

Cal/OSHA Consultation SCIF

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State of California
Gavin Newsom
Governor

Overview

- 1. Cal/OSHA Enforcement Inspection-Expectations
- 2. Top 10 Citations
- 3. IIPP
- 4. Cal/OSHA Consultation Services- Overview
- 5. Q&A

Cal/OSHA Investigations

- Why do they happen?
 - Complaints, Accidents, Construction Permits, High Hazard
 - CSHO cannot tell employer the name of complainant or the complaint item. P&P C-7, Labor Code 6309
- What to do before they happen?
 - Be Prepared (CCR, T8)...
 - Know your process...
 - Care...
 - Separate required programs...
 - Remove low hanging fruit...
- When they happen?
 - Give them what is asked for...
 - They will interview employees...
 - Document the inspection...

Enforcement Inspection

Initial Visit Overview

- Opening Conference
- Walk-around Inspection
- Interview Employees
- Review of crucial documentation –
(Sometimes)
 - Especially documents onsite
 - Log 300, IIPP, Code of Safe Practices, Exposure Control Plan, etc.
- EXIT conference/document request

Purpose of the Walk-around Inspection

- **Identify and Evaluate Hazards**
- **Communication** with employees and employer
- Evaluate the **effectiveness** of the ER's **IIPP**
- **Gather Evidence** – collect and document
 - Establishing employer/employee relationship
 - Establishing employee **exposure**
 - Nature and **Severity** of hazard
 - Potential **abatement** or information demonstrating abatement during inspection
 - Establishing a citation

Cal/OSHA Investigations

- **Exit Conference**
 - No violations observed:
 - Inform the employer that no violations were observed
 - Notice of No Violation After Inspection issued to the employer
 - If violations are observed:
 - **Citations** are going to be issued at a **Closing Conference** to be scheduled at a later
 - Preliminary report about any violations observed
 - Anticipated date when a closing conference will be held and citations will be issued;
 - Information about any recommended interim corrective action(s).

What is going on here?

Cal/OSHA Investigations

- **Photographs**
 - Site, equipment, machinery, and other items of importance (can request copies of photos from other government agencies)
- **Diagrams, Maps & Sketches**

Top 10 Citations

Construction - (CY 2017 to 2022)

- **10- 341 (c) – Construction Permits**
 - Project Permits (Structures over 36')
 - Annual Permits (Structural Steel, concrete decking, metal decking, pre-cast panels, curtain walls, structural framing, scaffolding (> 36'), excavations (>5'deep), demolitions (>36')
 - Activity Notification

Top 10 Citations Construction - (CY 2017 to 2022)

Why?

- 9- 3395 (h)(1)- Heat Illness – Training
- 8- 1712 (c) – Impalement (rebar)
- 7- 1670 (a) – Fall Protection (7 ½ feet)
- 6- 1509(b)- Code of Safe Practices (written)

Top 10 Citations

Construction - (CY 2017 to 2022)

- 5- 1512(b) – Training First Aid
- 4- 342 (a) – Reporting a serious injury***
- 3- 1509(c) – Code of Safe Practices –posted
- 2- 1509(a)/3203 (a)-
Injury and Illness Prevention Program
- 1- 3395(i)- Heat Illness Prevention Plan

Top 10 Citations

General Industry/Manufacturing (CY 2017 to 2022)

- 10- 2340.16 (a) - Space about electric equipment.
- 9- 3314 (c) - Energy Control (LO/TO)**
- 8- 6151 (c)(1) - Provide portable fire extinguishers
- 7- 3203 (a)(4) - Identifying and evaluating workplace hazards
- 6- 5162 (a) - Eye/facewash equipment

Why?

Top 10 Citations

General Industry/Manufacturing (CY 2017 to 2022)

- 5- 461 (a)- Permit to operate air tank (<1.5 cubic ft./ 11.22 gal)
- 4- 5194 (e)(1) - Written hazard communication program
- 3- 342 (a) – Reporting a serious injury***
- 2- 3395(i)- Heat Illness Prevention Plan
- 1- 3203 (a) – IIPP*

Top 10 Citations (CY 2017 to 2022)-Overview

- IIPP (program, training, inspections)
- Heat Illness (written program, training, water, shade)
- Permits (air compressors, structures)
- Reporting a Serious Injury*
- First Aid Training
- Lockout/Tagout*
- Culture: Buy-in from your non-management leaders
- Be Prepared!

Management is Key!

