

Key Performance Statistics for Cal/OSHA

January – December 2015

1) DOSH Program Office – July 30, 2015

- DOSH inspections and violation from January 1992 through December 2014 (latest available confirmed data)
- DOSH on-site inspections and violations by major industrial groups, October-December 2014 (latest available confirmed data)
- DOSH on-site inspections and violation cited by reason, July-September 2014 (latest available confirmed data)

2) DOSH Statistics reported by the *Cal/OSHA Reporter*

- Graphs from the annual report of the Commission for Health and Safety and Workers' Compensation (February 13th)
- Article and graphs from the Legislative Analyst Office report on Cal/OSHA (March 20th)
- "Fewer DOSH inspections; Serious Cites Increase" (March 20th)
- "California: Highest Workplace Fatalities Since 2009" (May 1st)
- "Most Cited & Appealed California Safety Standards, 2014" (June 19th)
- "Cal/OSHA Inspection Trends – A Rise Portended?" (August 14th)
- "Here's the High Hazard List – Are they coming for you?" (August 14th)
- "CFOI: Latino Workers Fatalities appear to be down significantly" (September 25th)
- "California employment is up – Are injuries and illnesses increasing, too?" (October 30th)
- "Injury & Illness stats trending down" (December 11th)

3) DOSH personnel changes reported by the *Cal/OSHA Reporter*

- Fed-OSHA Administrator moved to Region X (April 24th)
- Sum, Carter confirmed; new managers named (June 12th, June 26th)
- DIR director of legislation and policy appointed (June 19th)
- New DOSH managers named (August 14th)
- New DOSH personnel promotions and transfers (September 17th)
- New DOSH personnel promotions and transfers (October 2nd)
- DOSH award presented (October 15th)
- DOSH award and new hires (November 6th)
- DOSH award and new hires (December 3rd)
- Dr. Julia Quint passes (December 3rd)

- Consultation Manager Heza retires (December 17th)

Compiled by Garrett Brown, December 21, 2015, from publicly available documents from the DOSH Program Office and pages of the Cal/OSHA Reporter used under the “fair use” doctrine.

**DOSH INSPECTIONS AND VIOLATIONS CITED BY QUARTER
FROM JANUARY 1992 THROUGH DECEMBER 2014**

CY	INVESTIGATIONS			% INSP PROG	TOTAL VIOLATIONS	VIOLATIONS PER INSPECTION	SERIOUS VIOLATIONS	OTHER THAN SERIOUS VIOLATIONS	% SERIOUS
	TOTAL INVEST	ON-SITE INSP	LETTER RESP.						
1992	13,428	12,580	848	15	29,259	2.32	4,079	25,168	14
1993	12,121	10,608	1,513	23	20,328	1.92	4,904	15,423	24
1994	14,354	11,457	2,897	22	21,803	1.90	4,987	16,814	23
1995	13,358	10,076	3,282	20	25,236	2.50	7,047	18,169	28
1996	12,600	9,103	3,497	19	21,821	2.40	5,819	16,002	27
1997	12,972	9,531	3,441	27	22,505	2.36	5,417	17,088	24
1998	12,902	9,322	3,580	20	20,889	2.24	5,292	15,597	24
1999	12,918	9,444	3,474	24	20,280	2.15	4,628	15,652	23
2000	13,002	9,298	3,704	29	20,878	2.24	4,410	16,468	21
2001	12,836	9,194	3,687	28	21,721	2.36	4,922	16,799	23
2002	12,579	9,032	3,547	28	20,038	2.22	5,157	14,881	26
2003	11,313	8,533	2,780	25	18,835	2.20	4,849	13,986	26
2004	11,000	7,522	3,478	19	16,515	2.20	4,422	12,093	27
2005	12,593	8,176	4,417	27	16,467	2.01	4,044	12,423	25
2006	12,771	8,583	4,188	33	19,789	2.31	4,765	15,024	24
2007	13,351	9,259	4,092	36	20,222	2.18	4,660	15,562	23
2008	14,260	10,027	4,233	33	21,158	2.11	4,470	16,688	21
2009	12,178	8,450	3,728	40	17,477	2.07	3,307	14,170	19
2010	12,316	8,463	3,853	38	17,179	2.03	3,210	13,969	19
2011	11,991	7,962	4,029	26	14,552	1.83	2,169	12,383	15
Qtr									
1 - '12	2,796	1,742	1,054	24	3,876	2.23	715	3,161	18
2 - '12	3,308	2,134	1,174	21	3,781	1.77	681	3,100	18
3 - '12	3,854	2,225	1,629	18	3,813	1.71	609	3,204	16
4 - '12	2,820	1,619	1,201	21	3,678	2.27	647	3,031	18
2012	12,778	7,720	5,058	21	15,148	1.96	2,652	12,496	18
1 - '13	2,951	1,695	1,256	25	3,815	2.25	796	3,019	21
2 - '13	3,577	2,042	1,535	21	3,501	1.71	650	2,851	19
3 - '13	3,826	2,104	1,722	20	4,076	1.94	710	3,366	17
4 - '13	2,603	1,486	1,117	24	3,629	2.44	663	2,966	18
2013	12,957	7,327	5,630	22	15,021	2.05	2,819	12,202	19
1 - '14	3,023	1,765	1,258	25	4,255	2.41	807	3,448	19
2 - '14	3,697	2,059	1,638	18	3,866	1.88	691	3,175	18
3 - '14	3,914	2,047	1,867	21	4,149	2.03	727	3,422	18
4 - '14	2,890	1,578	1,312	27	4,277	2.71	719	3,558	17
2014	13,524	7,449	6,075	22	16,547	2.22	2,944	13,603	18

**DOSH ON-SITE INSPECTIONS AND VIOLATIONS CITED
FOR MAJOR INDUSTRIAL GROUPS (BY SIC)
FROM OCTOBER THROUGH DECEMBER 2014**

REASON FOR INSPECTIONS	AGRICULTURE		MINERAL EXTRACTION		CONSTRUCTION		MANUFACTURING		TRANSPORT PUBLIC UTILITIES		WHOLESALE TRADE		RETAIL TRADE		FINANCIAL REAL ESTATE		SERVICES		PUBLIC ADMIN.		TOTALS	
INSPECTIONS																						
Total	104	7%	83	5%	512	32%	288	18%	73	5%	50	3%	60	4%	13	1%	364	23%	31	2%	1578	
Accident	48		9		138		112		28		26		24		3		129		6		523	33%
Complaint	27		1		92		48		31		14		26		7		122		20		388	25%
Referral	2		0		45		7		1		3		2		1		20		3		84	5%
Follow-up	2		1		3		13		1		2		1		0		6		2		31	2%
Unprogrammed																						
Related	7		4		63		14		4		4		1		2		20		0		119	8%
Programmed	18		68		171		94		8		1		6		0		67		0		433	27%
VIOLATIONS																						
Total	355		100		1356		1167		148		104		253		45		715		34		4277	
Serious	56		11		252		244		19		16		17		7		88		9		719	
Other than Serious	299		89		1,104		923		129		88		236		38		627		25		3558	
Percent Serious	15.8%		11.0%		18.6%		20.9%		12.8%		15.4%		6.7%		15.6%		12.3%		26.5%		16.8%	

**DOSH ON-SITE INSPECTIONS AND VIOLATIONS CITED
FOR MAJOR INDUSTRIAL GROUPS (BY SIC)
FROM JULY THROUGH SEPTEMBER 2014**

REASON FOR INSPECTIONS	AGRICULTURE		MINERAL EXTRACTION		CONSTRUCTION		MANUFACTURING		TRANSPORT PUBLIC UTILITIES		WHOLESALE TRADE		RETAIL TRADE		FINANCIAL REAL ESTATE		SERVICES		PUBLIC ADMIN.		TOTALS	
INSPECTIONS																						
Total	293	14%	103	5%	658	32%	331	16%	119	6%	44	2%	108	5%	17	1%	324	16%	50	2%	2047	
Accident	78		6		156		131		49		18		24		5		109		22		598	29%
Complaint	76		5		102		78		52		17		62		8		138		21		559	27%
Referral	68		0		155		9		3		2		9		0		14		2		262	13%
Follow-up	1		0		3		7		1		0		3		0		3		0		18	1%
Unprogrammed Related	15		0		94		21		9		4		2		4		29		5		183	9%
Programmed	55		92		148		85		5		3		8		0		31		0		427	21%
VIOLATIONS																						
Total	494		85		1369		1009		186		211		165		23		561		46		4149	
Serious	52		6		237		258		24		38		13		2		91		6		727	
Other than Serious	442		79		1,132		751		162		173		152		21		470		40		3422	
Percent Serious	10.5%		7.1%		17.3%		25.6%		12.9%		18.0%		7.9%		8.7%		16.2%		13.0%		17.5%	

**DOSH ON-SITE INSPECTIONS AND VIOLATIONS CITED BY REASON
FROM OCTOBER THROUGH DECEMBER 2014**

REASONS FOR INSPECTIONS	TOTAL INSPECTIONS	TOTAL INSPECTIONS WITHOUT VIOLATIONS CITED	TOTAL INSPECTIONS WITH VIOLATIONS CITED	PERCENT OF INSPECTIONS WITH VIOLATIONS CITED	TOTAL VIOLATIONS	SERIOUS VIOLATIONS	OTHER THAN SERIOUS VIOLATIONS	PERCENT SERIOUS
Total	1,578	479	1,099	69.65%	4,277	719	3,558	16.81%
Accident	523	123	400	76.48%	1,084	269	815	24.82%
Complaint	388	145	243	62.63%	1,144	126	1,018	11.01%
Referral	84	33	51	60.71%	391	87	304	22.25%
Follow-up	31	27	4	12.90%	12	4	8	33.33%
Unprogrammed Related	119	45	74	62.18%	282	49	233	17.38%
Programmed	433	106	327	75.52%	1,364	184	1,180	13.49%

**DOSH ON-SITE INSPECTIONS AND VIOLATIONS CITED BY REASON
FROM JULY THROUGH SEPTEMBER 2014**

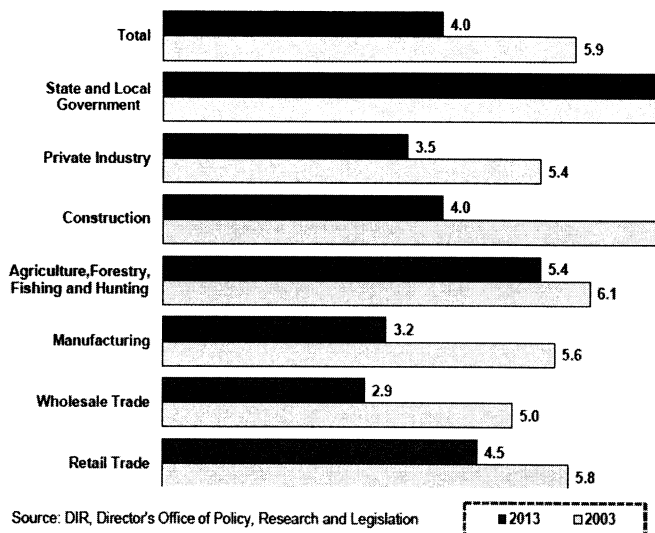
REASONS FOR INSPECTIONS	TOTAL INSPECTIONS	TOTAL INSPECTIONS WITHOUT VIOLATIONS CITED	TOTAL INSPECTIONS WITH VIOLATIONS CITED	PERCENT OF INSPECTIONS WITH VIOLATIONS CITED	TOTAL VIOLATIONS	SERIOUS VIOLATIONS	OTHER THAN SERIOUS VIOLATIONS	PERCENT SERIOUS
Total	2,047	652	1,395	68.15%	4,149	727	3,422	17.52%
Accident	598	180	418	69.90%	1,087	270	817	24.84%
Complaint	559	201	358	64.04%	1,052	119	933	11.31%
Referral	262	96	166	63.36%	402	58	344	14.43%
Follow-up	18	15	3	16.67%	1	0	1	0.00%
Unprogrammed Related	183	62	121	66.12%	317	54	263	17.03%
Programmed	427	98	329	77.05%	1,290	226	1,064	17.52%

Cal/OSHA, Illustrated

The recently released annual report from the Commission for Health and Safety and Workers' Compensation shows how far safety has progressed in California. But in some cases, it illustrates how far some things have failed to progress.

Across the board, injury rates have dropped in the past 10 years, as this chart shows.

Figure 104: Injury Rates by Industry, 2013 vs. 2003

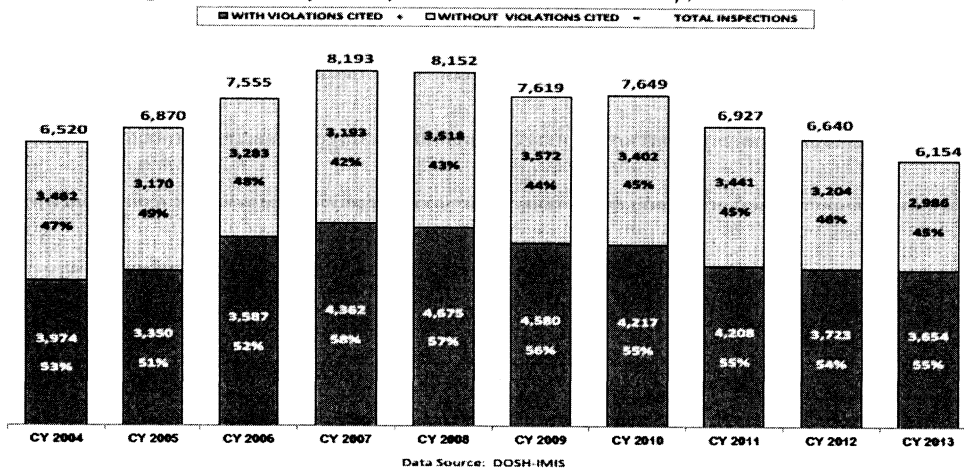


Source: DIR, Director's Office of Policy, Research and Legislation

For instance, the rate for construction, one of our most hazardous industries, was almost halved between 2003 and 2013. Another hazardous business, agriculture, saw its rate decline, but not nearly as much. But overall, the progress has been significant.

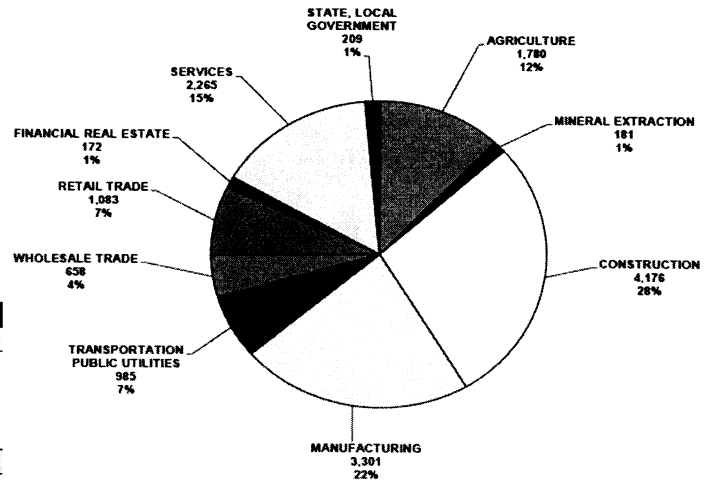
As the next chart demonstrates, Cal/OSHA's response to incidents has leveled off in recent years, a product of personnel shortages. In 2013, the Division of Occupational Safety and Health conducted fewer inspections than in 2004 – about 1,000 fewer than the almost 8,200 in 2007.

Figure 125: DOSH Inspections (With and Without Violations Cited)*, CY 2004 - CY 2013

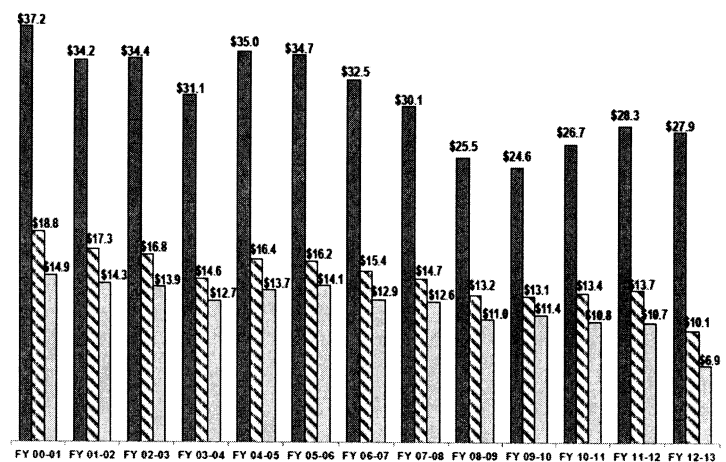


Data Source: DOSH-IMIS

Figure 131: Distribution of Violations by Major Industry, State CY 2013 (Total Violations=14,894)



As mentioned, the injury rate for construction has decreased significantly. That's likely due to a strong DOSH presence in the industry. Construction accounted for 30% of Cal/OSHA



Data Source: DOSH

inspections, by far the highest percentage of any industry, while 28% of the violations cited by the Division were in construction.

