

Vital Statistics for Cal/OSHA Available in 2014

Prepared by Garrett Brown drawing on publicly available documents from the DOSH Program Office and pages of the *Cal/OSHA Reporter* copied under the “fair use” doctrine. Compiled on December 19, 2014.

February:

- “Cal/OSHA Inspections Down, Serious Violations Up in First Half, 2013”

April

- “DOSH Inspections and Violations Cited by Quarter From January 1992 Through September 2013” (last available update to the DOSH Advisory Committee in May 2014, not clear if DIR/DOSH has halted distribution of these stats)
- “Most Cited and Appealed Citations for 2013”

May

- “California Fatal Final Tally: Up is Still Down”
- “Inspection Stats Lag at Quarter Turn”

August

- “Feds Contend Cal/OSHA Still Isn’t Issuing Enough Serious Citations”

September

- “California Fatalities Trend Up, Especially for Latinos”
- “Cal/OSHA’s New High-Hazard List”

November

- “A Grim Statistic Prompts the Question: How to Reduce Latino Fatalities?”

December

- “California Employment Numbers Up – So are Injures and Illnesses”

was killed by an overturned forklift.

Estrada was working the night shift at the company, which manufactures horse feed, and was operating a forklift with a 16-foot reach. The mast was extended, but did not have a load on it. A worker found it on its side with Estrada pinned under it. He pulled the lift off the stricken worker with his forklift and pulled him free, but he was declared dead at the scene.

"It appears speed and a sharp turn may have been the likely cause of the tip-over," DOSH writes in its investigative summary. "Because the operator was not wearing a seatbelt, he was ejected from the seat, then pinned" across his chest under the rollover protective structure. The root cause "was the failure to enforce the use of seat belts."

DOSH cited the employer for a single, serious violation of the industrial truck standard for failing to ensure the use of the forklift's seatbelt. The proposed penalty is \$18,000. Elk Grove is appealing the citation.

Inspections and Violations

Cal/OSHA Inspections Down, Serious Violations Up in First Half, 2013

Division of Occupational Safety and Health onsite inspections based on accident, complaint and programmed reasons were down a bit in the first six months of last year from the same period 2012 and 2011 although the number of serious violations was higher than the two prior years.

The statistics were compiled from the DOSH Program Office and recently distributed, as illustrated in the accompanying chart. The comparable statistics show a total of 3,737 onsite inspections in the first half of 2013, compared to 3,861 in the comparable period in 2012 and 3,994 in 2011.

Total alleged violations were 7,316 in the first six months

	On-Site Inspections	Accident Related	Complaint Related	Programmed Inspections	Total Alleged Violations	Alleged Serious	% Alleged Serious
Agriculture	452	82	79	101	584	111	19%
Mineral Extraction	110	13	4	88	95	26	27%
Construction	1,153	253	199	323	1,990	393	33%
Manufacturing	544	208	171	113	1,784	461	26%
Transportation/ Public Utilities	256	90	105	27	540	112	21%
Wholesale Trade	118	49	43	17	347	64	18%
Retail Trade	265	57	139	54	586	68	12%
Financial/ Real Estate	41	11	23	0	82	5	
Services	677	175	278	129	1,200	189	16%
Public Admin.	121	42	66	1	108	17	16%
Totals	3,737	980	1,107	853	7,316	1,446	21%

Source: DOSH Program Office

of last year, compared to 7,657 in 2012 and 7,212 in 2011. Alleged serious violations were 1,446, higher than the 1,396 in 2012 and 952 in 2011. Serious violations for the first two quarters last year equaled 21% of total alleged violations, versus 18% in 2012 and about 13% in 2011.

Complaint-related inspections were the sources of inspections, followed by accident, programmed and referral inspections.

CASPA Filed

continued from page 10799

refrain, Brown compares Cal/OSHA staffing unfavorably to the California Department of Fish and Game, which has 253 inspectors, and says DOSH's inspector-to-worker ratio is 1:109,000, significantly higher than Fed-OSHA's 1:66,000.

Brown says that to match the Fed-OSHA inspector-to-worker ratio, California should have 282 inspectors. To match Washington and Oregon, which have much lower ratios, DOSH would need 556 and 658, respectively.

In fact, Fed-OSHA's latest Federal Annual Monitoring Evaluation (FAME) of DOSH noted that Cal/OSHA in fiscal 2013 requested fewer positions than the year before, which "amounts to a cut of 33 positions that provide direct compliance enforcement activity in the field and is not adequate to provide an adequate OSHA program."

The CASPA was filed by Public Employees for Environmental Responsibility (PEER), an advocacy group which supports public employees such as scientists on environmental issues. PEER asked Fed-OSHA for "immediate attention" on Cal/OSHA staffing, saying that the staffing shortages create a "pattern of delays in processing cases" and inadequate workplace inspection. "Workers in California have less protection on the job now than at any other time in a generation due to the implosion of Cal/OSHA," the Washington, D.C.-based organization alleges.

Sum and Baker say a continuing parade of retirements by Baby Boomers presents a continual challenge to DOSH, and recruitment efforts so far have yielded mixed results, but they are working to rebuild the ranks. "The recruitment process is not overnight," Sum says. "It a very involved process."

The lack of staffing means that DOSH is not meeting federal benchmarks for responding to complaints, timely closing of inspections and investigating non-fatal incidents. It also means that DOSH can't conduct as many planned inspections in high-hazard workplaces as it should, as well as follow-up inspections, Brown asserts. Understaffing also

**DOSH INSPECTIONS AND VIOLATIONS CITED BY QUARTER
FROM JANUARY 1992 THROUGH SEPTEMBER 2013**

CY	INVESTIGATIONS				TOTAL VIOLATIONS	VIOLATIONS PER INSPECTION	SERIOUS VIOLATIONS	OTHER THAN SERIOUS VIOLATIONS	% SERIOUS
	TOTAL INVEST	ON-SITE INSP	LETTER RESP.	% INSP PROG					
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
Qtr									
1 - '11	2,608	1,847	761	33	3,202	1.73	332	2,870	10
2 - '11	3,182	2,147	1,035	31	4,010	1.87	620	3,390	15
3 - '11	3,702	2,460	1,242	19	3,678	1.50	619	3,059	17
4 - '11	2,499	1,508	991	22	3,662	2.43	598	3,064	16
2011	11,991	7,962	4,029	26	14,552	1.83	2,169	12,383	15
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

And the Winners for Most Cited and Appealed Cal/OSHA Violations for 2013 Are ...

