

Talking Points for Upcoming Legislative Oversight Hearings on DOSH

Two key points:

- 1) the invisible party is employers who are killing their workers;**
- 2) the biggest obstacle to DOSH's effectiveness is understaffing**

1) “Killer Employers”

- The missing party from the newspaper series is the employers who are the ones killing their employees – DOSH is not killing the workers, their bosses are...
- Proposals for addressing this:
 - establish significant fine (for example, an unadjustable \$10,000) for failure to report fatalities;
 - establish special fund, with all fatality-related fines, for outreach to most at-risk workers and highest fatality-rate industries -- joint education/enforcement campaign;
 - make DOSH a “credible deterrent” (adequately staffed and funded) for those employers who are inclined to ignore workplace hazards

2) “Three biggest problems: Staffing, Staffing, Staffing”

- California is the sixth largest economy in the world with 14.5 million workers and 1.06 million workplaces – and DOSH has 200.5 field inspectors, that is:
 - 1 inspector for every 5,286 workplaces
 - 1 inspector for every 72,412 workers
 - There are 60% more Fish & Game Wardens in California (321 in 2000) than workplace health & safety inspectors
 - In 1980 the Federal government set a benchmark of 805 field inspectors, back when there were only 500,400 workplaces and 9.85 million workers – benchmark never met, now less than 25%
- By way of comparison:
 - British Columbia, Canada
 - population: 4 million (v. 34 million in CA)
 - workplaces: 170,000
 - workers: 1.92 million
 - health and safety inspectors: 201

- 1 inspector per 845 workplaces
- 1 inspector per 9,549 workers

- Washington state
 - population: 5,894,121 (17% of California)
 - workplaces: 217,516
 - workers: 2,555,240
 - health and safety inspectors: 118

 - 1 inspector per 1,834 workplaces
 - 1 inspector per 21,655 workers

- Oregon state
 - population: 3,421,399 (10% of California)
 - workplaces: 99,183
 - workers: 1,782,900
 - health and safety inspectors: 80

 - 1 inspector per 1,239 workplaces
 - 1 inspector per 22,286 workers

- Other key DOSH units understaffed
 - Medical Unit (November 2001 status)
 - 1 MD in northern California
 - 2 RNs in southern California

 - in 1975 the Medical Unit had: 7 MDs, 3 RNs and contract personnel

 - Legal Unit (November 2001 status)
 - 4 attorneys in northern California
 - 6 attorneys (1 on 6-month leave) in southern California

 - Number of appeals docketed in 2000: 4,555
 - Number of appeals docketed through 11/15/01: 4,524

- Other keys issues for this hearing or later:
 - DOSH inspectors have been pushing for significant changes for more than 2.5 years – see April 1999 letter and August 1999 “Final Report of the Employee Generated Improvement Project (EGIP)”

- Since 1989 the following additional enforcement responsibilities (often labor-intensive “special emphasis programs”) have been undertaken without any additional staff: agricultural TIPP sweeps; bloodborne pathogens; ergonomics; garment sweatshops TIPP sweeps; lead in construction; process safety management (PSM); tower cranes; tuberculosis; and workplace violence.

- Building a multi-lingual corps of inspectors involves the same issues as building a motivated, competent corps of inspectors in general: effective outreach campaign to recruit; streamlined hiring process; adequate pay; ongoing training and recognition to retain inspectors

- An effective Cal/OSHA requires not only adequate funding for staff and technical resources, but also the political will to have an effective agency to protect workers’ health and safety in the face of vehement opposition from employer organizations, corporate campaign contributors, and others.

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