But what happens after employers are cited? DOSH statistics show that the agency ultimately collects only fraction of the originally proposed penalties, providing a powerful incentive for employers to appeal citations.

In fiscal year 2012-2013, the Division proposed a total of \$27.9 million in

penalties. Net assessments totaled \$10.1 million – but the agency collected only about 70% of that – \$6.9 million. As this chart shows, collections have never equalled the final total assessments. The data “cannot be viewed entirely as an indicator of progress in health and safety at places of employment, due to related impacts on the data from DOSH staffing changes and resource changes from year to year,” the CHSWC report states, calling the data “a starting point for further analysis.”

[Click here](#) for a copy of the full CHSWC annual report.

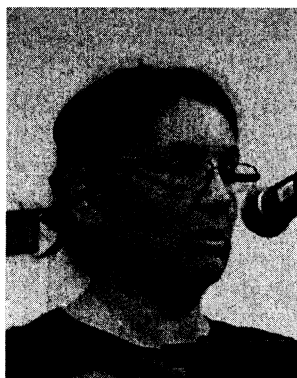
Violence Standard

continued from page 11086

tween what is normally considered a weapon and everyday items.

She also said DOSH should clarify what the “universe of reporting” is for hospitals. For instance, should non-employees such as dietitians be included in the hospitals’ responsibility to report? And in instances where hospitals lease space, they don’t have the ability to install their own security systems.

Committee chair Bob Nakamura, senior safety engineer for the DOSH Research and Standards-Health Unit, said the problem is exemplified by a report of a patient taking apart a bed and using it as a weapon.



Gail Blanchard-Saiger:
Should psychological stress really be a reportable incident?

CHA also takes issue with DOSH’s definition of workplace violence: “Any act or threat of physical violence, harassment, intimidation, or other threatening disruptive behavior that occurs at the work site.” In addition to physical force and injury, it also includes psychological trauma and stress.

Should stress really be reportable, Blanchard-Saiger asked. “We want to do this right,” she said.

Nakamura noted that the reporting criteria is based on the SB 1299 definition of workplace violence. “We’re going to get a flood of information,” he said. “Somebody has to go through that and decide if we need to do an investigation. We’re tying to come to terms with that.”

Another nurse insisted that the onus should be on hospital administration. “Healthcare workers take care of people,” she said. “The administration should be taking care of us.” The lack of reporting contributes to the violence, she added. “We need to have a system for reporting” to DOSH.

One commenter pointed out that other countries and even rival states have more stringent rules protecting

First Draft: Healthcare Violence Prevention

Scope & Application: Applies to health facilities; outpatient medical offices and clinics; home health care and home-based hospice; paramedic and emergency medical services; mobile clinics and dispensing operations; drug treatment programs and ancillary healthcare operations, such as retail clinics or school nurse operations.

Workplace Violence Prevention Plan: As part of their IPPs, employers covered by the regulation would be required to establish, implement and maintain an effective written workplace violence prevention plan, for all units, services and operations.

Plans must include:

- Assessment procedures for identifying and evaluating risk factors and a review of all violent incidents at the facility. Specific procedures included for mobile clinics and dispensing operations, home health care and emergency medical services.
- Procedures to correct violence hazards, including training for staff; line of sight or other immediate communication in all areas where patients or members of the public are present; room security; prevention of unauthorized firearms or weapons in the facility; sufficient staffing to implement the plan; effective alarm systems; an effective emergency response plan; post-incident debriefings and solicitation from injured employees on their opinions regarding the incident’s cause.

A prohibition on employer’s preventing employees from seeking assistance and intervention from local emergency services and law enforcement when a violent incident occurs, and from retaliation from having done so.

Reporting to Cal/OSHA: General acute care hospitals, acute psychiatric hospitals and special hospitals would be required to report to the Division of Occupational Safety and Health each violent incident within 24 hours if it results in an injury, involves the use of a firearm or dangerous weapon, or “presents an urgent or emergent threat to the welfare, health or safety of hospital personnel.” Less serious incidents must be reported within 72 hours.

Reportable incidents include the use of physical force against a hospital employee, or ones that have “a high likelihood of resulting in, injury, psychological trauma, or stress, regardless of whether the employee sustains injury.” Use of firearms are reportable even if there is no injury.

Training: Initial training when the plan is first established and to all new employees or those given new job assignments and at least once a year to employees and supervisors.

Recordkeeping: Would include records of violence hazard identification, evaluation and correction, plus reports of violent incidents, and training.



AWARD WINNING Cal-OSHA Reporter[®]

CREDIBLE AUTHORITY TRUSTWORTHY

March 20, 2015 Vol. 42 No. 11 www.cal-osha.com Since 1973

Leg Analyst: Increase Cal/OSHA Staffing, Require Better Outcomes

Cal/OSHA's quest to increase its staffing got a major boost with a March 13 report from California Legislative Analyst Mac Taylor. Taylor agrees with the governor's budget proposal that would fund 34 new inspection positions and 10 other additional legal and support staffers.

But that support comes with conditions. Taylor says Cal/OSHA and the Department of Industrial Relations need to better target high-hazard businesses to ensure the new funding is well spent, a proposed "assistant district manager" program should be extended to the High-Hazard Unit and the increased staffing should be tied to "broader Cal/OSHA outcomes" instead of inspection output.

The report also suggested that the Division of Occupational Safety and Health "take steps to improve the productivity" of its inspectors.

The proposed budget would add 44 positions phased in over two years, at \$4.6 million in special funds for 2015-16 and \$7.1M ongoing. These increases would result in about 1,400 additional inspections per year, almost half of them involving high-hazard industries. The funding comes from an assessment (a tax by any other name) on employers' workers' comp premiums known as the Occupational Safety and Health Fund.

The report points out that DOSH is not meeting some state and federal mandates, including:

- Failure to meet timelines for responding to formal complaints, both serious and non-serious;
- Performing only 49 of a required 231 follow-up inspections for worksites that had been cited for serious violations;
- Failure to perform sufficient inspections prior to issuing permits for high-risk activities such as deep trenching and demolition (such inspections are not legally required, but are considered prudent);
- Having a citation rate for serious violations that is significantly below the federal average;

LAO on Cal/OSHA continued on page 11121

Rates of Fatal and Nonfatal Occupational Injuries

Incidents Per 10,000 Full-Time Workers

	2011	2012	2013
California			
Nonfatal injuries and illnesses involving days away from work	121.7	123.6	124.0
Fatalities	0.4	0.3	0.3 ^a
United States			
Nonfatal injuries and illnesses involving days away from work	116.4	111.8	109.4
Fatalities	0.5	0.4	0.4 ^a

^a Data are preliminary.

LAO Chart

Two Workers Killed in Past Week

The latest workplace fatality investigations begun by the Division of Occupational Safety and Health involve a worker who was caught in a piece of machinery and another who fell to his death after mistakenly stepping on a conveyor.

The first incident was on March 12 in Livingston, near Modesto, involving an employee of Dan Avila & Sons. While working on a spreader/seeder, the man's loose clothing caught on cotter pins and he was pulled into the machine. Entangled and unable to breathe, the worker was killed.

The next day, an employee of O&S Contractors in Quincy, in the northern Sierra Nevada mountains, accidentally stepped onto the wrong conveyor, which carried him to the top of large machine, causing him to fall 20 feet. He was transported to a Chico hospital by helicopter, but succumbed to his injuries.

IN THIS ISSUE

NEWS

00-11117 to 00-11122

- Cal/OSHA Warns on Non-Standard Boilers
- Firefighter Foot Protection Proposal Modified
- Inspections Down, Serious Violations Up
- Job Openings

DECISIONS

40-7211 to 40-7212

- Victory Screen Printing

It is 5,101 days since our last lost-time accident.

LAO on Cal/OSHA

continued from page 1117

- Having a “relatively long” lapse time between the opening of an inspection and issuance of citations or a decision not to cite.

“We find that the concerns raised by the Governor are valid, and that the additional positions proposed ... would enable Cal/OSHA to meet state requirements that are currently not being met and at least partially address federal OSHA concerns,” Taylor says, in recommending that the legislature approve the new positions.

Expand Assistant DMs

DOSH wants to create 16 new positions – assistant district managers – who also would have inspection responsibilities. This is a job classification that does not currently exist in Cal/OSHA. The theory is that they would help improve timeliness in the inspection process by having more personnel to approve citations, handle appeals and manage inspector workloads.

But Assistant DMS are not currently envisioned for the High Hazard Unit, and considering the expanded role DIR wants for the unit, the LAO wonders why not. “It is unclear to us at this point why the need for increased management-level inspectors in Cal/OSHA more broadly ... would not apply” to the High Hazard Unit. The legislature should consider replacing some of the positions proposed for the unit with assistant DMs, the LAO says.

Taylor also suggested that DOSH could better target establishments for high-hazard inspections, including use of workers’ comp claims data and federal data on injuries and illnesses. “We think it would be beneficial for the Legislature to require Cal/OSHA to justify how its current targeting practices would allow for the cost-effective use of the proposed 14 additional inspectors for high-hazard industries,” the report states.

Select Cal/OSHA Requirements in State Law

- Must investigate formal complaints made by employees or their representatives. Investigations into formal complaints of serious violations must begin within 3 working days, while investigations into formal complaints of nonserious violations must begin within 14 calendar days.
- Must reinspect at least 20 percent of business establishments with a serious violation.
- Must have a “high-hazard industry” inspection program that prioritizes planned inspections in industries with relatively high rates of workplace injury and illness.
- Must issue permits before certain high-risk projects can be undertaken (such as excavation of deep trenches, construction of tall structures, underground use of diesel engines, and others).
- Must dedicate certain budgetary resources for activities related to the Labor Enforcement Task Force, which targets coordinated enforcement activities of multiple state agencies, including Cal/OSHA, in business establishments participating in the “underground economy.”

Cal/OSHA Budget

(Dollars in Millions)

	2015	2016	2017	Change	%
Funding					
Federal funds	\$31.3	\$36.5	\$36.4	-\$0.1	... ^a
Occupational Safety and Health Fund	52.8	61.5	68.0	6.5	11%
Elevator Safety Account	21.2	23.1	27.4	4.3	19
Other special funds	8.5	9.8	9.8	-0.0	—
Totals	\$113.8	\$130.9	\$141.7	\$10.8	8%
Positions	650.8	727.9	779.9	52.0	7%

^a Less than 0.5 percent.

DOSH plans to increase its high-hazard inspections by 165%, from slightly under 400 per year to more than 1,000 over the next couple of years.

LAO also suggested that Cal/OSHA inspectors could make more efficient use of their time. In 2012, compliance officers conducted an average of 43 inspections for the year, versus a federal average of 50. “We think it is important, as the Legislature considers approving additional inspection staff for Cal/OSHA, for Cal/OSHA to take steps to improve the productivity of Cal/OSHA inspectors,” and report its progress to the Legislature, the analyst says.

‘Broader Outcomes’

In return for additional personnel, LAO recommended that DIR report on the impact the new Cal/OSHA positions are having on enforcement, such as improved compliance, the rate of serious violations from different types of inspections versus the federal benchmark, the success of DOSH’s high-hazard targeting methodology and the extent to which existing state requirements “may hinder Cal/OSHA’s ability to effectively allocate enforcement resources.”

Coupling new staff to “output,” such as the number of inspections conducted, may not be the optimal use of resources, LAO says. “Increasing the number of inspections per business establishment to equal the national average may or may not have a meaningful effect on the rate of occupational injury and illness,” he says. Instead, the agency should use those resources on activities “with the greatest likelihood of leading to improved compliance.”

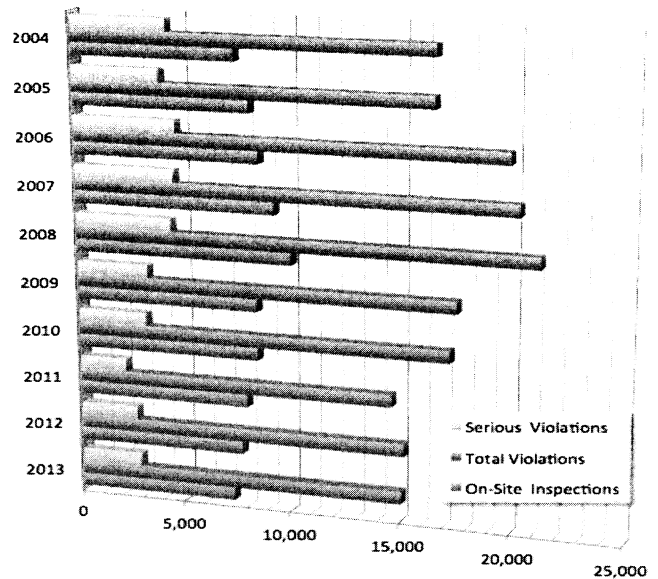
Asked for comment about the report, Department of Industrial Relations Director Christine Baker tells Cal-OSHA Reporter, “We appreciate being able to work with the Legislative branch on evaluating and identifying methods to be as effective as possible.”

The proposal actually revises GISO §3411, and applies to private fire brigades only, because the board is concerned that making it applicable to all structural firefighting operations will run it afoul of legal precedence stating that local fire districts do not have to comply with reimbursable state mandates.

Fed-OSHA's concern is that the NFPA reference doesn't include Chapter 6 of the NFPA standard, which discusses the sole-penetration requirements for foot protection and which also makes reference to the American Society of Testing Materials F-2413 standard.

The revision includes the reference Chapter 6.10. [Click here](#) to see the revised proposal. Send comments by 5 p.m. on March 26 to the Standards Board, 2520 Venture Oaks Way, Suite 350, Sacramento, CA 95833; fax, 916-274-5743; or email oshsb@dir.ca.gov.

DOSH Inpections and Violations, 2004-2013



Fewer DOSH Inspections; Serious Cites Increase

The Division of Occupational Safety and Health conducted some 350 fewer onsite inspections in 2013 versus 2012. The number of violations cited were nearly the same as the previous year, but serious violations were up to the highest level since 2010.

Meanwhile, statistics for the first half of 2014 show trends that if hold, will mean similar performance – fewer onsite inspections, but steady, possibly higher violations and more serious violations.

In 2013, the Division conducted just over 7,300 inspections at California workplaces, down about 5% from 2012's 7,720. Those inspections yielded 15,021 alleged Title 8 violations, which is slightly below 2012's 15,148.

But serious cites were up 6%, to 2,819, a rate of 19%. The rate at which Cal/OSHA cites employers for serious violations has spurred criticism from Fed-OSHA, which says the rate should be much higher. Even by Cal/OSHA's standards the rate is low, as our accompanying chart shows. For instance, in the mid-2000s, the percentage was in the mid 20s.

Among the major industrial sectors Cal/OSHA tracks, manufacturing continues to show the highest rate of serious. In 2013 it was 27% and is showing a similar rate for

	On-Site Inspections	Accident Related	Complaint Related	Programmed Inspections	Total Alleged Violations	Alleged Serious	% Alleged Serious
Agriculture	1,093	240	194	305	1,817	295	16%
Mineral	210	27	9	158	185	42	23%
Extraction							
Construction	2,163	514	406	513	4,224	766	18%
Manufacturing	1,007	391	296	220	3,367	902	27%
Transportation/	502	193	209	43	997	180	18%
Public Utilities							
Wholesale Trade	215	97	75	28	662	110	17%
Retail Trade	501	123	268	82	1,092	121	11%
Financial/	90	20	48	3	172	25	15%
Real Estate							
Services	1,323	366	517	270	2,291	346	15%
Public Admin.	222	76	121	2	214	32	15%
Totals	7,327	2,047	2,143	1,624	15,021	2,819	19%

Source: DOSH Program Office

	On-Site Inspections	Accident Related	Complaint Related	Programmed Inspections	Total Alleged Violations	Alleged Serious	% Alleged Serious
Agriculture	406	127	110	62	578	112	19%
Mineral	144	22	9	110	173	20	12%
Extraction							
Construction	1,279	271	209	325	2,565	476	19%
Manufacturing	589	208	161	151	1,951	498	26%
Transportation/	232	100	99	6 390	56	14%	
Public Utilities							
Wholesale Trade	134	51	44	21	283	60	21%
Retail Trade	251	66	140	25	546	66	12%
Financial/	36	10	15	1	104	10	10%
Real Estate							
Services	629	183	238	96	1,443	196	14%
Public Admin.	124	39	78	0	88	4	5%
Totals	3,824	1,077	1,103	797	8,121	1,498	18%

Source: DOSH Program Office

2014. Even construction and agriculture, traditionally two of the most hazardous industries, are being cited at a much lower serious rate.