Here is the list of Cal/OSHA's most often cited and appealed violations for 2013. The accompanying charts help us tell you the whole story.

Most Cited: The Injury and Illness Prevention Program standard remains the most-cited Title 8 standard, a position it traditionally holds. In fact, the number of violations the Division of Occupational Safety and Health cited under General Industry Safety Orders §3203 in 2013 was exactly the same as 2012 – 1,709.

Most Appealed: Meanwhile, the fatality and serious injury reporting regulation, §342(a), was the most appealed standard and remains one of the most controversial regulations. It topped the most-appealed list and was one of the leading most-cited standards.

Heat illness prevention violations were the second-most cited by Cal/OSHA last year, at 1,515, up from the 1,379 issued in 2012. The construction IIPP standard was third, at 905 violations, also up from 2012. None of the top three violations had a high rate of serious classification, although all three saw increases in their serious rate.

On the most-cited list, the violation that most often was cited as serious was standard number 25 – Use, Care and Protection of Abrasive Wheels, GISO §3577. Essentially half of the violations cited under this standard last year were serious.

The fourth-most cited standard, §3314, lockout/tagout, was classified serious in more than one-third of the cases.

The 25 most-cited standards represented more than 8,900 cited violations, more than half of all violations cited in 2013. Of the 25, three on the 2013 list did not appear the year before, including: §341, Permit Requirements; CSO §1527, Washing Facilities, Food Handling and Temporary Quarters; and §4650, Compressed Gas and Air Cylinders.

Based on its relative positions on both lists, the fatality/serious injury-reporting standard is the most controversial regulation in Title 8. Section 342(a) violations were the fifth-most cited violation and the number one most appealed citation.

On the most-appealed list, which includes 10 standards, there also were four new entries for 2013: §3380, Personal Protective Devices and Safeguards; §5157, Permit-Required Confined Spaces; §3999, Conveyors; and §3650, Industrial Trucks.

Ten Most Appealed Title 8 Standards During CY 2013

Standard	Description	Total Violations	Percent Appealed
342	Reporting Work Fatality or Serious Injury	478	71.8%
5189	Process Safety Management of Acutely Hazardous Materials	65	69.2%
4002	Moving Parts of Machinery and Equipment	79	67.1%
3380	Personal Protective Devices and Safetyguards	73	64.4%
3314	Cleaning, Repairing, Servicing, and Adjusting Prime Movers, Machinery and Equipment	481	63.4%
5157	Permit-Required Confined Spaces	99	60.6%
4070	Belt and Pulley Drives, Guarding	90	60.0%
3999	Prime Movers and Machinery, Conveyors	70	60.0%
4300.1	Table Saws - Manual Feed (Class B)	100	58.0%
3850	Industrial Trucks: General Requirements	187	57.8%

Twenty-Five Most Frequently Cited T8 CCR Standards in CY 2013

Standard	Description	Total Violations	Serious Violations	Percent Serious
3203	Injury and Illness Prevention Program	1709	98	5.7
3395	Heat Illness Prevention	1515	103	6.8
1509	Construction Injury and Illness Prevention Program	905	29	3.2
3314	Clean, Repair, Service, Set-up and Adjust Prime Movers, Machinery and Equipment	481	180	37.4
342	Reporting Work Fatality or Serious Injury	478	3	0.6
5194	Hazard Communication	412	8	1.9
6151	Portable Fire Extinguishers	334	2	0.6
3457	Field Sanitation	299	7	2.3
5144	Respiratory Protection Equipment	293	8	2.7
461	Permits to Operate Air Tanks	249	0	0.0
1512	Construction: Emergency Medical Services	237	1	0.4
5162	Emergency Eyewash and Shower Equipment	217	73	33.6
3276	Portable Ladders	209	39	18.7
3850	Industrial Trucks: General Requirements	187	40	21.4
2340.16	Work Space About Electric Equipment	184	0	0.0
3668	Powered Industrial Truck Operator Training	178	11	6.2
3328	Safe Practices, Personal Protection: Machinery and Equipment	167	43	25.7
3577	Use, Care, and Protection of Abrasive Wheels: Protection Devices	120	53	44.2
341	Permit Requirements: Excavations, Trenches, Construction and Demolition and the Underground Use of Diesel Engines in Work in Mines and Tunnels	114	4	3.5
1644	Metal Scaffolds	114	46	40.4
1527	Washing Facilities, Food Handling and Temporary Sleeping Quarters	113	0	0.0
2500.08	Flexible Electrical Cords and Cables: Uses Not Permitted	113	0	0.0
4650	Compressed Gas and Air Cylinders: Storage, Handling, and Use	112	26	23.2
2340.22	Equipment Identification in Electrical Installations	107	9	8.4
3241	General Physical Conditions and Structures: Special Design Requirements, Live Loads	105	7	6.7

California Fatal Final Tally: Up is Still Down

The final California total for the 2012 Census of Fatal Occupational Injuries (CFOI) was 375, an 11% rise from the preliminary total of 339 released last August. California had 12.3 percent of the nation's workplace fatalities.

But in this case it turns out to be "good" news, because the total is down from the 2011 total of 390.

Each major fatality source saw increases between the preliminary and final count, led by violence (13, up 19%) and transportation incidents (13, up 10%). The increased totals are common. States normally add more fatalities after the preliminary counts are released as data collection is completed for the year and incidents are confirmed as work-related.

Most of the major industrial sectors saw increased total. Arts, entertainment and recreation, and accommodation and food services both were down by one fatality each.

The 2012 total of 375 is one of the lowest recorded. In the past decade, the only year with a lower total was 2010's 326. In 2006 California suffered more than 500 fatalities.

California tallied the second-highest fatality count in the nation in 2012. Texas had the most, by far, at 536. Third was Florida, at 218. Rhode Island had the fewest fatalities – eight.