IIPP: 3203(a) – 8 Elements

- (1) Management Commitment -Responsibility
- (2) Employee Compliance
- (3) Employer / Employee Communication
- (4) Hazard Assessment
- **(5) Accident Investigation**
- (6) Hazard Control
- (7) Employee Training
- (8) Providing employees an IIPP

Cal-OSHA Consultation Onsite Assistance Summary

- Assist with developing and reviewing an employer's Injury and Illness Prevention Program (**IIPP**)
- Provide **onsite assistance**
- **Free** service to the employer community
- **No fines, penalties, or citations**
- We **do not share** our findings with Cal/OSHA Enforcement
- **Confidential**
- Employer will receive a **written report**
- The written report is **not a citation**

TRUST

How did this get here?

Onsite Assistance IIPP - Focused

- CCR, T8 3203, 1509, ...
- Fed Form 33
- Program: written, effective & implemented
- **How do we know?**
- **Interview** employees
- **Knowledge of IIPP elements?**

**IIPP,
HIPP,
Haz Com,
Energy Control,
Confined Spaces, Covid,
Workplace Violence
Machine Guarding, ...**

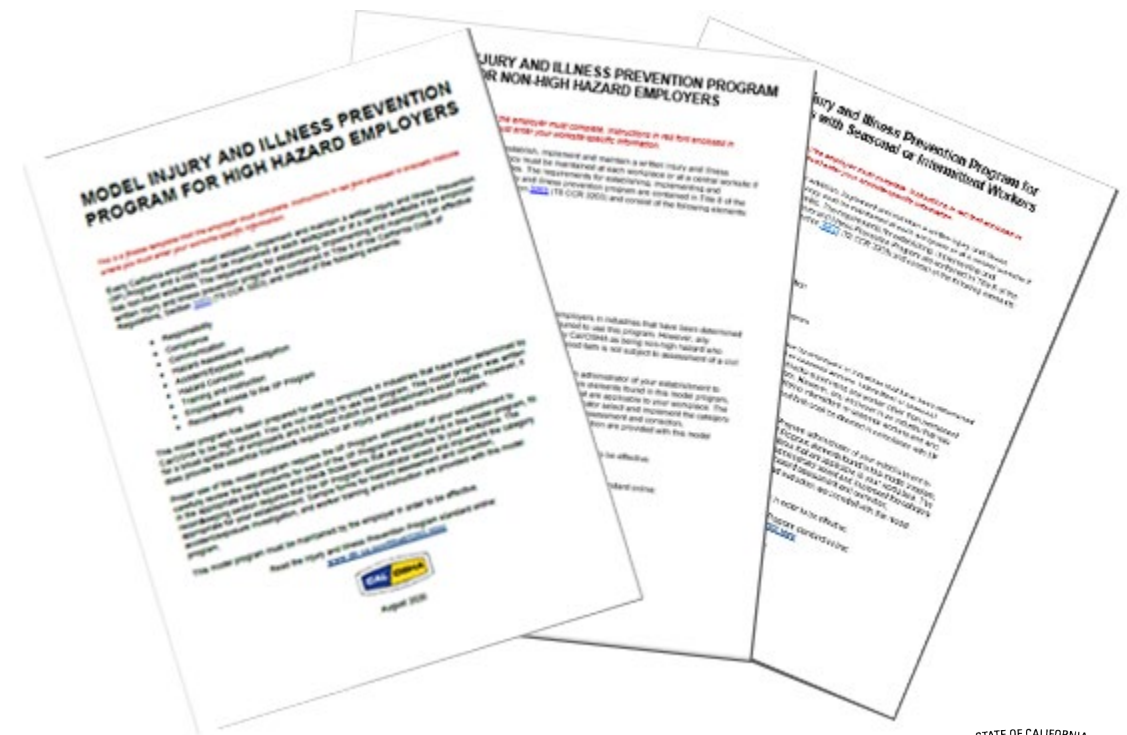


Injury and Illness Prevention Program

Separate from all other programs!