If the 2014 trends continue, DOSH will conduct about 7,600 on-site inspections, cite more than 16,000 violations, with a serious rate of about 18%.

Moreover, inspections are down to the lowest levels in a decade and so are violations.

The steady drop in Cal/OSHA inspections since about 2008 is attributed to personnel cutbacks triggered by the economic meltdown. A report issued on March 13 by the California Legislative Analyst's Office underscored federal and gubernatorial concerns that DOSH is not conducting sufficient inspections, is understaffed and is not issuing enough serious violations. (See separate story, p. 11117.)

The governor's budget for 2015-16 provides for 40 new enforcement positions, plus other non-enforcement support positions.

Employers, Cal/OSHA Settle Cases

Among the dozens of settlements agreed to by employers and the Division of Occupational Safety and Health, and approved by the Appeals Board, are a number of cases involving fatalities and serious injuries that have been chronicled in the pages of *Cal-OSHA Reporter*. Here are the results of those settlements.

Tesla Motors: This manufacturer of electric cars has agreed to pay \$71,000 of a proposed \$89,000 in a November 2013 incident at its Fremont plant that sprayed three workers with molten aluminum.

DOSH cited Tesla for six serious and two general violations in the case. The Division agreed to withdraw one of the serious violations as redundant.

The incident occurred because a die-casting machine used to make the high-end automobiles had a defective safety interlock, DOSH said, and a crew failed to follow proper procedure.

The three workers were attempting to change a seal in the holding furnace of the machine, which contains molten aluminum. The chamber was opened prior to releasing pressure in the unit, the Division said. The broken interlock bar allowed the workers to open the lid without first releasing the air pressure.

The most serious allegations (with \$18,000 proposed penalties each) were cited under General Industry Safety Orders §3314(c), for failing to release the air pressure; §3314(j)(1) for failing to train the workers on Tesla's hazardous energy control program; §3328(g) for failing to maintain the machine in safe operating condition; and §3328(c) for failing to prevent the employees from using the machine while it had a defective

interlock bar.

DOSH dropped the §3328(c) violation as a "further instance" of the §3328(g) violation. All the other violations and penalties were affirmed as part of the settlement.

Golden Link Plastic: This Oakland employer will pay about one-sixth of a proposed \$29,970 in connection with the January 2013 death of a mechanic who was attempting to repair a forklift.

Two of the most serious charges in the case were reclassified to general violations due to lack of employer knowledge of the violative conditions, according to the settlement.

The mechanic had raised the forklift on another industrial truck, but the lift under repair fell off the forks and crushed the worker.

The reclassified citations included one under GISO §3664(e), for failure to make arrangements to reduce the possibility of injury due to sudden movement of the forklift; and failure to ensure use of lockout/tagout procedures, including blocking and jacking. Both violations now come with \$335 penalties, from a proposed \$12,600 each.

Golden Link will pay a total of \$5,050.

Menzies Aviation: DOSH and this aviation company at Los Angeles International Airport have reached a partial settlement of citations issued after complaint-based inspections, worth a proposed \$94,550.

Still at issue is an alleged willful violation and \$70,000 penalty under GISO §3659(a). DOSH alleges that employees were using a platform attached to a high-lift industrial truck to raise and lower themselves while breaking down pallets. DOSH alleges that Menzies knew of the hazard and allowed workers to continue using the platform.

On the other violations cited in the inspection, Menzies will pay \$21,850 of a proposed \$24,550.

Brinderson Constructors: This refinery contractor will pay \$7,000 of a proposed \$13,500 for two serious violations in a March 10, 2014, incident at the Tesoro Golden Eagle Refinery near Martinez. Two Brinderson employees were sprayed with acid while cutting into an isolated two-inch line in an alkylation unit.

In addition to DOSH, the U.S. Chemical Safety and Hazard Investigation Board investigated the incident. The two serious violations issued in the case involve the use of personal protective equipment under GISO §3380. One of them was reclassified to general based on insufficient evidence to prove a realistic probability of serious physical harm, and the \$6,750 penalty reduced to zero.

The other PPE violation also was reclassified, but the \$6,750 penalty was increased to \$7,000.

AWARD WINNING Cal-OSHA Reporter®

CREDIBLE AUTHORITY TRUSTWORTHY

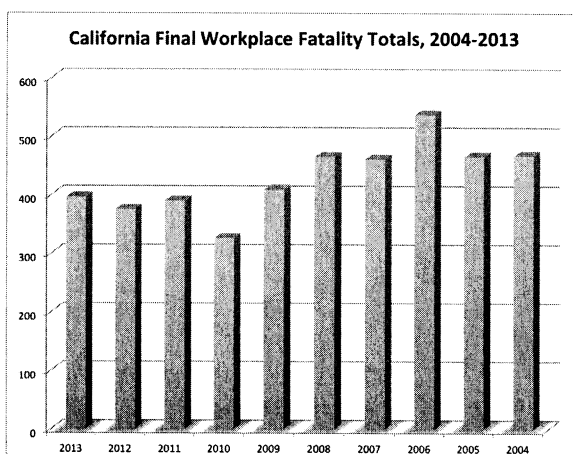
May 1, 2015 Vol. 42 No. 17 www.cal-oshha.com Since 1973

California: Highest Workplace Fatalities Since 2009

The final tally for California workplace deaths was 396 according to the 2013 Census of Fatal Occupational Injuries (CFOI) – a 3% increase over the preliminary total Cal/OSHA released last fall. Overall there were 21 more fatalities in California in 2013 as the state posted its highest fatality total since 2009.

A total of 4,535 workers nationwide suffered fatal occupational injuries in 2013

Nationwide, however, California's share of fatal workplace incidents declined. California accounted for 8.6% of the 4,585 fatalities recorded in 2013 compared to 12.3% of the 4,628 reported in 2012. The nationwide total is the second lowest recorded since 1992, according to the US Bureau of Labor Statistics.



Nearly all major industrial sectors saw increases over the 2012 tallies with the largest increases reported in administrative and waste service operations, which includes landscaping, as well as in manufacturing. Fatalities in the administrative and waste services sector increased 57% to 44 cases last year, while manufacturing was up 25% to 44 cases.

Across all industries exposure to harmful substances or environments accounted for nearly all of the overall increase in fatalities. In 2012 this exposure accounted for 23 deaths, but in 2013 the total climbed to 39 fatalities. Transportation accidents continued to be the most common cause of death with 128 incidents followed by

Fatalities continued on page 11158

Two DOSH Investigations Resulting From Accidents Last Week

A natural gas pipeline exploded April 17th after being hit by a county employee who was driving a front-end loader. The accident took place near a gun range operated by the Fresno County Sheriff.

Thirteen people were injured as the result of the explosion and the ensuing fire. Injured included two deputies and a number of inmates working on a crew. The driver, Ismael Arreazola, suffered severe burns and reportedly is in critical condition. It is undetermined if the county called the state's underground 811 pipeline unit in advance.

**Know what's below.
Call 811 before you dig.**

The 811 or One Call Center provides a free service for homeowners, excavators and professional contractors. When you call 811, a utility representative will locate and mark underground utility lines, so you can dig, landscape, plant, trench or grade safely.



PG&E reports the investigation is going well. The explosion remains under investigation by Fresno County Sheriff's Office and Fresno Fire Department, as well as the California Public Utilities Commission, PG&E, and DOSH.

DOSH's Van Nuys district office reported an incident involving an employee with Del Sol Harvesting, Inc. occurring in Fillmore. The employee was found unconscious in a portable bathroom and sent to a hospital. The employee never regained consciousness, and the family removed the life support. DOSH says it plans to investigate.

IN THIS ISSUE

NEWS

00-11157 to 00-11162

- VPP Safety Culture
- SMART Watch Dangers
- Job Openings

SAFETY AIDS

62-211 to 62-212

- Forklift Safety

DECISIONS

40-7219 to 40-7222

- Lara Labor Contractors
- National Distribution Centers, LP
- PDM Steel Service Centers, Inc.

It is 5,142 days since our last lost-time accident.

Fatalities

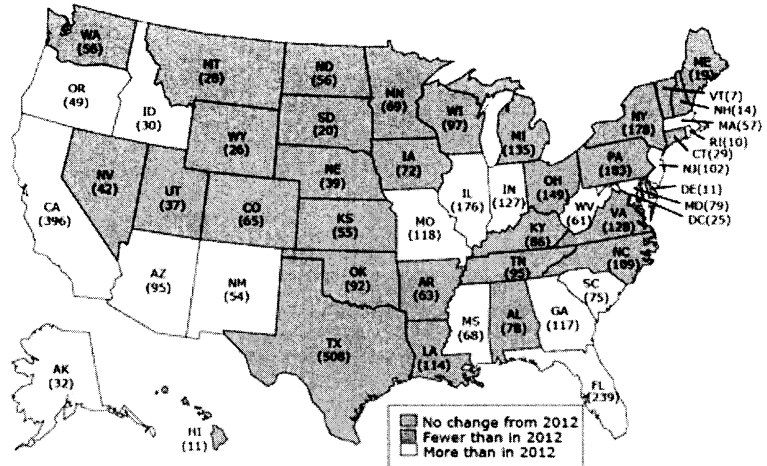
continued from page 11157

acts of workplace violence at 80 deaths.

On a state-by-state basis California again trailed only Texas in the overall number of workplace fatalities with the Lone Star state reporting 508 fatalities. Florida had the third most with 239. Overall, 18 states including California reported more workplace fatalities in 2013 than they did in 2012 (see map).

The release of the final CFOI data came as safety advocates were preparing to observe the annual Workers' Memorial Data, which is designed to bring attention to workplace safety issues. The California data is particularly troubling this year due to a sharp increase in the rate of deaths involving Hispanic or Latino workers. In 2012 there were 2.3 deaths per 100,000 Latino workers, but this climbed to a rate of 3.2 per 100,000 in 2013. Overall there were 194 fatalities involving Hispanic or Latino workers in 2013 compared to 137 in 2012 – a 42% increase.

Number of fatal work injuries, by state, 2013



Eighteen states and the District of Columbia had counts showing more fatal injuries in 2013 than in 2012. Twenty-eight states had fewer fatal workplace injuries in 2013 compared to 2012. Four states saw no change between the two years.

2013 California Fatalities by Industry, Final Totals							
	Total	Violence	Transportation Incidents	Fires and Explosions	Falls, Slips, Trips	Harmful Exposure	Contact with Objects & Equipment
All Sectors	396	80	138	9	64	39	65
Agriculture, Forestry & Fishing	30	5	9	N/A	N/A	4	10
Mining	3	N/A	N/A	N/A	N/A	N/A	N/A
Construction	61	7	13	N/A	22	8	10
Manufacturing	35	5	16	N/A	4	N/A	9
Wholesale Trade	23	3	10	N/A	4	3	3
Retail Trade	27	19	N/A	N/A	N/A	N/A	N/A
Transportation & Warehousing	66	5	37	N/A	7	4	13
Information	4	N/A	N/A	N/A	N/A	N/A	N/A
Professional & Business Services	50	4	17	N/A	12	6	11
Administrative & Waste Services	44	4	12	N/A	12	6	10
Education & Health Services	13	6	3	N/A	3	N/A	N/A
Arts, Entertainment, Recreation	7	N/A	3	N/A	N/A	N/A	N/A
Accommodation and Food Service	12	6	N/A	N/A	N/A	N/A	N/A
Government	46	15	15	6	3	3	4



News Desk 916-276-7704
 News Desk Facsimile 707-664-8749
 Main Office 916-774-4000
 Main Office Facsimile 916-596-2167
 Publisher J Dale Debber
 Editor Kevin Thompson
 Digest Editor Richard Waldinger
 Art and Web Production Maria Galvez
 Subscription and Fulfillment Stephanie Jakubowski

© 2015 Providence Publications, LLC All Rights Reserved

Cal-OSHA Reporter (ISSN 1054-1209) Published weekly, 48 times per year, except for two weeks each in July and December/January, by Providence Publications, LLC. Licensed under a site license with pricing based upon the terms and conditions found on our website. Copyright 2012 Providence Publications, LLC. All rights reserved.

Copyright 2014 Providence Publications, LLC. All rights reserved. **Cal-OSHA Reporter** is the trademark and dba of Providence Publications, LLC.

The publisher has made every effort to ensure the accuracy of information published in each issue. Opinions on financial and legal matters are those of the publisher and others; professional counsel should be consulted before any action or decisions based upon this material is taken.

No part of this material may be reproduced or transmitted in any form or by any means, electronic, optical, mechanical, or otherwise, including photocopying or recording, satellite or facsimile transmission, or in connection with any information, image or object, storage or retrieval system without written permission from **Cal-OSHA Reporter**. Reprint price quoted upon request.

News items or corrections are welcome and may be submitted by phone or fax, or by mail.

Most Cited & Most Appealed California Safety Standards, 2014

Injury and Illness Prevention Program violations – alleged, that is – continue to be the most cited Title 8 safety orders, according to statistics recently released by the Division of Occupational Safety and Health. There are an estimated 3,000 Title 8 standards that Cal/OSHA can cite under.

Final citation statistics for 2014 were not available at press time, but if recent trends are an indication, they will have been in the range of 15,000 alleged violations. The 25 most-cited standards represent 9,522 alleged violations, nearly 2/3 of the total. Seven of the top 25 most cited violations were among the most appealed standards, including reporting fatalities and serious injuries; table saws; abrasive wheels; prime movers; guardrails at elevated locations; industrial trucks; and machinery and equipment. See the accompanying charts.

In fact, there wasn't much change between 2013 and 2014 in the top 25 list. There were four new entries, including bloodborne pathogens (GISO §5193); personal fall arrest systems (CSO §1670); guardrails at elevated locations (CSO §3210); and table saws (GISO §4300.1).

Among the most appealed citations, failing to report a fatality or serious injury, or reporting after the mandatory 8-hour deadline, §342(a) took the top spot. Section 342s were appealed almost 75% of the time last year, slightly higher than the year before.

In the top five most-cited standards, all showed increases in citation count over 2013, except for §342(a), which dropped slightly. The two IIPP standards, GISO §3203 and CSO §1509, accounted for 2,773 citations last year.

The 24th-most cited standard, the table saws regulation, had the distinction of having the highest rate of serious characterization among the top 25. Almost 83% of the 116 violations cited by DOSH last year were classified serious. Among the top five most cited, the lockout/tagout standard, GISO §3314, had the highest serious rate, at 34%.

Two construction standards, personal fall arrest systems and metal scaffolds (CSO §1644), also had high serious rates, at 68% and 56%, respectively.