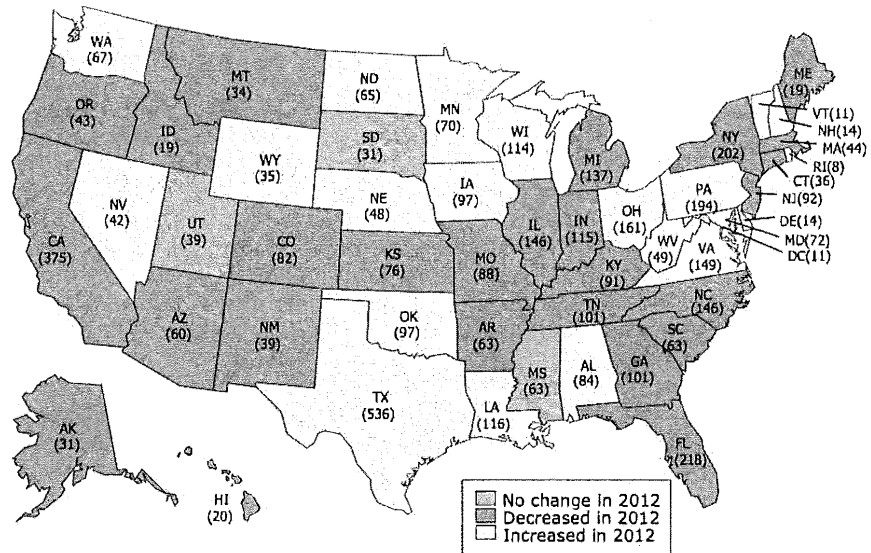
Nationally, 4,628 workers lost their lives in 2012, up from the preliminary count of 4,383 reported last August. The federal Bureau of Labor Statistics says this is the second lowest total since CFOI started in 1992. The 2013 preliminary CFOI total will be announced in August.

The release of the final CFOI tallies came as safety advocates

around the country commemorated Workers' Memorial Day on April 28. The events are designed to bring attention not only to worker fatalities, but the many thousands more injuries and illnesses that workers suffer every year.

A total of
4,628
workers
suffered **fatal**
occupational
injuries in 2012.

Number of fatal work injuries, by state, 2012



2012 California Fatalities by Industry, Final Totals

	Total	Violence	Transportation Incidents	Fires and Explosions	Falls, Slips, Trips	Harmful Exposure	Contacts w/ Objects & Equipment
All Sectors	375	80	142	7	60	23	61
Agriculture, Forestry & Fishing	29	3	15	n/a	n/a	n/a	8
Mining	4	n/a	n/a	n/a	n/a	n/a	n/a
Construction	58	5	16	n/a	19	6	11
Manufacturing	28	6	6	n/a	4	n/a	7
Wholesale Trade	18	n/a	8	n/a	4	n/a	3
Retail Trade	24	9	3	n/a	9	n/a	n/a
Transportation & Warehousing	61	4	43	n/a	n/a	n/a	10
Information	7	n/a	3	n/a	n/a	n/a	n/a
Financial Activities	4	3	n/a	n/a	n/a	n/a	n/a
Professional & Business Services	35	4	12	n/a	6	5	8
Administrative & Waste Services	28	4	8	n/a	6	4	6
Education and Health Services	18	9	4	n/a	n/a	n/a	n/a
Arts, Entertainment & Recreation	14	n/a	7	n/a	n/a	n/a	n/a
Accommodation & Food Services	11	6	n/a	n/a	4	n/a	n/a
Government	43	16	19	n/a	n/a	4	4

N/A=no data reported or not available

2012	375
2011	390
2010	326
2009	409
2008	465
2007	461
2006	537
2005	465
2004	467
2003	459

Bringing Safety Culture to West Africa

Clyde Trombettas, manager of the Division of Occupational Safety and Health's Process Safety Management Unit, not only has played a key role in developing the new regulations that will guide California refinery safety in the 21st century, he is helping to bring an entire country safety awareness and compliance.

Trombettas is creating a safety laws and practices for the African nation of Ghana. The new laws won't resemble California but they will help to put the country light-years ahead of where it is now. And more importantly, they will help to save lives and families.

Workplace safety in Ghana is not currently a value and it's not even a priority. It's more like wishful thinking. "The way it's currently written, the government will point out hazards and industry says 'We'll try to fix them.' There's no enforcement," Trombettas tells *Cal-OSHA Reporter*.



Trombettas' project is part of freelance (and he points out state-approved) work with the Occupational Safety Council of America (OSCA), for which he does consulting and training.

Ghana has a new government, which is interested in reform. The previous president was corrupt, absconding with some \$4 billion to a country without an

extradition treaty. The current president says he is dedicated to changing that culture. "The new [government] wants to leave its mark," Trombettas says.



Clyde Trombettas: Ghana project is "exciting."

The country's minister of employment and labor relations, The Honorable Armah Ashietey, paid a visit to the United States and OSCA to discuss pension reform and worker safety and health.

He was introduced to Trombettas and explained that the government wanted to develop occupational safety and health training centers around the nation. Currently, employers do not provide training, and Ghana does not have a workers' comp system. Under the training concept, workers would be required to take government-provided training before working in a factory. The few safety laws Ghana has now pertain only to factory work and to no other sectors.

Ghanaian safety and health officers do some training now when they visit a factory, "because the employer will not," according to Minister of Labor and Employment Frederick Ohene Mensah. If an inspector finds an imminent hazard, his only option is to take the matter to court, which can take weeks.

Mensah had heard about the PSM Unit's recent Order Prohibiting Use at the Tesoro Refinery, after two workers received burns from sulfuric acid while they were taking samples. OSF

Inspection Stats Lag at Quarter Turn

Cal/OSHA's metrics – onsite inspections and total alleged violations – were down for the first three quarters of 2013 from the comparable period in 2012. The lone exception

was serious violations, which increased from 2,005 to 2,156. The Division of Occupational Safety and Health Program Office released the statistics.

DOSH On-Site Inspections and Violations Cited, Major Industrial Groups, January-September 2013

	On-Site Inspections	Accident Related	Complaint Related	Programmed Inspections	Total Alleged Violations	Alleged Serious	% Alleged Serious
Agriculture	989	190	164	301	1,172	179	15%
Mineral Extraction	157	22	5	119	132	33	25%
Construction	1,714	400	305	1,381	3,202	579	18%
Manufacturing	761	305	229	155	2,685	723	27%
Transportation/ Public Utilities	390	143	168	35	751	140	19%
Wholesale Trade	176	79	61	23	478	83	17%
Retail Trade	385	87	214	63	847	103	12%
Financial/ Real Estate	66	13	35	3	108	9	8%
Services	1,027	281	424	185	1,852	279	15%
Public Admin.	176	59	97	2	165	28	17%
Totals	5,841	1,579	1,702	1,267	11,392	2,156	19%

Source: DOSH Program Office

The 5,841 onsite inspections were down from 6,101 in 2012. The 1,579 accident-related inspections were down from 1,619; complaint-related investigations were down significantly, from 2,013 to 1,702; and programmed inspections were down slightly, at 1,267, from 1,273.

