

Performance Measures for Cal/OSHA

Positive Impact of Cal/OSHA's work:

DOSH's impact is not easy to quantify as successes consist of accidents that did not happen, injuries and illnesses that did not occur, fatalities that did not happen. We can't estimate the number of lives saved, but know that the combination of Cal/OSHA's enforcement and consultation efforts over the last year played a major role. Some concrete measures of our effectiveness:

- Saw declining rates of fatalities, injuries and illness in CA even as the economy improved and more workers returned to work after periods of unemployment.
- Prevented an uptick of injuries/illnesses despite fewer inspectors and number of inspection days (due to staff furloughs).
- Provided a nimble response to growing sectors of the economy:

Logistics/warehousing industry in the Inland Empire: ground-breaking citations holding both temp agencies and warehouses responsible for safety protection.

“Green economy”: ensuring worker protection in these new burgeoning sectors (recycling, solar, wind, etc.).

Health care/safe patient handling: education, outreach (for employers and labor) and enforcement on this new law.

Service sector/hotel housekeeping: ground-breaking settlement agreement and hazard reduction in major case involving major hotel chain.

- Our efficient permit system boosts economic growth *and* protects workers:

Construction: permits now issued within 5 days of application (faster than law mandates) to speed up construction projects.

Tower cranes: we streamlined process to accommodate a major increase in applications in 2012, also critical to the construction industry.

- Expanded effective outreach and education programs with employers and worker organizations to prevent worker injuries and deaths:

More hazard alerts, webinars, presentations, trainings and partnerships.

- Responsive to labor and industry representatives:

Cal/OSHA Advisory Committee and standards advisory committees convened to allow for transparency and broad stakeholder input on many issues (for example, safe patient handling, hotel housekeeping, more protective chemical standards).

Consultation's VPP recognition program for employers with effective health and safety programs has been expanded.

More effective, targeted inspections have increased deterrence and leveled playing field:

- Conducted high number of inspections in response to increasing number of complaints, reported accidents and fatalities and more robust economic activity.
- Improved performance by reducing the time required to open inspections.
- Better targeting has led to an increase in number of citations despite staff vacancies and furlough days
- Increased penalties reinforce our message of strong enforcement, helping to level the playing field for good employers who play by the rules and invest in worker safety and health (assessed \$25.3 million in 2012 compared to \$14.5 million in 2011).
- More successful criminal prosecutions of Cal/OSHA cases by District Attorneys across the state, in particularly egregious cases – Cal/OSHA only state to use this tool to ensure maximum deterrence.

Multi-strategy Special Emphasis Programs have increased compliance and worker protection.

- Effective use of enforcement, education and outreach and media.
- Heat illness prevention for ag, construction and all other outdoor workers – no farm worker heat related deaths in 2012, the hottest summer in history; three heat-related deaths (2 in construction, 1 in wild land fire fighting).
- Record compliance by employers – over 75% in 2012. More inspections and better targeting tools to find employers out of compliance played a big role in the high rate of compliance.
- Consistent presence, strong enforcement has sent clear message to recalcitrant employers that we mean business: heat violations and assessed penalties nearly doubled in 2012 compared to 2011.
- Also developed more creative outreach to prevent worker illness and death from heat – expanded our partnerships with more industry groups, unions, worker advocates, and

other stakeholders. New bilingual outreach team reached many more limited or non-English speaking workers.

- Special emphasis to prevent confined space deaths and injuries - following particularly high rate of deaths and serious injuries – strong enforcement (more inspections and citations in 2012) as well as more targeted education, outreach, consultation and media have reinforced our message of compliance with confined space standard.

Effectiveness of Cal/OSHA’s High Hazard Inspections:

- Levine study (Haas and Harvard Business Schools) confirms the efficacy of Cal/OSHA inspections: demonstrates 9.4% drop in injury claims; 26% average savings in Workers Compensation costs and \$355,000 average savings per employer – all resulting from Cal/OSHA’ high hazard inspections of workplaces.
- Consultation’s High Hazard interventions substantially reduced employers’ costs over past 10 years – major reductions in DART and ExMOD rates.
- Effective management of some of the largest tunneling projects in California’s history has kept these huge projects on track with only minor injuries and no fatalities despite the massive scale of work underway:

Examples of projects: Devil’s Slide tunnel, Caldecott Tunnel, the many subprojects of the Hetch Hetchy water delivery system project;

Collaborative role of Cal/OSHA’s Mining and Tunneling Unit has been a key factor.

California leads the way in refinery safety and Process Safety Management:

- Only PSM unit in the country.
- Effective response to Chevron fire incident and ongoing inspections in El Segundo.
- Fewer incidents and fatalities in California’s refineries than any other state.

Legal successes – many key rulings upheld, citations sustained, precedents forged:

- More successful Appeals Board hearings and effective defense by Cal OSHA Legal Unit and district managers.
- Cal/OSHA sustains higher percentage of citations and penalties at the Appeals Board and in settlements.