Twenty-Five Most Frequently Cited T8 CCR Standards in CY 2014

Standard	Description	Total Violations	Serious Violations	Percent Serious
3203	Injury and Illness Prevention Program	1723	86	5.0
3395	Heat Illness Prevention	1599	92	5.8
1509	Construction Injury and Illness Prevention Program	1050	20	1.9
3314	Clean, Repair, Service, Set-up and Adjust Prime Movers, Machinery and Equipment	554	189	34.1
342	Reporting Work Fatality or Serious Injury	470	1	0.2
5144	Respiratory Protection	374	9	2.4
5194	Hazard Communication	364	1	0.3
1512	Construction: Emergency Medical Services	329	3	0.9
6151	Portable Fire Extinguishers	299	1	0.3
3276	Portable Ladders	270	65	24.1
461	Permits to Operate Air Tanks	268	0	0.0
2340.16	Work Space About Electric Equipment	236	0	0.0
3457	Field Sanitation	210	8	3.8
5162	Emergency Eyewash and Shower Equipment	200	43	21.5
3650	Industrial Trucks: General Requirements	191	47	24.6
3328	Safe Practices, Personal Protection: Machinery and Equipment	177	40	22.6
3668	Powered Industrial Truck Operator Training	165	8	4.8
1527	Washing Facilities, Food Handling and Temporary Sleeping Quarters	152	0	0.0
3577	Use, Care, and Protection of Abrasive Wheels: Protection Devices	151	71	47.0
5193	Bloodborne Pathogens	139	36	25.9
1670	Personal Fall Arrest Systems, Personal Fall Restraint Systems and Positioning Devices	128	87	68.0
1644	Metal Scaffolds	121	68	56.2
3210	Guardrails at Elevated Locations	121	43	35.5
4300.1	Table Saws (Manual Feed)	116	96	82.8
3241	General Physical Conditions and Structures: Special Design Requirements, Live Loads	115	19	16.5
Total		9,502	1,033	11%

Note: "Serious" includes Serious, Willful, and Repeat Violations

Ten Most Appealed Title 8 Standards During CY 2014

Standard	Description	Total Violations	Percent Appealed
342	Reporting Work Fatality or Serious Injury	470	73.6%
4002	Moving Parts of Machinery and Equipment	89	73.0%
4300.1	Table Saws (Manual Feed)	116	70.7%
3578	Permissible Abrasive Wheel Exposure, for Periphery Grinding	106	64.2%
3577	Use, Care, and Protection of Abrasive Wheels: Protection Devices	151	63.6%
3314	Clean, Repair, Service, Set-up and Adjust Prime Movers, Machinery and Equipment	554	62.8%
4070	Belt and Pulley Drives, Guarding	111	60.4%
3210	Guardrails at Elevated Locations	121	54.5%
3650	Industrial Trucks: General Requirements	191	54.5%
3328	Safe Practices, Personal Protection: Machinery and Equipment	177	54.2%
Total		2,086	63%

Cal/OSHA Inspection Trends — A Rise Portended?

California’s Division of Occupational Safety and Health conducted slightly more on-site inspections in 2014 than 2013 – about 1%. But it cited employers for 10% more violations, according to statistics just released by the agency.

There is no question that Cal/OSHA inspections have been on a general downtrend for several years. Serious and general violations cited have been nowhere near the 21,000-plus reported in 2008 when Len Welsh was Chief.

The reason, of course, has been Cal/OSHA’s diminished inspection force. In the years following 2008 the budget was cut due to the general economic downtrend.

Violations cited as serious also have been decreasing since a decade ago, when 25% of violations were cited as serious. The 2014 percentage was 18%, slightly down from 2013. But there actually were more serious violations cited last year versus 2013, 2,944 to 2,819.

DOSH conducted a total of almost 7,550 on-site inspections last year, from 7,327 in 2013. Among those inspections were 151 more accident-based inspections and 33 more programmed inspections, but 93 fewer complaint-based inspections.

Those inspections led to 1,526 more cited violations from the 15,021 in 2013. Those cited as serious rose 125, to 2,944.

Among the major industrial groups, construction saw by far the most inspections, at 2,449, a rise of 286 from 2013. Programmed inspections rose 25%, while accident-based inspections rose 10%. Construction complaint inspections decreased slightly.

Services, the second-most inspected sector, saw its inspections decrease by six, to 1,317, but its alleged violations rise by about 19%, to 2,719, including an 8% rise in serious violations. Services saw decreases in complaint-based and programmed inspections, but a 15% increase in accident inspections.

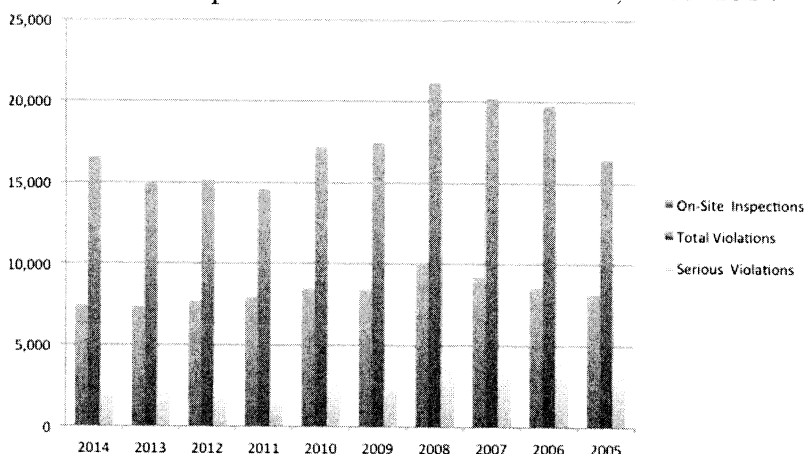
Manufacturing had the third most inspections. They rose about 20%, to 1,208, while violations rose 25% to 4,127. Serious violations rose 11%. Inspection and violation increases in this industry were fueled by rises in accident (+15%) and programmed inspections (+50%).

In agriculture, traditionally one of California’s most hazardous industries, both inspections and violations were down significantly. Cal/OSHA conducted 290 fewer onsite inspections on farms in 2014 (-27%), while citing employers for 390 fewer violations than in 2013 (-21%). Those figures were likely due to the 56% decrease in programmed inspections, from 305 in 2013 to 135 last year. Both accident and complaint inspections were up slightly.

DOSH conducted about one-third fewer heat-related inspections in agriculture than in 2013 (713, versus 1,018.)

As DOSH continues to add new inspectors, the occupational safety and health community should see both inspections and violations continue to rise. Fed-OSHA is putting pressure on the Division to ramp up inspections, especially in the most hazardous industries, and also has criticized the agency for what it says is a rate of serious violations that is much lower than Fed-OSHA and other state jurisdictions.

DOSH Inspection and Violation Trends, 2005-2014



DOSH On-Site Inspections and Violations Cited, Major Industrial Groups, Total, 2014

	On-Site Inspections	Accident Related	Complaint Related	Programmed Inspections	Total Alleged Violations	Alleged Serious	% Alleged Serious
Agriculture	803	253	213	135	1,427	220	15%
Mineral Extraction	330	37	15	270	358	37	10%
Construction	2,449	565	403	644	5,290	965	18%
Manufacturing	1,208	451	289	330	4,127	1,000	24%
Transportation/ Public Utilities	424	177	182	196	724	99	14%
Wholesale Trade	225	95	75	25	598	114	19%
Retail Trade	419	114	228	39	964	96	10%
Financial/ Real Estate	66	18	30	1	172	19	11%
Services	1,317	421	498	194	2,719	375	14%
Public Admin.	205	67	119	0	168	19	11%
Totals	7,449	2,198	2,050	1,657	16,547	2,944	18%

Source: DOSH Program Office

- **Maryann Efron**, promoted to district manager for the PSM Unit in Southern California; and
- **Jovic Tirona**, transferred to the PSM Unit as Principal Safety Engineer.

Other DOSH promotions include:

- **Ai Phung**, as staff services analyst and coordinator for the OSHA Information System on LETF and PSM;

- **Karen Crank**, as staff services analyst and OIS coordinator for the High Hazard Unit; and
- **Vicky Albano**, senior safety engineer for LETF.

DOSH also announces that it is working to hire 16 senior safety engineers and 18 associate safety engineers to conduct enforcement inspections.

Here's the High-Hazard List — Are They Coming For You?

Cal/OSHA's annual list of the highest-hazard industries includes many sectors that regularly appear on the list, plus new names for this year. In total, they represent more than 20,000 establishments and more than 600,000 workers.

To make the high-hazard list, and get in Cal/OSHA's cross-hairs, an industry must have a days away, restricted duty or transfer (DART) rate that exceeds 200% of the industry average.

This year, the target rate is 4.2, the same as last year. The Division of Occupational Safety and Health uses the list to target employers for programmed inspections. The Cal/OSHA Consultation Service also uses the list to offer services to employers.

The industry with the highest DART rate on the 2015-16 list is leather and allied product manufacturing, at 6.8. That industry employs 3,313 workers at 161 establishments. The accommodation industry has by far the largest number of workers in industries on the list. At 206,043 workers across some 6,000 establishments, it has a DART rate of 4.6.

Waste treatment and disposal, with 313 establishments and 12,265 workers, has a DART rate of 6.6, while waste management and remediation services, with 1,885 establishments and 44,517 workers, had a rate of 4.8.

Eight of the 20 sectors on this year's list were also on the 2015-15 list: greenhouse and nursery production; framing contractors; animal slaughtering and processing; Ferrous metal foundries; air transportation; couriers and messengers; warehousing and storage; and accommodation.

The 20 industries on the list represent 20,167 establishments and 604,232 workers.

A DOSH memorandum obtained by *Cal-OSHA Reporter* suggests that the High-Hazard Unit will be stepping up efforts to conduct inspections and follow-ups before the federal fiscal year ends. In the

memo, manager Wende Carleson points out that as of August 3, the unit had conducted 309 of federally mandated goal of 350. "We still need to open 41 inspections between both [HHU] offices by the end of September in order to achieve the goal established," she said. "Please encourage everyone to put forth a concerted effort to open up inspections including follow ups so we can try to reach this goal."

FFY 2015 – 2016 HIGH HAZARD INDUSTRY LIST

Industry Group	NAICS	Industry Activity	DART	Establishments	Employees
Agriculture	1114	Greenhouse and Nursery Production	4.6	1004	27178
	112	Animal Production and Aquaculture	5.2	2601	28288
Construction	23813	Framing Contractors	4.5	672	13407
Manufacturing	31161	Animal Slaughtering and Processing	5.1	308	21690
	31211	Soft Drink and Ice Manufacturing	6.5	167	12417
	314**	Textile Product Mills	4.4	607	8653
	316	Leather and Allied Product Manufacturing	6.8	161	3313
	32111	Sawmills and Wood Preservation	5.0	77	4010
	3219*	Other Wood Product Manufacturing	4.5	786	14327
	3272	Glass and Glass Product Manufacturing	5.8	232	(7592) 6879
	33151	Ferrous Metal Foundries	4.3	85	3515
	3362	Motor Vehicle Body and Trailer Mfg	4.3	146	4599
	3379**	Other Furniture Related Product Mfg	5.4	130	3828
Retail Trade	4412**	Other Motor Vehicle Dealers	4.9	1056	11290
Transportation and Warehousing	481**	Air Transportation	5.1	499	43755
	492	Couriers and Messengers	5.7	1656	58840
	493	Warehousing and Storage	4.3	1683	75418
Waste Management	562**	Waste Management and Remediation Service	4.8	1885	44517
	5622**	Waste Treatment and Disposal	6.6	313	12265
Accommodation and food services	721**	Accommodation	4.6	6099	206043

This list was established pursuant to Labor Code 6401.7(e)(3)(A). The private sector average "DART" (Days Away, Restricted and Transferred) rate in 2013 was 2.1. Cal/OSHA's High Hazard Industry threshold is >200% of the private sector average, or >4.2.

* Within the "Other Wood Product Manufacturing" industry group listed above (NAICS code 3219), the millwork industry (NAICS code 32191) will not be targeted because its DART rate is 2.7, which is ≤200% of the private sector average.

** Within other industry groups and industry subsectors listed above, the following individual industries are exempt from Cal/OSHA programmed inspections because they are exempt under the federal Appropriations Act.

314121	Curtain and Drapery Mills	481219	Other Nonscheduled Air Transportation
314911	Textile Bag Mills	562211	Hazardous Waste Treatment and Disposal
337920	Blind and Shade Manufacturing	562213	Solid Waste Combustors and Incinerators
441210	Recreational Vehicle Dealers	562910	Remediation Services
481211	Nonscheduled Chartered Passenger Air Transportation	721191	Bed-and-Breakfast Inns
481212	Nonscheduled Chartered Freight Air Transportation	721199	All Other Traveler Accommodation

CFOI: Latino Workplace Fatalities Appear to Be Down Significantly

Preliminary data on California workplace fatalities for 2014 show what could be a sharp drop overall, and an encouraging relative decrease among Hispanic/Latino workers.

In the 2013 Census of Fatal Occupational Injuries (CFOI), this ethnic group accounted for basically half of all California fatalities – 194 out of 396. The 2014 total for all workers was 334, of which 127 were among Hispanic/Latino workers – 38%. Caucasian workers suffered the highest percentage of fatalities at about 43%

The fatality tally will likely change when the finals are announced next spring, and typically, they increase. But even a relatively significant increase would still show a total well below the 2013 final.

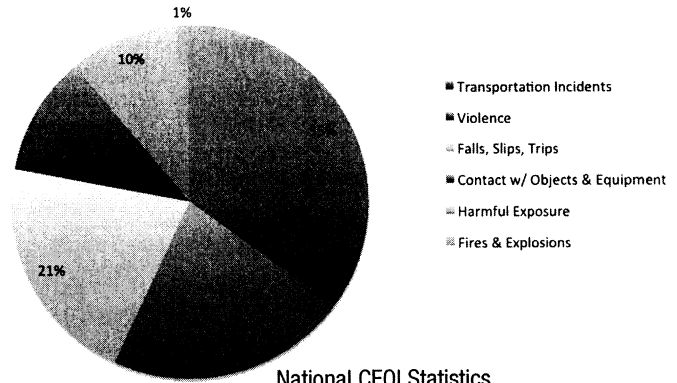
Nationally, the CFOI count was 4,679, a preliminary increase of 2% over the 2013 final of 4,585. Deaths among Hispanic/Latino workers also fell nationwide, but at a much lower rate than in California. The count was 789, from the 2013 final of 817 (-3%). But the federal Bureau of Labor Statistics, which compiles the data, says that fatalities rose among Caucasians, African Americans and ethnic Asian workers.

The California fatality trend has been generally downward since the late 1990s, with some upward movement in the mid-2000s and a slight rise after the Great Recession eased in 2010. The 2014 total, if it stays close to 334, would be lowest since 2010, and one of the lowest ever.

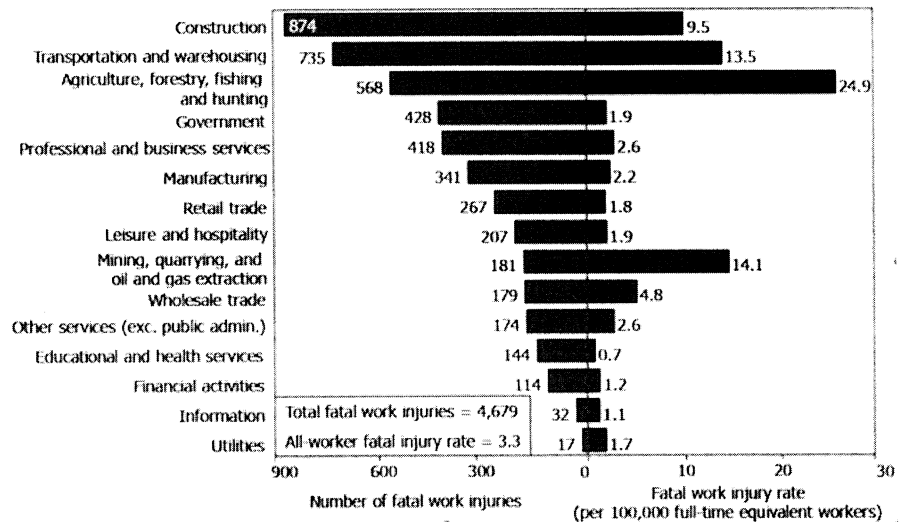
More than one-third of the fatalities last year were in transportation, traditionally one of the most hazardous sectors. The next-highest fatality source was acts of violence, which accounted for 22% of the deaths, followed by falls, slips and trips, at 21%.

The most hazardous sector in California was trade, transportation and utilities, accounting for 88 fatalities. Construction accounted for 47 deaths, according to the preliminary count.