Also showing a slight decrease were total alleged violations, at 11,392. For the first nine months of 2012, the total was 11,470.

But violations characterized as serious were up, at 2,156, from 2,005. That translates to a rate of 19% for the three quarters of 2013, versus 17% in 2012.

FAME Report

Feds Contend Cal/OSHA Still Isn't Issuing Enough Serious Citations

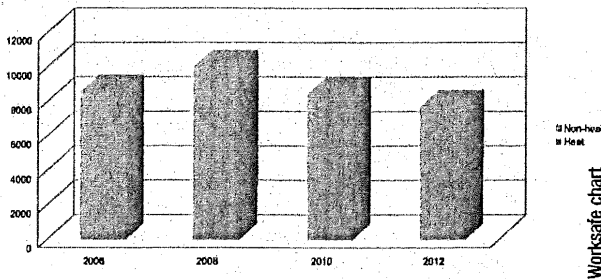
Cal/OSHA inspections, particularly planned ones, continue to produce serious, willful and repeat violations at rates much lower than the national average, the federal Occupational Safety and Health Administration says in its latest evaluation of the program.

It is a controversy that could challenge the whole idea of state controlled vs. federal controlled programs. And in this day and age of increasing federal control of just about everything, the issue has to cross our minds.

Some state programs are said to be failing, others such as California lead the way through innovation in solutions such as the heat standard that has been widely copied throughout the country and nearly adopted in whole by the Feds.

Nevertheless, Fed-OSHA is taking DOSH to task for failing to incorporate the new definition of "serious violation" per AB 2774 into its policy and procedures manual and not reforming its repeat violations policy to make it easier to issue such citations.

Heat Illness Inspections Comprise a Large Percentage of Inspections



And Fed-OSHA says that period from when Cal/OSHA begins investigations to when it issues citations (lapse time) still is much higher than the national average. Many interested parties on all sides agree this particular criticism is valid.

Additionally, the feds say, Cal/OSHA remains significantly understaffed.

Baker Responds

In response, Department of Industrial Relations Director Christine Baker told the Feds that new funding from the state will enable Cal/OSHA to hire more inspectors and that DIR has taken steps to improve inspections. But she criticized the Feds for "focusing on easily resolvable technical, administrative matters."

"Cal/OSHA remains understaffed and, as a result, is challenged to fulfill its important mission," Fed-OSHA said in its Federal Annual Monitoring and Evaluation report, covering Oct. 1, 2012 to Sept. 30, 2013. "The lack of staffing affects the citation lapse time the number of inspections conducted, and the response time to complaints. In particular,

the number of inspections conducted by Cal/OSHA staff is well below the national average. To compound the problem, there has been a steady decrease in inspectors" since fiscal-year 2011.

The Feds acknowledge the steps Cal/OSHA is taking to rebuild, but add, "there are still significant numbers of field compliance staff vacancies." The federal benchmark for compliance safety and health officers (COSHOs) is 805, Fed-OSHA notes. There were 229.7 full-time equivalent COSHOs in the last fiscal year.

In other words, to meet the federal benchmark, Cal/OSHA would have to add almost 600 new inspectors, a feat that is probably impossible.

The agency also noted that Cal/OSHA's rate of serious, willful or repeat (S-W-R) violations is "significantly lower" than the federal average, suggesting that the agency's "limited resources are not being applied most efficiently and effectively." The rate is likely the result of targeting low-hazard industries in the Labor Enforcement Task Force, and the "inappropriate designation of non-enforcement activities as inspections" in the federal information system, Fed-OSHA says..

On the issue of S-W-R, the feds reported that such violations were issued in 26.7% of programmed safety inspections and 9.1% of programmed health inspections. The federal averages are 57% and 53.7%, respectively. Fed-OSHA previously identified this trend, but says Cal/OSHA's "corrective actions taken have not had any impact on the results."

The overall number of S-W-R violations issued per inspection has increased, Fed-OSHA notes, from 0.55 to 0.61, but is still slightly about one-quarter of the national rate of 2.0. Meanwhile, the average for other-than-serious violations remains much higher than the national average, at 2.53 vs. 0.88.

The Feds also suggested that district managers may be classifying violations lower because of their workload and having to defend citations at the Appeals Board because of the lack of DOSH attorneys.

"The district managers do not have training to properly defend these cases nor do they feel comfortable in front of the ALJ and the opposing attorney," the report states. "When proposing citations and penalties, it was reported that the 'path of least resistance' is sometimes chosen to avoid testifying in front of the ALJ, which has a direct effect on how citations are classified."

OSHA also notes that DOSH still has not incorporated the definition of serious violation revised by AB 2774 into its inspection manual, although COSHOs use it when they issue citations. "However," it said, "the rate of serious violations cited continues to be low and could indicate that the classification is not

Percentage of Cal/OSHA Programmed Inspections with S-W-R violations

	FY2011	FY 2012	FY 2013	National Data
Safety	20.73%	20.86%	26.73%	57.0%
Health	6.21%	8.22%	9.09%	53.7%

Average Cal/OSHA Penalties per Serious Violation

No. of Workers	FY 2013	National Three-Year Data
1-251+	\$6264.25	\$1446.80
1-25	\$3937.28	\$1139.90
26-100	\$6896.55	\$1427.50
101-250	\$8503.20	\$1954.90
251+	\$9343.42	\$2494.80

of cases.

The Division conducted 7,431 safety and health inspections in 2013, which met the goal of 7,350. "The number of inspections conducted by current Cal/OSHA staff is well below the federal average," the report states.

In five of 19 inspections reviewed, worker representatives were not involved in the opening conference nor were workers interviewed.

- Methods for targeting high-hazard industries for inspections were not always documented and did not demonstrate that legal requirements were met.
- DOSH verified abatement in the private sector in 97.8% of cases for the private sector in 2013, and 100% for the public sector.

Fed-OSHA also noted that California has the highest proposed penalties in the nation (see accompanying chart).

In her response, DIR's Baker noted that Cal/OSHA "exceeds federal and other state OSHA plans in many important areas." On staffing, she pointed to the \$5.7 million in new funding that will allow the agency to hire 43 inspectors.

