

Letter to the Editor**DOSH: Death by a Thousand Cuts?**

I am a retired Division of Occupational Safety and Health District Manager, Regional Senior Industrial Hygienist and Senior Safety Engineer in charge of training DOSH staff state-wide for over 15 years. I detailed the long-festering institutional dysfunction of DOSH in my exit interview, published upon my retirement in 2009 after nearly 25 years of distinguished service. Sadly, that dysfunction has only worsened in the interim under the current administration. Inadequate enforcement staffing was a primary root cause of much of that dysfunction. It has only become worse.

You can count staff numbers using any creative (or in this case bogus) calculus you want, but the numbers still don't add up. I was engaged for many years in analyzing actual field enforcement staff and I can vouch unequivocally for the accuracy of Garrett Brown's method and rationale. The only meaningful number that has direct impact on the protection of California's workforce is the number of rank and file boots in each district office that hit the ground to carry out daily inspections and accident investigations. The rest of DOSH staff plays a completely secondary support role and is not counted as inspection staff by any other state or federal OSH agency.

Christine Baker makes much of embarking on a DOSH "re-birth" mission, which is an admission of her failure at providing effective leadership for the past three years. Yet the actions she has taken to date and her coercive management style has only alienated and rendered ineffective those remaining leaders in DOSH still trying to carry out the mission.

She unceremoniously dumped the previous chief, who was widely respected by DOSH staff for her competence and vigorous dedication to the protection of the safety and health of the state's workforce. It was that very vigor that proved to be her downfall.

The plain truth is that neither Gov. Brown nor Baker's administration have any interest in vigorous enforcement of DOSH regulations. On the contrary, "rebirth" for them means a

kinder, gentler Cal/OSHA; one that relies on the good intentions and voluntary compliance of employers. We tried that for over 70 years in the United States prior to the passage of the OSHA Act in 1970. The result led President Johnson in 1968 to bemoan "the shame of a modern industrial nation" that killed 14,000 and injured 2.2 million workers each year. We know that it will never be politically acceptable to Californians to simply do away with Cal/OSHA (though that too was tried). On the other hand a death by a thousand cuts virtually goes unnoticed.

California and its workforce deserve the highest degree of protection from safety and health hazards feasible. Californians pay for that level of protection, yet they rarely receive it. Even now, despite dedicated funding (over \$26 million) available for much-needed improvements, excuses are being made and strategies are being planned for further deterioration of DOSH's mission capabilities and commitment. I urge all Californians of good conscience to demand an end to the excuses of DIR's administration and a forceful re-commitment to DOSH's mission goals.

Jack Oudiz
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Editor's note: Oudiz now is an adjunct professor at the University of Alaska, teaching occupational safety and health classes.

Completed Fatality Investigations**Parking Brake Failure or Operator Error in Fatal Berkeley Run-Over?**

The August 2013 workplace fatality involving a construction worker at a school project was caused by a runaway work truck. But did the parking brake fail or did the operator simply fail to set it properly? The true root cause may never be known, but it appears to be the latter.

The Division of Occupational Safety and Health has



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