2014 California Fatalities by Source



National CFOI Statistics



2014 California Fatalities by Industry, Final Totals

	Total	Violence	Transportation Incidents	Fires and Explosions	Falls, Slips, Trips	Harmful Exposure	Contact with Objects & Equipment
All Sectors	334	72	116	3	69	34	37
Agriculture, Forestry & Fishing	26	4	14	N/A	N/A	N/A	4
Natural Resources & Mining	27	4	14	n/a	3	n/a	4
Construction	47	3	8	n/a	21	10	5
Manufacturing	19	4	6	n/a	n/a	n/a	5
Trade, Transportation & Utilities	88	17	45	n/a	9	6	9
Wholesale Trade	9	n/a	n/a	n/a	n/a	n/a	4
Retail Trade	16	8	n/a	n/a	4	n/a	n/a
Transportation & Warehousing	62	6	41	n/a	5	5	3
Financial Activities	11	5	3	n/a	3	n/a	n/a
Professional and Business Services	55	15	11	n/a	16	7	6
Administrative and Waste Services	44	9	10	n/a	14	5	6
Educational & Health Services	15	n/a	7	n/a	4	n/a	n/a
Leisure & Hospitality	14	7	n/a	n/a	n/a	3	n/a
Accommodation & Food Services	12	6	n/a	n/a	n/a	3	n/a
Other Services	20	7	n/a	n/a	3	n/a	7
Government	38	8	18	n/a	7	n/a	n/a

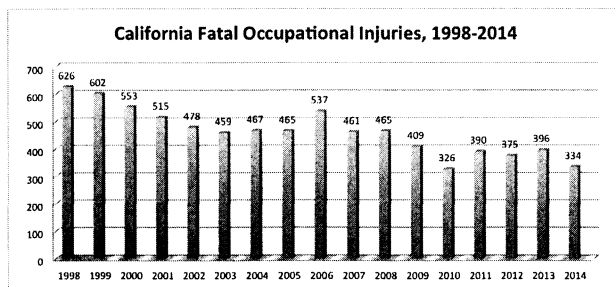
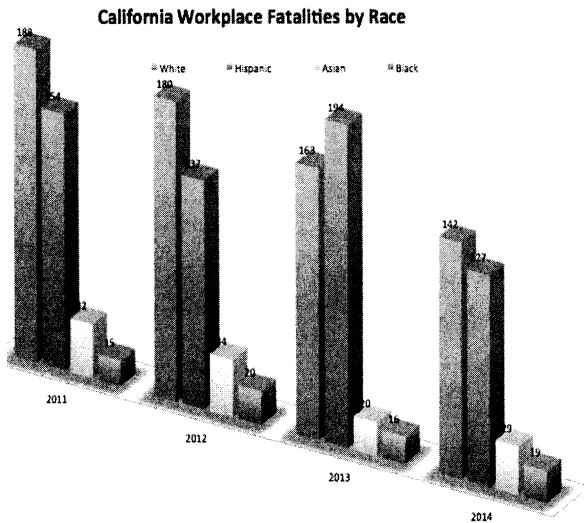
The most hazardous occupation was among motor vehicle operators, at 57 fatalities. Among that sector, driver/sales workers and truck drivers suffered 49 deaths, and heavy tractor-trailer operators 46. Construction trades workers suffered 37 deaths, and 20 grounds maintenance workers died.

Workers 45-54 years old suffered the largest number of fatalities, 89, followed by 35-44 (67); 55-64 (65); 25-34 (56); 65 and older (38); 20-24 (15); and 18-19 (4).

California had the second-highest fatality total, after Texas, with its preliminary total of 508. In 2013, 524 Texas workers died, despite having a workforce significantly smaller than California's. Texas has more than 13 million workers while California has more than 19 million.

	Preliminary	Final	% Difference
2014	334	?	
2013	385	396	3%
2012	339	375	11%
2011	360	390	8%
2010	302	326	8%
2009	465	409	-12%
2008	404	465	15%
2007	407	461	13%

	2014 Preliminary	2013 Final
Texas	524	508
California	334	396
Florida	221	239
New York	203	178
Ohio	184	149
Illinois	163	176
Pennsylvania	175	183
Michigan	138	135
Indiana	127	127
Virginia	116	128



SeaWorld

continued from page 11279

- Failing to identify, evaluate and correct unsafe conditions by allowing employees and supervisors to ride on and swim with killer whales in the park's medical pool.
- Failing to train workers effectively to safely interact with the whales.

The citations came against the backdrop of Fed-OSHA action against the corporation's Orlando park, where a trainer died in 2010. The trainer was dragged underwater by an orca during what is described as a "relationship session," observed by guests. The same whale was involved in a fatality in British Columbia in 1991.

The defense, in this case, charges that Fed-OSHA spurred Cal/OSHA to investigate and cite the San Diego park.

Investigator: Questionable History?

In 2006, a SeaWorld San Diego trainer suffered a broken ankle and puncture wounds – and came close to drowning – after a killer whale grabbed him by the ankle and dragged him underwater twice.

The same investigator in this case was involved in that case. Murphine wrote in a controversial investigative summary that it was just a "matter of time" before a Sea World San Diego trainer would be killed. DOSH quickly retracted the summary.

SeaWorld has a "robust" safety program, and the Animal Handling Department has its own IIPP element, Iser said.

An Axe to Grind?

Sea World's side of the story was explained in opening statements by defense attorney Larry Iser, partner at Kinsella, Weitzman, Iser, Kump & Aldisert:

In October 2014, he says, an anti-SeaWorld website known as The Dodo published an article about the facility's training sessions. The story alleged a violation of a Fed-OSHA order prohibiting close interaction between trainers and whales, issued in the wake of the Orlando fatality.

The Dodo's website has a series of anti-SeaWorld articles including one encouraging the public to boycott SeaWorld. Another article is headlined "Do Not Be Manipulated By SeaWorld." The story opens with "SeaWorld is a soulless corporation that mistreats and abuses its animals ..."

Iser alleges that Fed-OSHA contacted DOSH following the publication of the article, and the Division then dispatched Murphine to conduct surveillance at the park. She posed as a guest and surreptitiously took videos of a session showing a trainer in the Med pool with a whale.

Those observations were the basis for the citations, the attorney said. He asserted in his opening statement at the hearing that the DOSH stance is a "misstatement" of the Fed-OSHA order that, he asserted, didn't ban trainer interaction in training sessions.

In fact, Iser said, the sessions in the Med pool are vital

Cal/OSHA Publishes Healthcare Violence Prevention Standard

Neither side got precisely what it wanted, but healthcare stakeholders now have a formal proposal before them on preventing violence in their work settings. The Cal/OSH Standards Board just published the new, 13-page proposal and it is in its comment period. The board will hold a public hearing on it on December 17 in Sacramento.

The proposal is based on two petitions from nurses unions and also has legislative backing. SB 1299, enacted in 2014, requires the Standards Board to adopt the standard by July 1, 2014. But advisory committee talks on the standard had already begun by the time the legislation was signed.

Doctors, nurses and other health practitioners say they face a continual onslaught of assaults at the hands of patients, family members, and others, and it has taken a terrible toll on the workers. The most infamous example was the 2010 death of psychiatric technician Donna Gross at Napa State Hospital. Gross was strangled by a patient transferred from the criminal justice system who lay in wait behind bushes in a courtyard.

The nurses say they also need protection from intimidation before behavior escalates into violence, but the proposal does not include those acts in its definition of “workplace violence.” The proposal defines it as:

- The threat of physical force that results in or has a high likelihood of resulting in an injury, psychological trauma or stress;
- An incident involving the threat or use of a firearm or other dangerous weapon, including common objects.

The standard would apply to hospitals, acute psychiatric hospitals and other health facilities, including outpatient medical offices; home health care and hospice; paramedic and emergency medical services; field operations; drug treatment programs; and ancillary health care operations.

Under the new standard, employers will be required to establish, implement and maintain a workplace violence prevention plan as part of their Injury and Illness Prevention Programs. They will also be required to actively involve employees in drawing up the plans.

The standard also includes a prohibition on retaliating against workers who seek assistance from law enforcement if a violent incident occurs.

Controversial to healthcare employers is a requirement that they keep logs of violent incidents. SB 1299 also mandates a requirement that employers report to the Division of Occupational Safety and Health within 24 hours any incident involving physical force or the use of a dangerous weapon.

DOSH, in turn, is required to post an annual report on its web site on violent incidents, which hospitals filed reports, the outcome of investigations and citations issued to the facilities.

The law also requires that patient and employee information be kept confidential.

Gail Blanchard-Saiger, vice president of labor and employment for California Hospital Association, says hospitals often face a “balancing act” in keeping patients and staff safe while creating a healing environment. “CHA has been working with Cal/OSHA and other stakeholders for the past year in the development of an effective and workable set of regulations that will protect employees, patients and visitors alike,” she tells *Cal-OSHA Reporter*.

Hospitals “are often microcosms of their communities, creating unique challenges for hospital security and law enforcement,” she added.

A nurses union representative was not available for comment on the proposal at press time.

[Click here](#) to see the entire proposal.

The public hearing is December 17 at the State Resources Building in Sacramento. For more information on the proposal, contact Standards Board Executive Officer Marley Hart at 916-274-5721.

California Employment is Up – Are Injuries and Illnesses Increasing, Too?

California employment continues to climb, but the state’s workplaces aren’t seeing a corresponding rise in injuries and illnesses. Those statistics for 2014 from the Division of Labor Statistics and Research show a 2% drop in injuries over 2013, and a slight decrease in I&I rates.

Last year we reported a rise in employment and injury/illness rates. In 2014, the California labor force rose 1.2% to more than 18.7 million, adding about 190,000 new jobs. This data is according to the California Center for Jobs and the Economy, part of the California Business Roundtable.

As the accompanying charts show, injuries and illnesses dropped from 468,400 to 460,700 last year for all sectors. The private industry numbers and rates corresponded to the overall trend. Among the individual sectors, there were slightly more sectors experiencing higher injuries than those with fewer. But regarding rates, all but three industries had lower or essentially even rates.

The construction industry was one of the areas that saw increases both in I&I numbers

California Injuries & Illnesses, 2005-2014

	Numbers	Rates
2014	460,700	3.8
2013	468,400	4.0
2012	451,500	4.0
2011	440,900	4.0
2010	464,000	4.2
2009	491,900	4.2
2008	541,800	4.4
2007	594,400	4.7
2006	603,300	4.8
2005	629,900	5.1

and rates. It saw a 33% jump in numbers, to 28,100, and a rate of 4.8, vs. 4.0 in 2013.

Other sectors with sizable increases were financial activities (+2,100, 20%) and arts, entertainment and recreation (+1,500, 21%).

The largest decreases were in retail, which experienced 7,700 fewer injuries and illness in 2014, a 14% drop; the information sector, which saw a drop of 2,100 cases (25%); other services

(-1,500, 1.4%); and accommodation (-1,000, 2%). Even state and local government, which routinely suffer higher rates and numbers of injuries and illness than industry, saw slight decreases in both metrics.

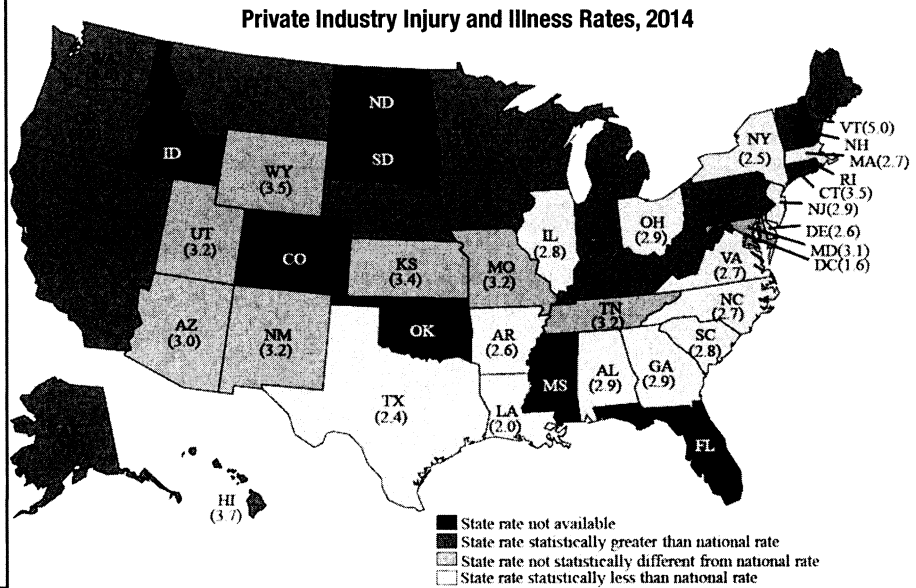
California's days away, restricted duty and transfer (DART) rates were a mixed bag: nine sectors saw increases, nine saw decreases and three were the same in 2014 as the previous year.

The highest individual DART rate was in private

Highest California I&I Rates – Total Recordable, 2014	
	Rate
Local Government	
Museums, Historical Sites & Similar	13.3
Transit & Ground Passenger Transportation	12.0
Justice, Public Order and Safety Activities	11.3
Nursing and Residential Care Facilities	11.1
State Government	
Hospitals	11.6
Nursing and Residential Care Facilities	11.6
Justice, Public Order and Safety Activities	11.0
Private Industry	
Air Transportation	8.7
Couriers and Messengers	7.7
Hospitals	7.2
Animal Production and aquaculture	7.0
Accommodation	6.9
Nursing and Residential Care Facilities	6.8
Waste Management and Remediation Services	6.6
Crop Production	6.3
Construction of Buildings	6.2
Food Manufacturing	6.2

2014 Vs. 2013: California Injury & Illness Numbers and Rates				
	2014 Total Recordable Cases	2013 Total Recordable Cases	2014 I&I Rates	2013 I&I Rates
All Sectors	460,700	468,400	3.8	4.0
Private Industry	353,900	360,500	3.4	3.5
Agriculture, Forestry, Fishing & Hunting	18,500	19,200	5.2	5.4
Mining	300	500	1.0	1.6
Construction	28,100	21,100	4.8	4.0
Manufacturing	39,400	38,600	3.2	3.2
Wholesale Trade	18,600	19,100	2.8	2.0
Retail Trade	47,100	54,800	3.9	4.5
Transportation & Warehousing	20,800	20,600	5.2	5.2
Utilities	1,400	1,500	2.6	2.7
Information	6,500	8,600	1.5	2.0
Financial Activities	12,800	10,700	1.8	1.5
Professional & Business Services	35,600	35,100	2.0	1.9
Educational Services	4,000	3,600	1.8	1.8
Health Care & Social Assistance	61,000	60,300	4.7	4.8
Arts, Entertainment & Recreation	8,600	7,100	4.4	4.6
Accommodation & Food Services	42,000	43,000	4.4	4.9
Other Services	9,100	10,600	2.7	3.0
State & Local Gov't.	106,900	107,800	7.0	7.1

California DART Rates, 2014 vs. 2013		
	2014	2013
All Sectors	2.2	2.2
Private Industry	2.1	2.1
Agriculture, Forestry, Fishing & Hunting	3.4	3.3
Mining	0.4	1.3
Construction	3.0	2.8
Manufacturing	2.1	2.1
Wholesale Trade	2.1	1.9
Retail Trade	2.4	2.7
Transportation & Warehousing	3.9	3.7
Utilities	1.4	1.6
Information	1.0	1.2
Financial Activities	1.1	0.8
Professional & Business Services	1.2	1.1
Educational Services	0.8	1.0
Health Care & Social Assistance	2.5	2.4
Arts, Entertainment & Recreation	2.6	3.5
Accommodation & Food Services	2.3	2.6
Other Services	1.6	1.9
State & Local Gov't.	3.3	3.4



sector nursing and residential care facilities, at 10.0, followed by air transportation at 7.0; local government transit and ground passenger transportation at 6.9; and amusement, gambling and recreational facilities under the auspices of local government, at 6.1.

All industries reported 265,100 DART cases; 214,600 in private industry.

Nationally, injuries and illnesses also decreased, from just over 3 million to just below 3 million, the federal Bureau of Labor Statistics reports. The incidence rate also dropped slightly. Private industry reported 54,000 fewer cases.

Six Foot Trigger?

continued from page 11315

tection plans, and employers didn't like them either, said Bruce Wick, director of risk management for California Professional Association of Specialty Contractors. But there was confusion about how to protect workers on residential construction sites at the turn of the century and enforcement actions forced regulatory action.

When Cal/OSHA started construction sweeps in the early 2000s, the residential construction industry sought detente with the agency, and the two sides met in a series of well-attended meetings, hashed out the issues and jointly developed the set of regulations that both sides insist are being used successfully now.

Mike Donlon, director of safety for the California Department of Water Resources and a former high-ranking Cal/OSHA official, noted that he was in charge of the construction sweeps a decade and a half ago. "I pissed off a hell of a lot of people" in the process, he said, but it soon became clear that the fall protection standards in place at the time didn't fit residential construction. The standards that replaced it "are not perfect, but they work pretty well."

"Gravity is gravity, wherever you are. It's hard to argue that a 15-foot trigger is as effective as a six-foot trigger."

—Jordan Barab

The rules, he added, have produced buy-in on compliance from many employers.

Overturning that system not only isn't necessary, but it could also be counterproductive, stakeholders told the federal officials. "Why are you looking at just one factor [the six-foot trigger] and hanging your hat on it," asked Thomas Shanahan, of the National Roofing Contractors Association. The issue isn't the trigger height; it's that people aren't using fall protection in some instances. Lowering the trigger height could actually provide employers and workers with fewer options to guard against falls, he said.