On enforcement, she said DOSH has "initiated processes to increase the timeliness, volume, and quality of our inspections. We will also work with OSHA to document out high hazard targeting methods and create a plan for evaluating effectiveness."

And Baker criticized several FAME items, especially including Fed-OSHA's questioning of the way Cal/OSHA codes enforcement inspections, using in some instances NAICS codes that are exempt from federal funding, the way it categorizes crane permitting inspections and tunneling pre-job conferences, and its allocation of time for senior safety engineers. "The report improperly elevates several technical [and] administrative matters to the executive summary level," she said.

Up in the Air: Skylight Safety Changes

SACRAMENTO – The Cal/OSHA regulation protecting workers around skylights and other roof and floor openings could use some modernization and clarity, but the Standards Board should augment, not substitute protections.

That was the general sentiment at an Aug. 14 advisory committee meeting to study proposed revisions requested by the solar panel installation industry. The regulation in question, General Industry Safety Orders §3212, was last revised before solar power installations became common on California rooftops, and industry safety representatives say they need more options than the standard now allows.

being correctly followed."

The average time it takes for Cal/OSHA to issue citations is 72.5 days for safety inspections and 76 days for health inspections, vs. the reference standards of 43.4 and 57 days, respectively. The feds observed that the AB 2774 requirement that DOSH issue an employer a 1BY form 15 days prior to issuing a serious violation could be a factor in the lapse time, but likely not a significant, since serious citations average 0.61 per inspection.

Nonetheless, Fed-OSHA comments, "This practice of delaying the issuance of citations is concerning ... and will be further examined as it appears to delay the abatement of violations, which places workers at increased risk of death or serious injury or illness."

The evaluation also noted that DOSH still has not revised its policies on repeat violations so that an employer's statewide history is taken into account, instead of just by region. The Division held an advisory meeting in March on revising the policy. It also would lengthen the timeframe for repeat consideration from three years to five years. Proposed revisions also would be aimed at preventing employers "running out the clock" on a case until it can no longer be considered for repeat status.

DOSH has not yet formally proposed regulatory reform language.

One surprising statistic: The Feds noted that almost 52% of Cal/OSHA inspections were related to heat hazards, but the Division of Occupational Safety and Health did not meet its goal of reducing the fatality rate for heat-related deaths. The agency does admit and did report that Cal/OSHA has been successful in reducing the overall fatality rate in agriculture.

DOSH conducted 2,986 heat-related inspections in FY 2013, surpassing the Division's goal of 2,500. "A total of 51.56% of all Cal/OSHA inspections were related to heat hazards," Fed-OSHA says, adding that the agency "did not meet their goal in regards to lowering the fatality rate for heat-related deaths." The feds add that "Given that a great amount of resources were expended during the 'heat sweeps,'" Cal/OSHA should evaluate its heat illness program to determine if there are better ways to "get to the sites that have the most serious hazards."

Among the other findings in the FAME report:

- Non-serious complaint inspections were not initiated within the benchmark of 14 days, in 53% of cases reviewed. However, almost 100% of complainants were notified on time about the results of their complaints.
- DOSH responded to fatalities within one day in 90%.

CFOI 2013

California Fatalities Trend Up, Especially for Latinos

Preliminary data released by the Division of Occupational Safety and Health shows that fatalities likely increased in 2013 over the previous year, perhaps sharply.

What's more, workplace deaths jumped for a group that already sees more than its share of fatalities – Latinos. This group accounted for about half of all California fatalities tallied in the preliminary Census of Fatal Occupational Injuries (CFOI). In the final 2012 CFOI count, Latinos accounted for 37% of the deaths.

Caucasian workers, who made up 48% of the fatalities in 2012, dropped to a preliminary percentage of 41% in 2013. Ethnic Asian workers suffered about 5% of the fatalities and African-Americans about 4%.

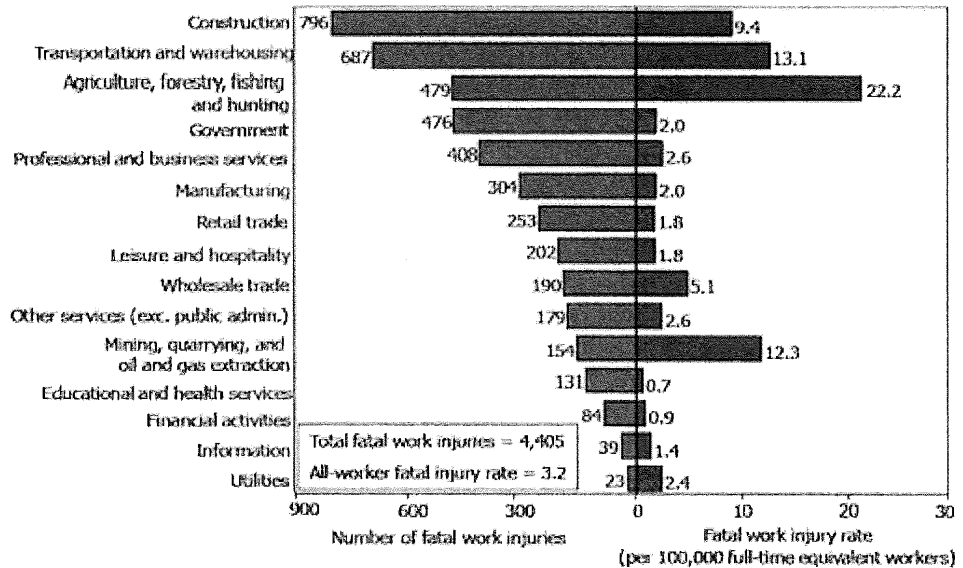
In all a preliminary count of 385 workers died in 2013 and the total is likely to rise. In 2012, for instance, the preliminary total was 339 and the final count rose to 375. The 2013 tally leads one group, Oakland's Worksafe, to predict the final total to exceed 400 fatalities. That total will be released in April 2015.

Nationally, an estimated 4,405 workers died last year, a decrease from the final total of 4,628 in

2012. But the federal Bureau of Labor Statistics notes that in the past five years, the final totals have showed net increases.

As is the case traditionally, transportation incidents comprised the largest fatality source in California last year – 35% by the initial count. Violent incidents and other encounters with humans or animals accounted for another 20%.