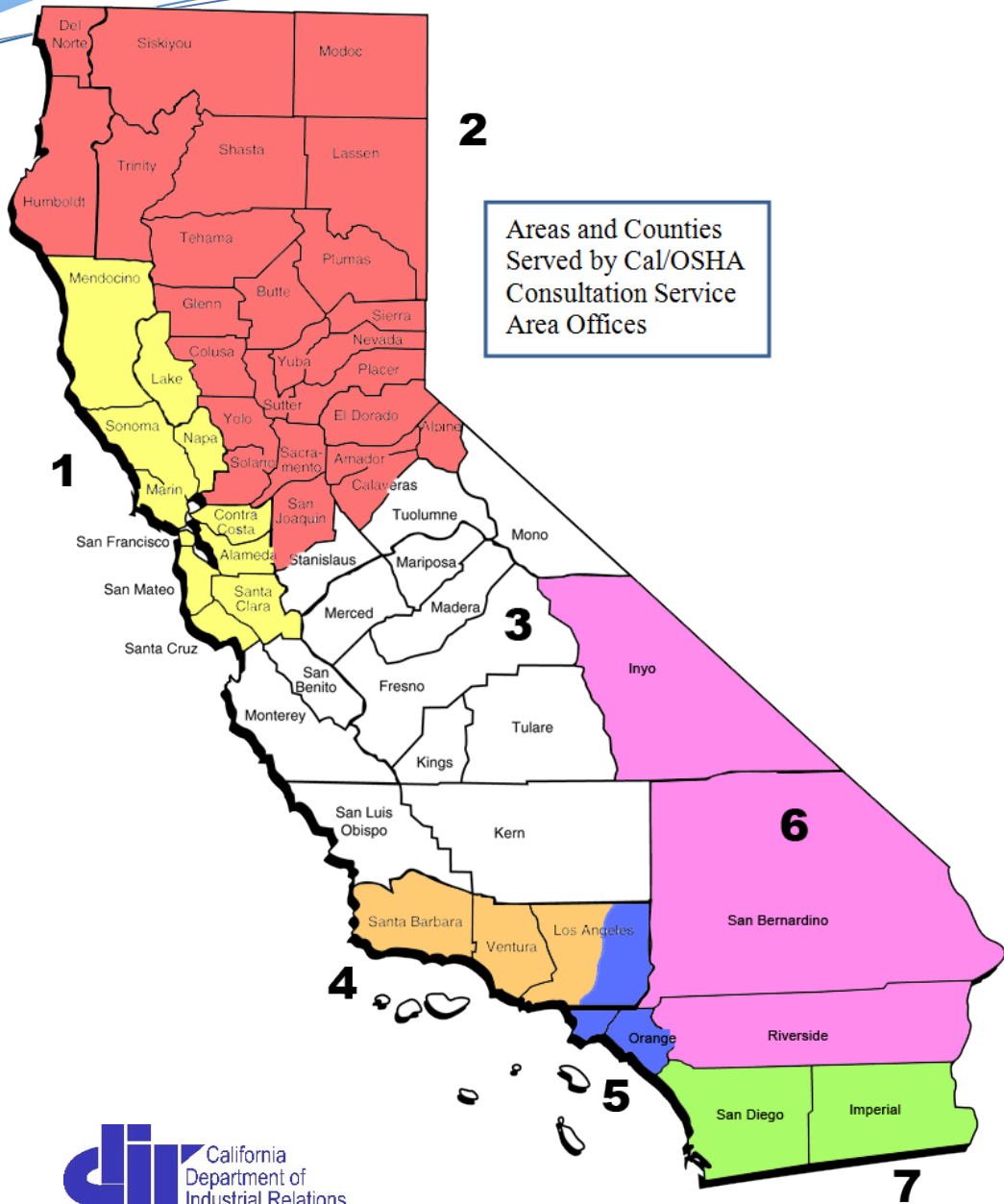
- Top Cal/OSHA Citations
 - Oct 1, 2016 to Oct 1, 2022
 - 5000+ Citations
 - \$4 mil+
- Why?
 - Required by all employers since 1991!

Find it hard to explain and train?



Why Partner with Cal-OSHA Consultation?

- Cal-OSHA Consultation beneficial?
- Experienced Staff
- Survey 2014-2018 of employers Consultation On-Sites
- Within 4 years the Ex Mod were reduced by approximately 25%- **We help employers reduce injuries and thus costs.**
- Trust Cal-OSHA Consultation



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Areas and Counties Served by Cal/OSHA Consultation Service Area Offices

| | |
|---|---|
| 1. San Francisco Bay Area Manager: Nick Gleiter OaklandConsultation@dir.ca.gov | 1515 Clay Street, Suite 1103 Oakland, CA 94612 (510) 622-2891 |
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| 7. San Diego Manager: Carmen Cisneros SanDiegoconsultation@dir.ca.gov | 7575 Metropolitan Drive, Suite 204 San Diego, CA 92108 (619) 767-2060 |

Links and Sources

- Title 8 Search: <https://www.dir.ca.gov/samples/search/query.htm>
- Cal/OSHA P&P Manual: <https://www.dir.ca.gov/samples/search/querypnp.htm>
- Cal/OSHA Publications List: <https://www.dir.ca.gov/dosh/puborder.asp>
- OSHA Establishment Search: <https://www.osha.gov/ords/imis/establishment.html>
- CDPH FACE Reports and Videos:
<https://www.cdph.ca.gov/Programs/CCDPHP/DEODC/OHB/FACE/Pages/Publications.aspx#>
- OSHA Fatality Data: <https://www.osha.gov/fatalities>

Questions?

Thank you!

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