And Wick disputed Barab's assertion that California doesn't provide fall protection standards that are as effective as the Feds' and other states. "That's not true," he pointedly commented. "I'll put our [performance] up with anybody else's."

Do Statistics Matter?

Many of the stakeholders protested that Fed-OSHA, in its quest for uniformity, is ignoring the bottom line: fewer falls. Wick and attorney Kevin Bland, representing the California Framing Contractors Association, noted that the state's construction fatality rate in recent years has been much lower than nationwide and in other individual states – 5.9 vs. 9.9 in 2012, for instance.

Shanahan said he "sliced and diced" the fatality numbers and found that for states that strictly follow the Feds' rules, the rate is 5.7. For the six states that have crafted their own rules, including California, the rate is 3.8.

Bob Raymer, technical director for the California Building Industries Association, told the Fed-OSHA officials, "The depth of the data that California has seems to show a substantial reduction in fatalities." He says building officials in other states view California's fall protection standards as "the most stringent in the nation." He said fatality numbers shouldn't be the only factor the Feds take into consideration, "but it sounds like it isn't taken into consideration at all."

"Regulations are only effective to the extent that they're enforced. If you give folks options, they'll comply."

—Bill Calahan

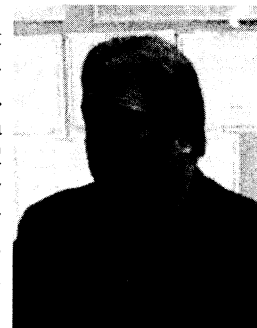
Barab responded that incident rates and inspection data aren't indicative of a standard's effectiveness. "OSHA does not rely on this data when determining whether a standard is at least as effective." The agency also looks at specific regulatory provisions, and protections such as engineering controls and personal protective equipment, he said.

Basing a standard on statistics could lead to "chaos," he added. "Gravity is gravity, wherever you are. It's hard to argue that a 15-foot trigger is as effective as a six-foot trigger."

Sean McKenzie, deputy director for the Director-



Bruce Wick, California Professional Association of Specialty Contractors



Mike Donlon, California Department of Water Resources

DOSH cited M&W for a serious, accident-related violation of General Industry Safety Orders §5003 for failing to observe the minimum clearance. It also cited the employer for an alleged serious violation of the Injury and Illness Prevention Program standard, GISO §3203 for failing to evaluate potential hazards at the worksite.

The employer has 15 days from the date of issuance (December 4) to appeal the citations.

Cal/OSHA says lifting or hoisting equipment must have a warning sign stating that it is unlawful to operate the equipment within 10 feet of lines up to 50,000 volts. It also cautions employers that if they don't know whether a line is live, assume that it is until the line owner verifies that the power is not live.

The agency also says that if you are working near a "dead line," ensure that it is clearly grounded at the work site. A grounded line has a grounding wire clamped to it with the other end attached to a structure or grounding rod.

Of the 460,000-plus recordable cases, 57% were lost-time cases (265,000) and 31% were days-away cases. About 354,000 of the total cases involved private sector workers; 85,000 for local government workers; and 21,000 among state government employees.

As previously noted, 59% of private sector lost-time injuries occurred among Latino workers. Caucasian workers accounted for 27%, and Asian and black workers 7% and 6%, respectively. The only ethnicity for which injuries and illnesses decreased was Caucasians.

Other findings include: 25% of injured/ill workers were new hires, with a tenure of less than one year, and teenaged workers (16 to 19) suffered the highest incidence of DAFW of all age groups in the private sector. Service occupations had the highest number of DAFW, followed by transportation, materials moving and office/administrative work.

The largest category of DAFW cases involves strains, sprains and tears and the most prevalent private-sector injuries were upper extremity disorders.

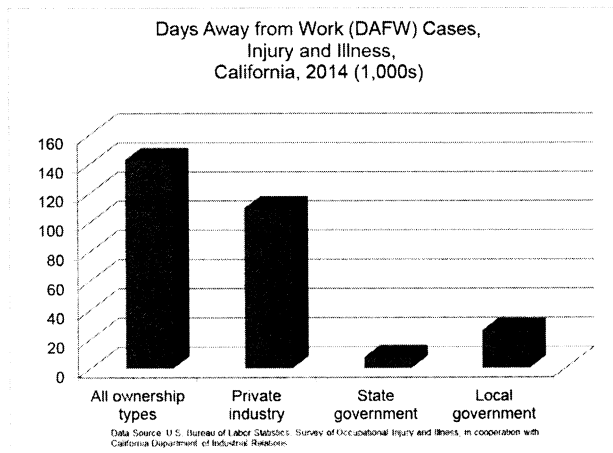
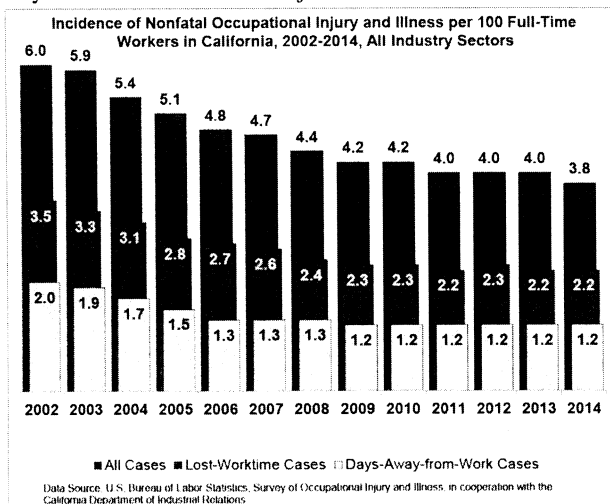
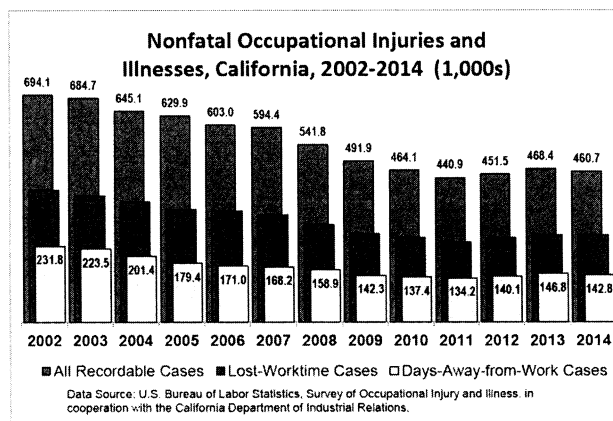
The survey is compiled from 16,000 "statistically represented" California employers. The Department of Industrial Relations notes that the federal Bureau of Labor Statistics has acknowledged that injuries and illnesses are underreported, although it has not determined how extensive it is or the leading causes. The bureau continues to research the problem.

Injury & Illness Stats Trending Down

California's occupational injuries and illnesses remain at levels "markedly lower" than those more than a decade ago, although cases remain high among Latino workers. They accounted for almost 60% of cases with days away from work, according to the 2014 Survey of Occupational Injuries and Illnesses.

The stats show 460,700 injuries and illnesses last year, a rate of 3.8 per 100 full-time equivalent workers. Those results are compared to 694,100 and a 6.0 rate in 2002.

Lost-worktime and days-away-from-work (DAFW) are remaining steady and also are significantly lower than the early 2000s. SOII makes a distinction between lost workday and DAFW cases; the former, defined as cases involving days away from work, job transfer or restriction; the latter includes cases that are requiring one day or more away from work with or without job transfer or limitation.



Subject: People on the Move

Date: Friday, April 24, 2015 at 10:59:00 AM Pacific Daylight Time

From: Cal-OSHA Reporter Newsdesk

To: Garrett Brown

[email mangled](#)

OSHA Today

April 24, 2015

[sig nup](#) [Get your own](#)

[Post Your Job](#)

[Send Feedback](#)

[Unsubscribe](#)

People on the move

New Fed-OSHA Region 9 Administrator; Atha Assigned to Seattle

Fed-OSHA has named Barbara Goto as acting regional administrator for Region 9, based in San Francisco after it moved Ken Atha to the top spot in Region 10, based in Seattle, Wash. Goto is the Region 9 Deputy RA and is taking the reins as the agency moves to fill the job permanently. Atha has been covering Region 10 duties for about 18 months, after the departure of the previous administrator and was permanently assigned to the post this March. Region 9 oversees California, Nevada, Arizona, Hawaii, Guam, American Samoa and the Northern Mariana Islands. Region 10 covers Washington, Oregon, Idaho and Alaska. Source: Cal-OSHA Reporter

Ken Atha

Standards Board Fetes McDermott

Walnut Creek, California The Cal/OSH Standards Board thanked former occupational health representative Hank McDermott for his almost five years of service on the board at its April 16 meeting. McDermott retired from the board earlier this year, citing family obligations. He joined the board in 2010. Chair Dave Thomas cited a number of rulemaking projects that McDermott participated in, including: confined space operations; heat illness prevention; construction vehicle exhaust retrofits and first aid for electrical workers, among others. McDermott also served as a member of Standards Board variance hearing panels, an unsung, but critical part of the board's work. Additionally, he previously served Cal/OSHA as part of the Health Effects Advisory Committee convened by the Division of Occupational Safety and Health to study PELs. Source: Cal-OSHA Reporter

McDermott

DUNMORE VP Thomas Rimel Recognized as Regional Special Government Employee (SGE) of the Year by Fed-OSHA

DUNMORE Corporation's Thomas Rimel was recognized by Fed-OSHA as the "Region III Special Government Employee (SGE) of the Year" for his dedication to Fed-OSHA's Voluntary Protection Program (VPP) and accomplishments as an SGE. Thomas Rimel has been with DUNMORE Corporation for over 15 years in a variety of positions including process engineering, plant management, sales, market development, and Mergers & Acquisitions. Source: PRWeb/benzinga

King & Spalding Snags Third Enviro Partner From Kirkland

New York, New York King & Spalding LLP has added its third environmental partner since January to its Washington, D.C., office, scoring another Kirkland & Ellis LLP attorney for the firms growing tort and environmental litigation team. Joseph A.

Subject: People on the Move

Date: Friday, June 12, 2015 at 12:10:07 PM Pacific Daylight Time

From: Cal-OSHA Reporter Newsdesk

To: Garrett Brown

[email mangled](#)



June 12, 2015

[Get your own](#)

[Post Your Job](#)

[Send Feedback](#)

[Unsubscribe](#)

People on the move

Juliann Sum, chief of the Division of Occupational Safety and Health (DOSH), and **Art Carter**, chair of the Cal/OSH Appeals Board, were unanimously approved by the California Senate Rules Committee for a confirmation vote by the full Senate.



Hassan Adan, former DOSH acting district manager in Los Angeles, has been promoted to Acting Region 4 Manager.

Victor Copelan has been named as DOSH acting district manager for Los Angeles.

Alfred Varela, acting district manager in Torrance, has been promoted to district manager.

DOSH has promoted several safety engineers, including: **Rhona Pimental** as associate SE in West Covina; **Joey Crocker** as associate SE in American Canyon; and **Laurie Flores** as assistant SE in Torrance.

DOSH also has added several new staff members as associate SEs, including: **David Rodriguez** in West Covina; **Roger Harris** in Santa Ana; and **Quang Nguyen** in the Santa Ana Process Safety Management Unit.

Awards

Nicole Marquez, staff attorney for Worksafe in Oakland, has been presented with the COSH Board Activist Award from the National Committee for Occupational Safety and Health (COSH).



Mark Day of the San Diego Day Laborers and Household Workers Association has been presented with an Educator and Trainer Award from National COSH.

Are you hiring?

Post your job here

get the word out to over 20000+ safety professionals

Subject: People on the Move

Date: Friday, June 19, 2015 at 10:50:26 AM Pacific Daylight Time

From: Cal-OSHA Reporter Newsdesk

To: Garrett Brown

[email mangled](#)

OSHA Today



June 19, 2015

[sig nup](#) [Get your own](#)

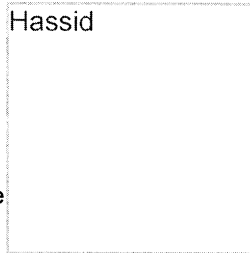
[Post Your Job](#)

[Send Feedback](#)

[Unsubscribe](#)

People on the move

Gov. Brown Appoints Hassid Deputy Director of Legislation and Policy at DIR

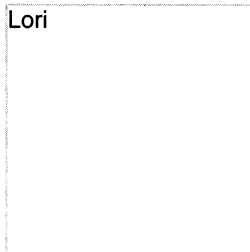


Victoria Hassid, 32, of San Francisco, has been appointed deputy director of legislation and policy at the California Department of Industrial Relations, where she has served as special counsel to the director since 2012. Hassid served as a deputy appointments secretary in the Office of the Governor from 2011 to 2012 and was a post-graduate research assistant at the University of California, Davis School of Law in 2010, where she was a research assistant from 2008 to 2010. This position does not require Senate confirmation and the compensation is \$91,232. Source: Office of Governor Edmund G. Brown Jr.

Taylor Horst Appointed to New Mexico Advisory Council on Workers' Compensation and Occupational Disease Disablement

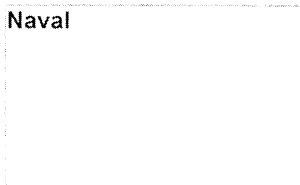
Taylor Horst of Albuquerque has been appointed to the Advisory Council on Workers' Compensation and Occupational Disease Disablement. Horst is the risk management director for the New Mexico Association of Counties. He has also worked as the information technology director for the Association. Horst holds a Bachelor of Arts degree from Fort Lewis College in Durango, Colorado. Source: Myhighplains.com

MedRisk International Scientific Advisory Board Member Lori Michener Receives FAPTA Designation



Catherine Worthingham Fellowship from the American Physical Therapy Association, adding FAPTA to her credentials. Dr. Micheners expertise is in musculoskeletal shoulder pain biomechanics, shoulder and cervical pain diagnosis and treatment, shoulder and cervical disorder clinical trial research, and the use of patient-rated outcomes measurement tools to assess health-related quality of life. She has served on several professional panels for healthcare organizations such as the APTA, American College of Occupational and Environmental Medicine, and Agency for Healthcare Research and Quality, as well as MedRisks ISAB. Source: MedRisk

New Commander Takes Reins at Naval Magazine Indian Island



Indian Island, Washington Commander Nicholas Vande Griend is the new commanding officer of Naval Magazine Indian Island, which stores and assembles munitions for the Pacific Fleet. He succeeds Commander

Subject: People on the Move

Date: Friday, June 26, 2015 at 11:28:03 AM Pacific Daylight Time

From: Cal-OSHA Reporter Newsdesk

To: Garrett Brown

[email mangled](#)

OSHA Today

[sig nup](#) [Get your own](#)

[Post Your Job](#)

[Send Feedback](#)

[Unsubscribe](#)

June 26, 2015

People on the move

Jackson Retires from Granite Construction

Watsonville, California William Jackson, CSP, director of safety for Granite Construction, based in Watsonville, has retired. He was employed by Granite for 39 years. The company is a heavy civil constructor and producer of construction materials. Jackson also is a member of the Cal/OSH Standards Board. Granite has not yet named a new director of safety.

Bill Jackson

Senate Unanimously Confirms Juliann Sum as Chief of Cal/OSHA, Art Carter as Chair of OSH Appeals Board

Sacramento, California The California Senate voted unanimously Monday to confirm Juliann Sum as Chief of the Department of Industrial Relation's Division of Occupational Safety and Health (also known as Cal/OSHA). The Senate also voted unanimously Monday to confirm Art R. Carter as chairperson of the Occupational Safety & Health Appeals Board (OSHAB). Sum began serving as Acting Chief of Cal/OSHA in September 2013, and just over a year later, Governor Edmund G. Brown Jr. appointed her as Chief. Sum joined DIR in 2012 as special advisor to Director Christine Baker. Art Carter was first appointed to OSHAB by Governor Arnold Schwarzenegger in 2009. OSHAB resolves appeals from private and public-sector employers regarding citations issued by Cal/OSHA for alleged violations of workplace safety laws. Governor Brown appointed Carter board chair in 2011. Previously, Carter owned and served as the legislative advocate for Art Carter and Associates from 1984 to 2004. From 1976 to 1983, he served as chief of Cal/OSHA. Source: PR Newswire

Carter Sum

Indianapolis Public Safety Director Troy Riggs Stepping Down

Indianapolis Public Safety Director Troy Riggs, an administrative outsider brought in three years ago to reform the city's embattled police department, is leaving his post to join the Indiana University Public Policy Institute and Indiana University-Purdue University Indianapolis in a newly created public safety research and outreach position. In confirming his departure to the Indianapolis Star, Riggs said he likely will stay as director through July, as Mayor Greg Ballard looks for his replacement. Source: Indianapolis Star

Boston Has New Commuter Rail Maintenance Chief

Keolis Commuter Services, a French-owned company that runs the commuter rail for the MBTA, has hired a new chief to oversee the maintenance of the Ts aging and balky fleet of trains. Kenneth A. Trahan, started June 22 as the company's chief mechanical officer. Trahan used to serve as maintenance director for United Airlines

In Sun Valley, an employee of the Recology recycling service was killed when he was run over by a truck. There were no other details at press time.