National CFOI Statistics



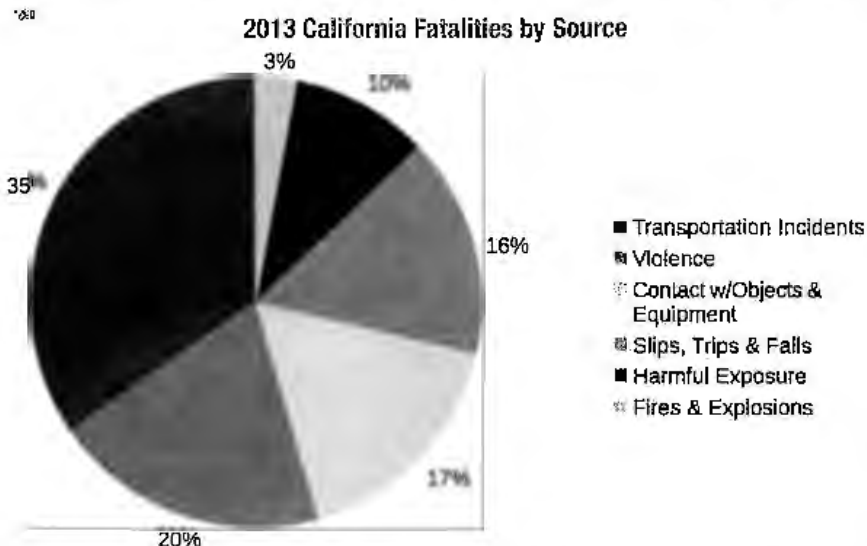
2013 California Fatalities by Industry, Preliminary Totals

	Total	Violence	Transportation Incidents	Fires and Explosions	Falls, Slips, Trips	Harmful Exposure	Contacts w/ Objects & Equipment
All Sectors	385	76	133	10	63	38	64
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	57	6	11	n/a	21	8	10
Manufacturing	36	5	16	n/a	4	n/a	10
Utilities	3	n/a	n/a	n/a	n/a	n/a	n/a
Wholesale Trade	22	3	10	n/a	3	3	3
Retail Trade	24	16	n/a	n/a	n/a	n/a	n/a
Transportation & Warehousing	65	5	37	n/a	7	4	12
Information	4	n/a	n/a	n/a	n/a	n/a	n/a
Professional and Business Services	48	4	15	n/a	13	6	10
Administrative and Waste Services	43	4	11	n/a	13	6	9
Educational & Health Services	13	6	3	n/a	3	n/a	n/a
Leisure & Hospitality	18	7	4	n/a	4	n/a	n/a
Arts, Entertainment & Recreation	7	n/a	3	n/a	n/a	n/a	n/a
Accommodation & Food Services	11	6	n/a	n/a	n/a	n/a	n/a
Other Services	11	n/a	4	n/a	n/a	n/a	n/a
Government	47	16	15	6	3	3	4

N/A=no data reported or not available

CFOI California		
	Preliminary	Final
2013	385	?
2012	339	375
2011	360	390
2010	302	326
2009	465	409
2008	404	465
2007	407	461

Top 10 States for Fatalities		
	2013 Preliminary	2012 Final
Texas	493	536
California	385	375
Florida	234	218
Pennsylvania	178	194
Illinois	172	146
New York	160	202
Ohio	148	161
Michigan	133	137
Virginia	126	149
Indiana	123	115



The single occupation most likely to die on the job last year? Heavy and tractor-trailer truck drivers, according to CFOI. They accounted for 61 deaths, or about 16% of the total. Construction laborers accounted for about 7% of the fatalities, as

well. And materials-handling laborers comprised another 4% or so.

The largest age group affected by fatalities was the 45-54 range, at 94 deaths, followed by 35-44 years, at 89 and 55-64, at 72 deaths. Thirty-five workers older than 65 died at work last year.

The high number of Latino deaths, experts say, is due to a number of factors, including a higher likelihood to work in hazardous industries or the “underground economy”; legal status, which brings fear of deportation and an unwillingness to speak up about hazardous conditions; a lack of English skills and a likely lack of training on job safety; and coming from a culture in which getting the job done often takes precedence over safety.

PSM

continued from page 10973

patched and clamped it. When one pipe started leaking, a fire crew investigated and a major plume erupted when one of the crew poked the wrapped piping with a pike. The crew evacuated just seconds before the plume erupted, and triggered an inferno that caused major damage to the unit and sent oily smoke hundreds of feet in the air.

While the incident had been the only major one since the PSM Unit was formed after the deadly Tosco Avon incident in 1999, it served as a wake-up call and presented an opportunity to change refineries’ safety systems.

“This is not formal rulemaking,” said DOSH Chief Counsel Amy Martin of the draft that DOSH has released. “This is just to get information on what works, to guide the formal rulemaking. She said that the Division hopes that rulemaking will start early in 2015. Whenever it happens, it will take several months to complete.

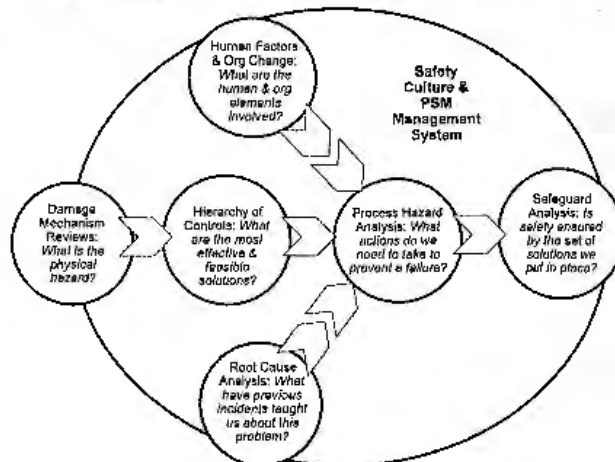
The reforms are based on several principles, as the accompanying chart illustrates. They include:

- Incorporating “inherently safer systems” in materials and processes to achieve maximum hazard reduction;
- Requiring safety culture assessments at refineries at least every three years;
- Requiring damage mechanism hazard reviews to detect corrosion, stress cracking, temperature damage and

mechanical or metallurgical degradation;

- Mandatory root cause analyses after incidents;
- Explicitly account for “human factors” that can contribute for refinery risk;
- A requirement for refineries to provide Cal/OSHA with information about recommendations they have rejected or delayed, and to justify those decisions.

The reforms are a way to “standardize” practices at-



How the new PSM elements work together.

