Cal/OSHA Regulations & Recordkeeping Requirements

California Code of Regulations, Title 8

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Agenda

• Value of Safety
• Recording and Reporting
• Overview of Cal/OSHA
• Reading Regulations
• IIPP
• Other Regulations
• Incidents
• Recordkeeping
• Multi-employer Worksites
Value of Safety
Value of Safety

• Protecting employees leading benefit of workplace safety

• Safety doesn’t kill jobs; it helps to prevent jobs from killing workers

• Workplaces that establish safety and health management systems can reduce their injury & illness costs by 20 to 40%

• Liberty Mutual Insurance study – return on investment of $3 or more for each $1 invested in improving workplace safety
Value of Safety

• Safe workplaces promote successful, vibrant lives
• Workers who suffer a disabling injury can lose 40% percent of their income over five years
• Safety is a mindset and an attitude for everyone; it must be considered a core value that is instilled in all parts of the organization, part of the overall business culture
• Safety, Quality & Production go hand-in-hand
Value of Safety

“It makes sense to run an effective safety and health program because your people deserve it, your customers demand it, and your business practices and future will not be here without it.”
--Dan Fergus, Genesee Stampings
Recording and Reporting

• Cal/OSHA requires recordkeeping and reporting about safety in the workplace
• Required records include the OSHA 300 Log and documents about safety hazard analysis, inspections, and incident investigations
• Employers also required to keep records on hazard evaluations and the corrective actions taken to reduce or control safety risks in the workplace
Recording and Reporting

• Job Hazard Analysis (JHA) evaluates a worker’s job tasks, tools, equipment, and procedures to determine the level of safety risk and how to control it

• Safety training records document employee awareness of hazards associated with workplace task and conditions and how engineering controls, work practices or personal protective equipment can protect them
Recording and Reporting

• Cal/OSHA posting requirements ensure safety and hazards are communicated in the workplace.

• Employers must provide employees access to safety records within a reasonable timeframe (usually 7 days) and must notify employees when monitoring indicates that they have been exposed to a hazard.
Overview of Cal/OSHA
Overview of Cal/OSHA

• State run Occupational Safety & Health Administration (OSHA) since 1973
• Must be as stringent or more stringent than Federal OSHA
• Consists of Enforcement and Consultation Service
• Consulting services are offered through onsite visits, offsite consultation, and high hazard employer program
Overview of Cal/OSHA

• Cal/OSHA a leader in safety standards with Injury & Illness Prevention Plan (IIPP), Heat Illness Prevention Plan, and Ergonomics Standard

• Citations shall remain posted until the violation has been abated, or for 3 working days, whichever is later
Reading Regulations
Reading Regulations

• California Occupational Safety and Health Regulations, Title 8
• CCR = California Code of Regulations
• CSO = Construction Safety Orders
• GISO = General Industry Safety Orders
• ESO = Electrical Safety orders
Reading Regulations

• Subchapter 4: Construction Safety Orders (Sections 1500 – 1938)

• Subchapter 5: Electrical Safety Orders   Group 1. Low-Voltage Electrical Safety Orders (Sections 2299 - 2599)

  Group 2. High-Voltage Electrical Safety Orders (Sections 2700 - 2989)

• Subchapter 7: General Industry Safety Orders (Sections 3200 – 6184)
Injury & Illness Prevention Program (IIPP)
Injury & Illness Prevention Program (IIIPP)

- Title 8 CCR 3203
- Effective since July 1, 1991, employers shall establish, implement and maintain an effective IIIPP
- Most commonly cited standard
- Five types of IIIPP’s depending on type of work: high hazard employers, non-high hazard employers, intermittent employees, intermittent workers in agriculture, workplace security
Elements of an IIPP

• Identify the person or persons with authority and responsibility for implementing the Program

• Include a system for ensuring that employees comply with safe and healthy work practices (training programs, disciplinary actions, employee recognition for safe practices)
Elements of an IIPP

• System for communicating with employees (meetings, training programs postings, written communications, a system of anonymous notification by employees about hazards)

• EXCEPTION: Employers having fewer than 10 employees shall be permitted to communicate to and instruct employees orally in general safe work practices with specific instructions with respect to hazards unique to the employees' job assignments
Elements of an IIPP

• Include procedures for identifying and evaluating work place hazards including scheduled periodic inspections to identify unsafe conditions and work practices

• Review and update IIPP annually

• Maintain records of scheduled and periodic inspections required to identify unsafe conditions and work practices for at least one year
Other Regulations

• Emergency Action Plan Standard, 3220
• Hazard Communication Standard, 5194
• Heat Stress Standard, 3395

- Drink water often
- Rest in the shade
- Report heat symptoms early
- Know what to do in an emergency
Incidents
Incidents

• All Employers must report to Cal/OSHA any serious injury, illness or death of an employee immediately, but no longer than 8 hours after the employer knows or with diligent inquiry would have known
• $5,000 fine for not reporting within 8 hours
• If the employer can demonstrate that exigent circumstances exist, the time frame for the report may be made no longer than 24 hours after the incident.
Recordkeeping
Recordkeeping

• OSHA 300 Log records all work-related fatalities along with injuries and illnesses that require more than first aid treatment
• May use equivalent form to record injuries
• Annual summary (OSHA 300A) of injuries and illnesses is required to be posted in the workplace from February 1 to April 30
Recording Criteria

1. Did the employee experience an injury or illness?
   - NO
   - YES

2. Is the injury or illness work-related?
   - NO
   - YES

3. Is the injury or illness a new case?
   - NO
   - YES

4. Does the injury or illness meet the general recording criteria or the additional criteria?
   - NO
   - YES

5. Update the previously recorded injury or illness entry if necessary.

6. Do not record the injury or illness
   - YES

7. Record the injury or illness
Recordkeeping

• Some small businesses (less than 10 employees) and certain industries may have limited exemptions from this recordkeeping requirement
Recording vs. Reporting

Recording
- Partial exemptions, based on various SIC codes or size of company (i.e., do not have to record work-related fatalities, injuries, and illness on the Cal/OSHA Form 300)

Reporting
- No exemptions, all employers must report:
  - immediately any serious occupational injury, illness or death to the Division of Occupational Safety and Health (DOSH), as required by Title 8, Section 342; and
  - occupational injury, illness to the Division of Labor Statistics and Research (DLSR).
Multi-employer Worksites
Multi-employer Worksites

- On multiemployer worksites, both construction and non-construction, citations normally shall be issued to employers whose employees are exposed to hazards (the exposing employer).
- Additionally, the following employers normally shall be cited, whether or not their own employees are exposed:
  - The employer who actually creates the hazard (the creating employer)
Multi-employer Worksites

• The employer who is responsible, by contract or through actual practice, for safety and health conditions on the worksite; i.e., the employer who has the authority for ensuring that the hazardous condition is corrected (the controlling employer)

• The employer who has the responsibility for actually correcting the hazard (the correcting employer)
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