The final incident was near Auburn, where a ranch hand overturned in his all-terrain vehicle while descending a hill. His employer was not identified at press time.

Cal/OSHA confirms that it is investigating these incidents.

It's a Boxing Match...

Cal/OSHA & Stakeholders Battle Fall Protection with Fed-OSHA

The Cal/OSH Standards Board has tentatively set November 3 and 4 in Sacramento to gather stakeholders together to meet with Fed-OSHA. The plan is to hash out the issue of whether Cal/OSHA's fall protection regulations are as effective as federal standards. It's going to be a boxing match fought on many levels.

Fed-OSHA in a body blow says California's standards are not up to par. The Feds are suggesting that California establish a uniform six-foot trigger height. That would upend the long-standing Cal/OSHA trigger height of 7-1/2 feet for personal protection, and a 15-foot trigger for production-style residential construction. That rule has been in place for more than a decade. It was created after extensive work with industry.

California's Standards Board with fancy footwork dodges further punches and insists to the Feds that "as effective as" does not have to mean "the same as." California's Muhammad Ali-like dodging and weaving points to the facts: California has a fall incident rate that is lower than the national average.

The fall meeting will be a chance for stakeholders to get in the ring themselves and land a few on Fed-OSHA. They will throw a few punches to explain just what they think about Fed-OSHA's proposed changes. They might thump their chests and snort at the prospect of major changes in fall protection requirements here.

The meeting will be held at the Safety Center in Sacramento. While we're not expecting a real ringside announcer, the action may be

reflective of the frustration and anger many think the Feds have earned.

Contact Principal Engineer Mike Manieri with a response on the proposed dates by August 31 at 916-274-5725 or mmanieri@dir.ca.gov.

To read our previous coverage of this issue, [click here](#).

California OSH People

DOSH Names New Managers

The Division of Occupational Safety and Health announces what it says are "major" enforcement office changes. They include a number of new regional and district managers. Congratulations to all concerned.

The new regional managers include:

- **Hassan Adan**, who is acting manager of Region 4, based in Monrovia; He replaces **Debra Lee**, who was named Acting Deputy Chief for Field Enforcement;
- **Michael Frye**, promoted to manager of Region 1, based in San Francisco;
- **Aston Ling**, acting regional manager for the Labor Enforcement Task Force Unit (LETFF), based in Santa Ana;
- **Clyde Trombetta**, named Statewide Manager and Policy Advisor of the Process Safety Management Unit, based in Concord; and
- **John Leahy**, assigned as Acting Principal Safety Engineer of the Mining and Tunnel Unit, based in Sacramento;

The new District Managers include:

- **Alfred Varela**, promoted as manager of the Torrance office (this office will be moved to Long Beach in October);
- **Victor Copelan**, assigned as acting manager of the Los Angeles office;
- **David Hornung**, promoted as DM in Oakland;
- **John Wendland**, promoted to the top spot in Redding;
- **Zohra Ali**, the new district manager for LETFF in Santa Ana;

Cal-OSHA Reporter

CREDIBLE AUTHORITY TRUSTWORTHY

News Desk	916-276-7704
News Desk Facsimile	707-664-8749
Main Office	916-774-4000
Main Office Facsimile	916-596-2167
Publisher	J Dale Debber
Editor	Kevin Thompson
Digest Editor	Richard Waldinger
Art and Web Production	Maria Galvez
Subscription and Fulfillment	Stephanie Jakubowski

© 2015 Providence Publications, LLC All Rights Reserved

Cal-OSHA Reporter (ISSN 1054-1209) Published weekly, 48 times per year, except for two weeks each in July and December/January, by Providence Publications, LLC. Licensed under a site license with pricing based upon the terms and conditions found on our website. Copyright 2012 Providence Publications, LLC. All rights reserved.

Copyright 2014 Providence Publications, LLC. All rights reserved. **Cal-OSHA Reporter** is the trademark and dba of Providence Publications, LLC.

The publisher has made every effort to ensure the accuracy of information published in each issue. Opinions on financial and legal matters are those of the publisher and others; professional counsel should be consulted before any action or decisions based upon this material is taken.

No part of this material may be reproduced or transmitted in any form or by any means, electronic, optical, mechanical, or otherwise, including photocopying or recording, satellite or facsimile transmission, or in connection with any information, image or object, storage or retrieval system without written permission from **Cal-OSHA Reporter**. Reprint price quoted upon request.

News items or corrections are welcome and may be submitted by phone or fax, or by mail.

In Sun Valley, an employee of the Recology recycling service was killed when he was run over by a truck. There were no other details at press time.

The final incident was near Auburn, where a ranch hand overturned in his all-terrain vehicle while descending a hill. His employer was not identified at press time.

Cal/OSHA confirms that it is investigating these incidents.

It's a Boxing Match...

Cal/OSHA & Stakeholders Battle Fall Protection with Fed-OSHA

The Cal/OSH Standards Board has tentatively set November 3 and 4 in Sacramento to gather stakeholders together to meet with Fed-OSHA. The plan is to hash out the issue of whether Cal/OSHA's fall protection regulations are as effective as federal standards. It's going to be a boxing match fought on many levels.

Fed-OSHA in a body blow says California's standards are not up to par. The Feds are suggesting that California establish a uniform six-foot trigger height. That would upend the long-standing Cal/OSHA trigger height of 7-1/2 feet for personal protection, and a 15-foot trigger for production-style residential construction. That rule has been in place for more than a decade. It was created after extensive work with industry.

California's Standards Board with fancy footwork dodges further punches and insists to the Feds that "as effective as" does not have to mean "the same as." California's Muhammad Ali-like dodging and weaving points to the facts: California has a fall incident rate that is lower than the national average.

The fall meeting will be a chance for stakeholders to get in the ring themselves and land a few on Fed-OSHA. They will throw a few punches to explain just what they think about Fed-OSHA's proposed changes. They might thump their chests and snort at the prospect of major changes in fall protection requirements here.

The meeting will be held at the Safety Center in Sacramento. While we're not expecting a real ringside announcer, the action may be

reflective of the frustration and anger many think the Feds have earned.

Contact Principal Engineer Mike Manieri with a response on the proposed dates by August 31 at 916-274-5725 or mmanieri@dir.ca.gov.

To read our previous coverage of this issue, [click here](#).

California OSH People

DOSH Names New Managers

The Division of Occupational Safety and Health announces what it says are "major" enforcement office changes. They include a number of new regional and district managers. Congratulations to all concerned.

The new regional managers include:

- **Hassan Adan**, who is acting manager of Region 4, based in Monrovia; He replaces **Debra Lee**, who was named Acting Deputy Chief for Field Enforcement;
- **Michael Frye**, promoted to manager of Region 1, based in San Francisco;
- **Aston Ling**, acting regional manager for the Labor Enforcement Task Force Unit (LETf), based in Santa Ana;
- **Clyde Trombetta**, named Statewide Manager and Policy Advisor of the Process Safety Management Unit, based in Concord; and
- **John Leahy**, assigned as Acting Principal Safety Engineer of the Mining and Tunnel Unit, based in Sacramento;

The new District Managers include:

- **Alfred Varela**, promoted as manager of the Torrance office (this office will be moved to Long Beach in October);
- **Victor Copelan**, assigned as acting manager of the Los Angeles office;
- **David Hornung**, promoted as DM in Oakland;
- **John Wendland**, promoted to the top spot in Redding;
- **Zohra Ali**, the new district manager for LETf in Santa Ana;

ES

Cal-OSHA Reporter

CREDIBLE AUTHORITY TRUSTWORTHY

News Desk	916-276-7704
News Desk Facsimile	707-664-8749
Main Office	916-774-4000
Main Office Facsimile	916-596-2167
Publisher	J Dale Debber
Editor	Kevin Thompson
Digest Editor	Richard Waldinger
Art and Web Production	Maria Galvez
Subscription and Fulfillment	Stephanie Jakubowski

© 2015 Providence Publications, LLC All Rights Reserved

Cal-OSHA Reporter (ISSN 1054-1209) Published weekly, 48 times per year, except for two weeks each in July and December/January, by Providence Publications, LLC. Licensed under a site license with pricing based upon the terms and conditions found on our website. Copyright 2012 Providence Publications, LLC. All rights reserved.

Copyright 2014 Providence Publications, LLC. All rights reserved. **Cal-OSHA Reporter** is the trademark and dba of Providence Publications, LLC.

The publisher has made every effort to ensure the accuracy of information published in each issue. Opinions on financial and legal matters are those of the publisher and others; professional counsel should be consulted before any action or decisions based upon this material is taken.

No part of this material may be reproduced or transmitted in any form or by any means, electronic, optical, mechanical, or otherwise, including photocopying or recording, satellite or facsimile transmission, or in connection with any information, image or object, storage or retrieval system without written permission from **Cal-OSHA Reporter**. Reprint price quoted upon request.

News items or corrections are welcome and may be submitted by phone or fax, or by mail.

Subject: Movers & Shakers

Date: Thursday, September 17, 2015 at 12:52:05 PM Pacific Daylight Time

From: Cal-OSHA Reporter Newsdesk

To: Garrett Brown

[email mangled](#)



September 17, 2015

- [Get your own](#)
- [Post Your Job](#)
- [Send Feedback](#)
- [Unsubscribe](#)

Movers and Shakers

California Department of Industrial Relations Division of Occupational Safety and Health

Vicky Albano, senior safety engineer for the Division of Occupational Safety and Health, has retired. Albano most recently has been working in the Divisions Labor Enforcement Task Force unit in Santa Ana, but has been best known as the manager of Cal/OSHA's Census of Fatal Occupational Injuries unit. She also helped modernize the Department of Industrial Relations accounting system. In 2002, then chief Dr. John Howard named her senior engineer for the Division's Technology Services Unit, where she served for 10 years. She was best known for her role overseeing CFOI, which tracks workplace fatalities for the federal Bureau of Labor Statistics. In 2012, Albano was transferred to the DIR Office of the Director, where she helped implement the federal OSHA Information System in Cal/OSHA enforcement. Her knowledge of banking and finance ushered in the modernization of DIR Accounting Revenue Systems, DOSH said in announcing Albano's retirement.

DOSH also has announced a number of promotions and transfers

Eric Berg has been promoted to Principal Safety Engineer, Research and Standards Occupational Safety Unit. was more recently assigned out-of-class as Acting Deputy Chief, Research and Standards.

Eric began his career with Cal/OSHA in 1997 as an Assistant Industrial Hygienist in the Concord District office. In 2009, he was promoted to Senior Safety Engineer for Region 6. Prior to his work at Cal/OSHA, he worked for the Santa Clara Center for Occupational Safety and Health on toxic chemical exposures to electronics workers and with the Universidad Autónoma de Yucatán on pesticide exposures to pesticide applicators.

Carmen Cisneros has been promoted to Area Manager of the Consultation Unit in San Diego. She joined the Division in 2009 as an Associate Safety Engineer for the West Covina District Office. As a Safety Engineer, she worked on high profile and complex cases. Carmen looks forward to her ongoing work with the staff in Consultation. In 2007, she left State Fund to work for a private carrier where she earned an Associate in Risk Management designation from the Insurance Institute of America.

Mary Ann David has been promoted to Legal Support Supervisor I for the Oakland Legal Unit. Mary Ann began her career with Cal/OSHA in 2012 as a Lead Legal Secretary in the Oakland Legal Unit.

Mary Ann Efron has been promoted to District Manager for Process Safety Management Unit in Santa Ana. Mary Ann began her career with Cal/OSHA in 2006 as an Associate Safety Engineer in the Santa Ana district office. Prior to her work at Cal/OSHA, Mary Ann worked for Interplastic Corporation and later Kingston

Are you hiring?
Post your job here
get the word out to over
20000+
safety professionals

Technology, in the area of safety and environmental compliance and in company certification in ISO 9002, ISO 14001 and OHSAS 18001 programs.

Carlton Jones has been named the new district manager in San Francisco. He comes from the Process Safety Management Unit in Concord.

Eddie Miranda is the new DM in Fremont. He previously was with the Modesto office.

Zohra Ali, district manager in Torrance, has transferred to LETF South.

Modesto Assistant Safety Engineer **Laura Wormouth** has been promoted to Associate Safety Engineer.

Debra Lee, formerly manager of Region 4 for California's Division of Occupational Safety and Health, has been named Acting Deputy Chief for Field Enforcement for the Division. Taking her place at the helm of Region 4 is **Hassan Adan**, formerly manager of the DOSH Los Angeles district office. The regional office is based in Monrovia.

Michael Frye has been promoted to manager of DOSH Region 1, replacing **Chris Grossgart**, who was named deputy chief counsel of the Division. Region 1 is based in San Francisco. Mike began his career with Cal/OSHA in 1997 as an Associate Safety Engineer in the Oakland District Office. In 2002 he was promoted to District Manager in the Foster City District Office. Prior to his work at Cal/OSHA, he worked with State Compensation Insurance Fund working in their Safety and Health Department as a Supervisor.

Aston Ling has been named acting regional manager for the Department of Industrial Relations' Labor Enforcement Task Force, based in Santa Ana.

Clyde Trombetta has been named Statewide Manager and Policy Advisor of DOSH's Process Safety Management Unit, based in Concord.

John Leahy has been assigned as Acting Principal Safety Engineer for the DOSH Mining & Tunneling Unit, based in Sacramento. He takes over for longtime M&T manager **Steve Hart**, who has retired after a long career with Cal/OSHA.

DOSH also has hired new field staff, including:

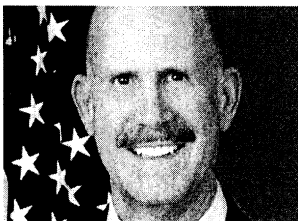
Gordon Wang, associate safety engineer, Sacramento Mining & Tunneling Unit.

Matthew Zylowski, associate safety engineer, Torrance district office.

Omar Castillo, junior safety engineer, American Canyon district office.

John Howard Reappointed Director of NIOSH, Administrator of WTC Health Program

John Howard, M.D. has been reappointed as the director of the National Institute for Occupational Safety and Health (NIOSH), part of the U.S. Centers for Disease Control and Prevention (CDC), and as Administrator of the World Trade Center Health Program, effective September 3, 2015. Dr. Howard is the sixth director of NIOSH and, with this reappointment, now the longest serving in the role. He first served as NIOSH director from 2002 through 2008, and again from 2009 to the present. Source: CDC/Safety+Health



Sherman Appointed to California Fraud Assessment Commission

Joel Sherman, 58, of Bakersfield, has been appointed to the California Fraud Assessment Commission, where he has served since 2010. Sherman has been director of safety and workers compensation at Grimmway Farms since 2000 and an associate professor for the California State University, Bakersfield Extended University Program since 1997. Sherman is a Republican.

Subject: Movers & Shakers
Date: Friday, October 2, 2015 at 9:59:00 AM Pacific Daylight Time
From: Cal-OSHA Reporter Newsdesk
To: Garrett Brown
Category: Junk

[email mangled](#)



October 2, 2015

- [Get your own](#)
- [Post Your Job](#)
- [Send Feedback](#)
- [Unsubscribe](#)

Movers and Shakers

Clovis High School Teacher a Finalist for National Award

John Eichmann, who teaches courses in Clovis High School ROP, is a finalist for the CareerSafe Safety Educator of the Year award for using Fed-OSHA's 10-hour safety training courses in his classes. CareerSafe, an authorized online provider of the training courses, sponsors the annual contest. Having completed OSHA certification, he says, is the number one reason my students are chosen to be hired out of other students in their peer group.



Photo courtesy of John Eichmann/Fresno Bee

Cal/OSHA also has announced a number of recent promotions and transfers:

Nestor Garcia, Senior Safety Engineer for the Pressure Vessel Unit in Santa Ana. Nestor began his career with Cal/OSHA in 2005 as an Associate Safety Engineer in the Santa Ana office. Prior to his work at Cal/OSHA, he worked with South Gate Engineering as a Quality Control Manager. In 2014 he was promoted to Senior Safety Engineer for the Pressure Vessel Unit in Santa Ana.

