \$7,000+
- Serious; \$18,000-\$25,000
- Imminent, " " " "
- Failure-to-abate; \$15,000 per day
- False statement of abatement; up to \$30,000
- Most fines are determined by the size of the employer, nature of the hazard, employee exposure, and likelihood of the hazard resulting in an accident or serious injury

DUAL/MULTI-EMPLOYER

■ Dual-Employer

- Primary
 - The employer providing the employee
 - usually provides training, PPE, Workers' Comp., IIPP, and pay check
- Secondary
 - The employer receiving/using the employee
 - Ensure employees are trained prior to putting to work
 - Injuries suffered while under your supervision goes on your Form 300

DUAL/MULTI-EMPLOYER

■ Multi-Employer

- Exposing; your employees were exposed to the hazard
- Creating; you or your employees caused the hazard
- Correcting; you are responsible for maintaining/abatement
- Controlling; you have overall control of safety and health on the job site

HAZARD COMMUNICATION

■ Requirement for most employers

- Inventory listing
- Material Safety Data Sheets (MSDS)
- Proper labeling
- Training
- Personal Protective Equipment (PPE)
- Storage
- Proper disposal
- Acquire only what's needed
- Always wash hands before eating
- Don't eat in contaminated areas

HEAT ILLNESS PREVENTION FOR OUTDOOR WORKSITES

■ T8 CCR 3395

- Water, one quart per hour per person for the entire shift
- Shade
- Training, on
 - Symptoms
 - Reporting
 - Medical help
 - Transporting
- Written procedures for the above requirements

GOLDEN GATE RECOGNITION

- High hazard companies that are maintaining an effective safety and health program
- High hazard companies are determined by;
 - Industry
 - Experience Modification Rate 125% or higher
 - Hazardous operations
- Receives a letter of recognition
- No exemption from enforcement
- No renewal

Safety and Health Achievement Recognition Program (SHARP)

- Site specific or multiple, fixed and non-fixed
- Advanced safety and health management systems
- Good for two years at site(s) visited
 - NOTE: Construction may have multiple sites in one program
- Renewals available for two years
- Exemption from enforcement programmed visit while in the program

Construction Voluntary Protection Program (VPP)

- A leadership recognition level for companies that have highly effective safety and health management systems
- Designed Specifically for non-fixed sites, i.e., general construction contractors
- Good for two years
- All sites, statewide and under employers control, are exempted from Cal/OSHA programmed enforcement visits while in the program
- Unlimited renewals

IMPROVING THE SAFETY AND HEALTH CULTURE

- **Ultimately, It's the Safety and Health Job-Site Culture that is the key**
- Positive (S & H) Attitudes
- Participation and Involvement
- Goal Oriented
- Optimism and Proactiveness
- Incentives / Reward Programs



THE END

Any Questions?

**Always Think Safety and, Act and Work
Safely on the Job**