Cal/OSHA's New High-Hazard List

What is the most hazardous occupation in California? If you combine the number of workers with the days away/restricted duty/transfer (DART) rate, you could make a case that it is couriers and messengers.

The 57,624 employees in this occupation suffered a DART rate of 6.2 per 100 workers, one of the highest in the state. This classification code was one of 20 just named to Cal/OSHA's High Hazard Industry List, which the Division of Occupational Safety and Health uses to target employers for programmed inspections. The Consultation Service also uses the list to choose employers to offer its services.

The 2014-2015 list represents 30,371 establishments and about 770,000 employees. Industries are chosen for the list if they have twice the private-sector DART average. For 2012, the latest average available, it was 2.1, making 4.2 the threshold average for making the list.

Two segments within broader industries that are on this year's list – wineries and ornamental and architectural metal work manufacturing – were not included because their DART rates were below the 4.2 threshold.

The sector with the highest DART rate on the list is structural steel and precast concrete contractors, at 7.2, followed by air transportation (6.4) and couriers and messenger (6.2).

Six sectors that were on last year's list are holdovers for 2014-15, including:

- Sugar and confectionery product manufacturing;

- Animal slaughtering and processing;
- Beverage and tobacco product manufacturing (minus wineries);
- Ship and boat building;
- Air transportation;
- Couriers and messengers.


2014 – 2015 HIGH HAZARD INDUSTRY LIST

Industry Group	NAICS	Industry Activity	DART	Establishments	Employees
Agriculture, Forestry, Fishing and Hunting	1114	Greenhouse, nursery, and floriculture production	4.7	986	26,628
	112	Animal production	5.1	2,671	28,987
Construction	23812	Structural steel and precast concrete contractors	7.2	469	9,067
	23816	Roofing contractors	4.6	2,194	17,895
	23819	Other foundation, structure, and building exterior contractors	5.7	517	3,687
Manufacturing	3113	Sugar and confectionery product manufacturing	5.4	177	6,162
	311511	Fluid milk manufacturing	4.5	76	7,627
	3116	Animal slaughtering and processing	5.1	298	20,956
	311812	Commercial bakeries	4.9	328	14,588
	312 ⁽¹⁾	Beverage and tobacco product manufacturing	5.3	1,522 (254)	44,491 (16,111)
	32191	Millwork	4.6	333	6,358
	33151	Ferrous metal foundries	4.7	90	3,748
	33232 ⁽²⁾	Ornamental and architectural metal products manufacturing	4.6	836 (583)	19,442 (16,376)
Retail Trade	444	Building material and garden equipment and supplies dealers	4.3	6,310	114,425
	Transportation and Warehousing	481	Air transportation	6.4	493
492		Couriers and messengers	6.2	1,645	57,624
493		Warehousing and storage	4.4	1,688	69,697
Administrative and Support and Waste Management and Remediation Services	56172	Janitorial services	4.8	5,087	99,169
Accommodation and Food Services	721	Accommodation	4.3	6,037	200,260

The average "DART" (Days Away, Restricted and Transferred) for private sector employers in 2012 was 2.1. Cal/OSHA's High Hazard Industry threshold is >200% of the private sector average, or >4.2.

Note: The industries with the NAICS codes listed below will not be targeted because their DARTs are ≤200% of the private sector average.

(1)	31213	Wineries	3.8	1,268	28,380
(2)	332323	Ornamental and architectural metal work manufacturing	2.8	235	3,066



AWARD WINNING Cal-OSHA Reporter®

CREDIBLE AUTHORITY TRUSTWORTHY

November 7, 2014 Vol. 41 No. 42 www.cal-osha.com Since 1973

A Grim Statistic Prompts the Question: How to Reduce Latino Fatalities?

The recent release of the preliminary California count of the Census of Fatal Occupational Injuries (CFOI) contained a startling statistic: About half the fatalities last year in the Golden State were suffered by Hispanic or Latino workers.

While the figure jumps out at an observer, it represents a spike in a long-term trend. The final CFOI count for 2010 was 44% for this demographic group and in the past 10 years, the percentage has never been below 37%.

"These are disturbing numbers, though not totally surprising," says Guadalupe "Lupe" Sandoval, managing director of the California Farm Labor Contractor Association and principal of Sandoval Bilingual Safety in Sacramento. "In California, Latinos are a fast-growing segment of the population."

"Why are the Hispanic workers seeing a higher frequency?" says Hector Escarcega, CSP, ARM, who operates Bilingual Solutions International in Los Angeles. "A lot of time employers don't want to make the commitment to bring in someone who is fluent in Spanish and has an understanding of safety."

Escarcega, who was instrumental in forming an ASSE-sponsored group tackling this issue a decade ago, Safety Professionals and the Latino Workforce, says other factors come into play in the high percentage of fatalities. They include:

- The communication and cultural gap between English-speaking managers and supervisors and Spanish-speaking workers.
- A lack of commitment by some employers to creating effective safety programs for all employees.
- Failure to properly train workers on the "do's and don'ts" of workplace safety upon initial hiring.
- "Underground economy" employers taking advantage of illegal immigrants or other workers and ignoring workplace safety.

Hispanic Fatalities continued on page 11018

CEO Returns to U.S. to Defend Charges in Fatal Trench Collapse

The chief executive officer of a small company who was charged with involuntary manslaughter in the 2012 death of a worker in a Milpitas trench collapse returned to the United States on November 4 to face the charges.

Noting the hazard, just days before the accident, an inspector for the City of Milpitas issued a stop-work order specifically because of the cave in hazard in the trench. Both the city and Cal/OSHA say the employer ignored the order.

The defense, as you will read later in this article has a lot of say and is making some charges of its own.

Richard Liu, 52, who was in China at the time of the incident and spends much of his time there, was arrested upon arrival at San Francisco International Airport. Bail was set at \$50,000. At press time, Liu was expected to be released on bond. Liu has family in Fremont and travels back and forth from China to California.

This August, the Santa Clara County Grand Jury indicted Liu, and the project manager Dan Luo, and the firm, U.S.-Sino Investments, on involuntary manslaughter charges.

Raul Zapata Mercado, 38, was killed when a 12-foot dirt wall collapsed at a 5,000-square-foot home project after the ground had been soaked by several days of rain.

"The work did not stop," the county District Attorney's office said in announcing the indictments. "Three days later, Mercado was crushed to death." He was buried alive in the trench.