David Hornung, District Manager for Enforcement in Oakland. David began his career with Cal/OSHA as a summer intern in 2006, followed by a full-time position as Associate Safety Engineer in 2009. In 2014, he was assigned as Acting District Manager in the Oakland Office. Prior to his work at Cal/OSHA, he worked as an Environmental Scientist at the New York City Health Department and as a Product Safety Engineering Consultant in San Jose, California.

Dennis Kieferdorf, Senior Safety Engineer for the Elevator Unit in San Diego. Dennis began his career with the Elevator Unit in 2004 as an Associate Safety Engineer in the San Diego office. Prior to his work with the Elevator Unit, he worked as an elevator mechanic for Montgomery/Kone Elevator Company doing repairs and alterations on various conveyances.

Bobby Park, Senior Safety Engineer, Supervisor for the Amusement Ride & Tramway Unit in Santa Ana. Bobby Park began his career with Cal/OSHA in 2001 as an Associate Safety Engineer in the Elevator, Ride and Tramway Unit, (Amusement Rides), in Anaheim. Bobby holds the following certifications: California Qualified

Are you hiring?
Post your job here
get the word out to over
20000+
safety professionals

Safety Inspector; Professional Amusement Ride Inspector; and Maintenance Technician and Operations Technician. Bobby is a contributing and voting member of ASTM (American Society for Testing and Materials). He is on the F24 committee and sub-committees for Amusement Rides and Devices.

Scott Prather, Senior Engineer for the Amusement Ride and Tramway Unit in the Sacramento District office. Scott began his career with Cal/OSHA in September 2009 as an Associate Engineer in the Sacramento Amusement Ride and Tramway District office. Prior to his work at Cal/OSHA, he worked with Californias Great America for seven years in the Ride Maintenance Department, where he performed safety inspections and maintenance on the roller coasters and other rides.

Alfred Varela, District Manager for Enforcement in Torrance. Alfred began his career with Cal/OSHA in March of 2012 as an Associate Safety Engineer in the San Bernardino office. Prior to his work at Cal/OSHA, he worked with State Compensation Insurance Fund as a Loss Control Consultant and as a Senior Loss Control Consultant.

John Wendland, District Manager for Enforcement in Redding. John began his career with Cal/OSHA in 2004 as an Associate Safety Engineer in the Sacramento District Office. Prior to his work at Cal/OSHA, he worked in construction industry responsible for many construction sites and implemented safety programs on major construction projects.

Janice Yapdiangco, Staff Services Manager III within Cal/OSHA. Janice has been employed within the Department of Industrial Relations for more than 25 years. She previously worked as SSMII with the Labor Commissioners Office for 5 years. Prior to that, she worked with the Commission on Health and Safety and Workers Compensation and Division of Workers Compensation under the direction of Christine Baker since 1989. Ms. Yapdiangco oversees DOSH Administrative Support Services in addition to being responsible for helping to resolve many challenging issues on an ongoing basis.

[Visit the Job Board](#)

Cal-OSHA Reporter Classifieds

Workplace Safety Attorney
Costa Mesa, CA 92626

Summary of Position:

AM 100 Firm has an opportunity for an experienced Workplace Safety Attorney in one of their Southern California offices. This is a unique opportunity for an experienced CalOSHA attorney to assist senior associates and shareholders and assume a major role in litigation with extensive contact with client representatives and opposing counsel. The firm can provide multiple writing, publishing and speaking opportunities.

We are fully committed to the importance of diversity within the legal profession, as well as all workplace environments and strongly encourage the interest of diverse candidates in the firm.

Requirements:

- Juris Doctor. Qualified candidates must be and remain licensed to practice law and

Subject: Movers & Shakers

Date: Thursday, October 15, 2015 at 12:40:55 PM Pacific Daylight Time

From: Cal-OSHA Reporter Newsdesk

To: Garrett Brown

[email mangled](#)

OSHA Today



October 15, 2015

[sign up](#) [Get your own](#)

[Post a job](#) [Post Your Job](#)

[Send Feedback](#)

[unsubscribe](#)

[Unsubscribe](#)

Movers & Shakers

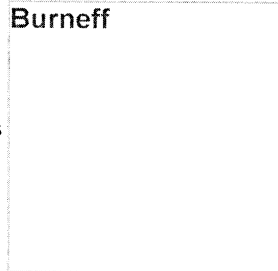
Jessica Martinez to Serve as Acting Executive Director of National COSH

San Diego, California The National Council for Occupational Safety and Health (National COSH) has announced that Jessica Martinez, MPH, will serve as Acting Executive Director of the organization on an interim basis. Martinez is a veteran health and safety activist who has worked on economic and social justice campaigns to empower workers in the United States, Venezuela and Brazil. She has served as deputy director of National COSH since March 2014 and was previously the organizations assistant director. Outgoing Executive Director Mary Vogel will leave National COSH, effective October 16th, to take a new position as executive director for Building Pathways, a Boston-based nonprofit that sponsors a building trades pre-apprenticeship training program. Source: National Council for Occupational Safety and Health



Cal/OSHA's Burneff Recognized
Oakland, California Cal/OSHA has recognized Employee Gina Burneff began her career with the High Hazard Unit - South as an Office Assistant in July of 2014. Upon successfully passing the Office Technician exam, Gina was promoted to an Office Technician and successfully completed her probationary period in September of 2015. Gina has been a valuable team member and has utilized her skills in creating spreadsheets to streamline case file maintenance as well as managing the master target list. Source: Cal/OSHA.

Burneff



National Trench Safety Announces Hiring of Industry Veteran Wendell Wood

Houston, Texas National Trench Safety, LLC (NTS), a Houston-based company specializing in the rental and sales of trench and traffic safety equipment, trench and traffic safety engineering, and OSHA-compliant training classes, announced today that Mr. Wendell Wood, a highly experienced trench safety veteran has joined NTSs Customer Training Division. Source: National Trench Safety/PRWeb

[Visit the Job Board](#)

Cal-OSHA Reporter Classifieds



Subject: Movers & Shakers

Date: Friday, November 6, 2015 at 12:24:32 PM Pacific Standard Time

From: Cal-OSHA Reporter Newsdesk

To: Garrett Brown

[email mangled](#)

OSHA Today

[sign up](#) [Get your own](#)

[Post a job](#) [Post Your Job](#)

November 6, 2015

[Send Feedback](#)

[unsubscribe](#)

[Unsubscribe](#)

Movers and Shakers

Cal/OSHA Recognizes Tramway Inspectors Doering and Owen

Doering Owen

Cal/OSHA's recently recognized the outstanding service and dedication to public safety Kirk Doering and Dave Owen, tramway inspectors in the Amusement Ride and Tramway Unit. Owen and Doering are entrusted with keeping over 50 million riders safe each winter and summer in the mountains, at wineries, amusement parks, zoos, fairgrounds and other areas. Through wind, heat, snow and rain they have been inspecting California's ski lifts since 1996 for Kirk and 1999 for Dave.

Cal/OSHA is welcoming aboard some new faces who have been filling positions vacated by retiring staff; recognizing promotions, welcoming back retired annuitants; and wishing good luck on retirements:

New administrative staff: Lindsey Stockstill Office Assistant (Typing), Sacramento AR&T; Patricia Rojas Office Technician (Typing), San Bernardino CON; Donna Roberts - Office Technician (Typing), Santa Ana AR&T; and Carmen Vega - Office Technician (Typing), Modesto DO.

New professional staff: Dalia Yalda Rassier Junior Industrial Hygienist, San Francisco DO; Daniel Grinnell Assistant Industrial Hygienist, Oakland DO; Charles Rachlis Assistant Safety Engineer, Oakland DO; and Hazel Butler Junior Safety Engineer, Los Angeles DO.

New student assistant: Charlene Nguyen Van Nuys DO.

Promotions: Joanna Pulido Staff Services Analyst, Oakland HQ Admin; Monica Quintero Office Technician (Typing), Sacramento EV; Grace Virrey Management Services Technician, Oakland HQ Admin; Jovita Boitano - Management Services Technician, Oakland PV; Marcos Gonzalez Assistant Safety Engineer, West Covina DO; and Ruby Chow - Management Services Technician, Sacramento EV.

Retired annuitants: Rhonda Blake - Management Services Technician, Sacramento RO; and Denise Johnson Industrial Relations Counsel III, Torrance DO.

Retirements: David Walton Associate SE, San Bernardino EV; Ray Towne Associate SE, San Bernardino M&T; Ramon Porras Associate SE, Los Angeles DO; and Gil Rizzo Associate SE, Sacramento EV.

Fred Duyck named North Carolina Industrial Commission

Subject: Movers & Shakers

Date: Thursday, December 3, 2015 at 1:12:37 PM Pacific Standard Time

From: Cal-OSHA Reporter Newsdesk

To: Garrett Brown

[email mangled](#)



December 3, 2015

- [Get your own](#)
- [Post Your Job](#)
- [Send Feedback](#)
- [Unsubscribe](#)

Movers and Shakers

Cal/OSHA Recognizes Ernestine Acosta, Office Assistant

Cal/OSHA is honoring Ernestine Acosta as an outstanding employee and a major part of the success of the Region 4 office. Acosta began her career with the division in 2004 at the West Covina District Office, where she excelled at entering prehearing and hearings notices from the Appeals Board into the system, scheduling informal conferences, entering data for the inspectors, helping with administrative letters, copying files, and mailing out citations. In 2012, she transferred to the Region 4 office. Among other responsibilities, she assists Senior Safety Engineers in keeping up with the heat illness cases in the region. She also maintains the fatality log and follows up with the district offices regarding their online complaints. Source: Cal/OSHA



New Faces and Promotions at Cal/OSHA

Cal/OSHA is welcoming several new faces as the division continues to fill positions for retiring staff. Administrative Staff: Paula Venegas, Office Assistant (Typing), Oakland HHU; and Patricia Merideth-Sutton, Legal Secretary, LA Legal/BOI. Professional Staff: Wilbert Lacambra, Associate Safety Engineer, Santa Ana PV; Vincent Bethel, Associate Safety Engineer, Santa Ana PV; and Marc Sherrill, Associate Safety Engineer, Sacramento AR&T. In addition, several exams held in recent months are producing a steady trickle of promotions: Jim Holmes, Senior Safety Engineer, Fresno CON; Mei-Kwan Cheung, Management Services Technician, Oakland EV; Marben Porras, Assistant Safety Engineer, Oakland EV; Rene Ovalle, Associate Safety Engineer, Oakland EV; Emily Hacopian, Management Services Technician, Van Nuys DO; and Quyen Tran, Management Services Technician, Oakland HQ. Source: Cal/OSHA

Kelly Bailey Named 2015 AggMan of the Year

The staff of Aggregates Manager is proud to recognize Kelly Bailey as the 2015 AggMan of the Year. For more than 40 years, Bailey has worked diligently to protect worker health and safety. As the aggregates industry's first industrial hygienist, he has pioneered the use of sound science and data collection and analysis to develop and share programs that protect workers. Equally importantly, he has worked to hold government agencies accountable for using the same principals of sound science when developing regulations that impact the industry. In 1986, when Fed-



**AB2774:
A Closer Look
at the Rules,
Risks and
Remedies to
Avoid Costly
Penalties and
Fines**

**DVD
only
\$149+ tax**

• **What AB 2774 is
and what it really
means for
employers.**

**2 hours MCLE credit
1 hour CDI CE credit
0.33 ABIH Points**

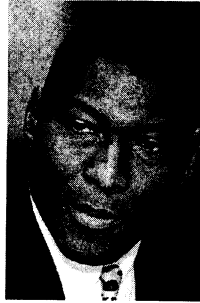
(Additional fee required)

**Click Here
BUY NOW!**

OSHA passed a final asbestos standard that regulated cleavage fragments of actinolite, tremolite, and anthrophyllite as asbestos, he spent six years working with industry groups to educate Fed-OSHA and unions about the issue. That effort led to Fed-OSHA overturning a final rule for the first time. Today, he continues to educate regulators on the issues of asbestos and crystalline silica. Source: Aggregates Manager

Kentucky Gov.-Elect Bevin Appoints Derrick Ramsey to Head State Labor Cabinet

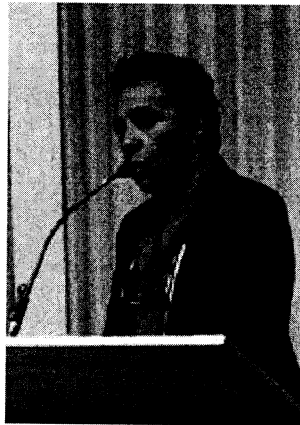
Former University of Kentucky and pro football player Derrick K. Ramsey is Kentucky Gov.-elect Matt Bevin's choice to head the state Labor Cabinet. Ramsey, who was deputy commerce secretary in Gov. Ernie Fletcher's administration, is Bevin's first announced secretary of a cabinet. Bevin takes office Dec. 8. Bevin said in a release that Ramsey, 58, brings decades of leadership experience from posts in the public and academic sectors. Source: Lexington Herald-Leader



PASSINGS

Dr. Julia Quint, Former Chief of HESIS Program and Contributor to Chemical Standards

Dr. Julia Quint, former chief of the California Department of Public Health's HESIS program and a key contributor to Cal/OSHA chemical standard-setting, has died after a sudden illness. Quint was retired from CDPH, but still was active in the occupational safety and health community, often testifying before the Cal/OSH Standards Board on chemical safety. She was a person of special importance to the Standards Board, member Laura Stock said. She was a pioneer for safer chemical alternatives. Most recently, Dr. Quint had been working with New York City officials in trying to find alternatives to the chemicals used in nail salons. Quint, a toxicologist and biochemist, previously was a member of Cal/OSHA's Health Effects Advisory Committee, which recommends permissible exposure limits. Dan Leacox, an employer representative with the Sacramento firm Greenberg Traurig, said Quint was extremely intelligent, gracious, diligent and well respected. He added, She was a force to be reckoned with. Source: Cal-OSHA Reporter



[Visit the Job Board](#)

Cal-OSHA Reporter Classifieds

Environmental, Health and Safety Manager

Reports To: Director of Regulatory Affairs

Position Summary: Assist in the management of the health and safety program.

Subject: Movers & Shakers

Date: Friday, December 18, 2015 at 7:59:00 AM Pacific Standard Time

From: Cal-OSHA Reporter Newsdesk

To: Garrett Brown

[email mangled](#)

OSHA Today

[sig nup](#) [Get your own](#)

[Post a job](#) [Post Your Job](#)

December 17, 2015

[Send Feedback](#)

[unsubscribe](#)

[Unsubscribe](#)

Movers and Shakers

Cal/OSHA Consultation Manager Vicky Heza To Retire

Heza

Vicky Heza, who has spent nearly 30 years at the Division of Occupational Safety and Health, will retire at the end of 2015. Previous to her position as Consultation manager, Heza was deputy chief of enforcement for the Division. She began her career in Cal/OSHA in 1986 as an industrial hygienist in San Diego and was promoted to district manager for the DOSH enforcement district office in San Diego in 1991. She became regional manager for Consultation in 1996. In 2000, Heza was named to the deputy chief post, and as Consultation manager in 2009. Source: Cal-OSHA Reporter

[\[click here\]](#)

Standards Board's Conrad Tolson to Retire

Conrad Tolson, a senior engineer at the Cal/OSH Standards Board who has had a hand in developing many regulatory initiatives in the past 16 years, will retire at the end of 2015. Tolson joined the board in 1999 and previously was a senior mechanical engineer with the California Office of Statewide Health Planning and Development. Prior to that he was with the Army Corps of Engineers, involved in military design and construction. Private-sector experience included stints in architectural design, open-pit mining and power generation. He holds a degree in mechanical engineering from Oregon State University and is a registered professional engineer in California. Source: Cal-OSHA Reporter

Arizona Gov. Ducey Appoints Scott LeMarr to Industrial Commission of Arizona

LeMarr

Arizona Gov. Doug Ducey has appointed Scott LeMarr to the Industrial Commission of Arizona. LeMarr, who served as mayor of the Town of Paradise Valley until the end of 2014, will serve as commissioner of the agency, according to a Dec. 4 press release. LeMarr has served on the board of directors for the Small Business Advisory Board of the Department of Labors OSHA Task Force, and on the board of directors for Biltmore National Bank, which is now Johnson Bank. He is a member of the board of directors for the Bank of Arizona and a member of the Arizona Masonry Guild. Source: Paradise Valley Independent