Luo and Liu, 52, were indicted for involuntary man-

	Total	Hispanic/Latino	Percentage
2013*	385	188	49%
2012	375	137	37%
2011	390	154	39%
2010	326	142	44%
2009	409	161	39%
2008	465	180	39%
2007	461	179	39%
2006	537	231	43%
2005	465	190	41%
2004	467	188	40%

*Preliminary

IN THIS ISSUE

NEWS 00-11015 to 00-11020

- Worker Killed in Cone Zone Incident
- Multi-Million-Dollar Award in 2010 Explosion
- Standards Board Publishes New GHS Proposal
- 3 Job Openings

DECISIONS 40-7163 to 40-7166

- Cal Pac Sheet Metal, Inc.
- Cabrillo Economic Development Corp.

It is 4,967 days since our last lost-time accident.

Hispanic Fatalities

continued from page 11015

Sandoval sees the problem a bit differently. Most employers, he says, want to do the right thing, but need more awareness. "If employers are aware of the issue, most respond," he says. "No employer wants to see a fatality" and they don't want the associated costs. "Employers value the workers they have. But being aware and knowing what to do about it are two different things."

Fear, 'Machismo,' Language, & Supervisors

Sandoval says several factors lead into the continual stream of deadly and serious incidents. Sometimes, they "have a fear of retaliation" for complaining about workplace issues. "Because of their [illegal] immigrant status, and the lack of any foreseeable immigration reform, many keep their heads down and keep working, regardless of their concerns," he says. "I'm not sure how many [workers] get real training that effectively covers job hazards, injury and illness prevention, and a worker's right to refuse a hazardous job without fear."

Escarcega says the problem isn't just with the underground economy. "It cuts across different kinds of employers. Even some employers who are not underground ... will take advantage of the desperation of the immigrant worker."



Hector Escarcega

A language problem also contributes to the issue. A safety meeting given in English is not understood by the non-English speakers. The language barrier can easily put English speakers at risk as well.

Workplace safety is lacking many times in Spanish-speaking countries, he adds, "and as such, people and workers from

those countries are not familiar with formal workplace safety practices, procedures and protocol. Many times, they are more familiar with the concept of 'do what I say, not what I do.'"

In other words, the lack of safety culture of other countries is brought into and transferred to the United States.

Workers might receive safety training, but often maintaining productivity and getting the job done are the highest value.

Another problem is the "machismo" factor. Many male Latino workers feel the need to prove their manhood and lack of fear by ignoring hazardous conditions, Sandoval says. "They don't want to be viewed as weak, or as complainers."

That same sense of machismo extends to supervisors. "Their fearlessness and hard work are sometimes significant factors in their selection as supervisors," he notes. And they expect the same of their workers. "They often expect workers to perform hazardous work and embarrass workers with comments such as, 'If you're afraid to do it, I'll do it.'"



Lupe Sandoval

Employers Need to be Proactive

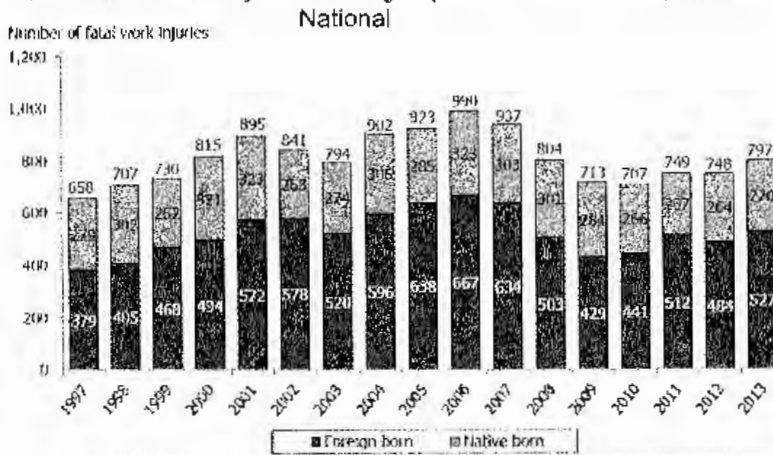
Escarcega says the solution is a combination of breaking down communication barriers, Cal/OSHA enforcement and employers making a genuine commitment to safety. "Number one at the top of the list is for English-speaking employers to gain a greater understanding of the Hispanic/Latino culture, so they can get a better idea of what's important to them, how the Latino culture thinks," he tells *Cal-OSHA Reporter*. "It breaks down the communication barriers."

He adds, "I don't see the English-speaking manager/supervisor learning Spanish overnight, nor the Spanish-speaking worker learning English overnight. I think what's going to get [employers] immediate results is understanding the culture, their values and why they do what they do, so that we can come from another perspective."

There are unanswered questions. For instance, is it dangerous to have a non-English-speaking worker in a primarily English-speaking worksite? Does a non-English speaker endanger others as well as himself?

Escarcega also says it's important for employers to provide proper tools and personal protective equipment, and properly train workers on their use and safety procedures. "Say an employer does make the time to do the training. It might not be the appropriate length of time and it might not be

Number of fatal work injuries involving Hispanic or Latino workers, 1997-2013



California Employment Numbers Up — So are Injuries and Illnesses

As the California economy continues its recovery, the good news-bad news scenario on employment continues. The good news? More workers are on the employment roll according to government proclamations, but workplace injuries, illnesses and fatalities are up as well.

The trend is borne out by the just-released Survey of Occupational Injuries and Illnesses by the state Division of Labor Statistics and Research. The number of injury and illness cases rose about 4%, for 2013, to 468,400. But the rates for all sectors (including government) and for private industry stayed exactly the same as in 2012.

California says it has added hundreds of thousands of jobs in the past several years – 585,500 between 2011 and 2012 and 373,000 between 2012 and 2013. Despite that, injury and illness rates have remained steady and in some cases declined, as the accompanying charts show.

One sizable jump during 2012 and 2013 was in construction, which rose to 4.0, from 3.6. The number of injuries in that industry rose to 21,100, from 17,500, a 20% increase.

California Injuries & Illnesses, 2003-2012		
	Numbers	Rates
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
2004	645,100	5.4

The overall Injury and Illness (I&I) rate for California has been 4.0 since 2011. It's consistently among the top 10 in the United States. The private industry rate of 3.5 is just a bit higher than the national rate of 3.3. The rates measure the number of injuries or illnesses per 100 full-time equivalent workers.

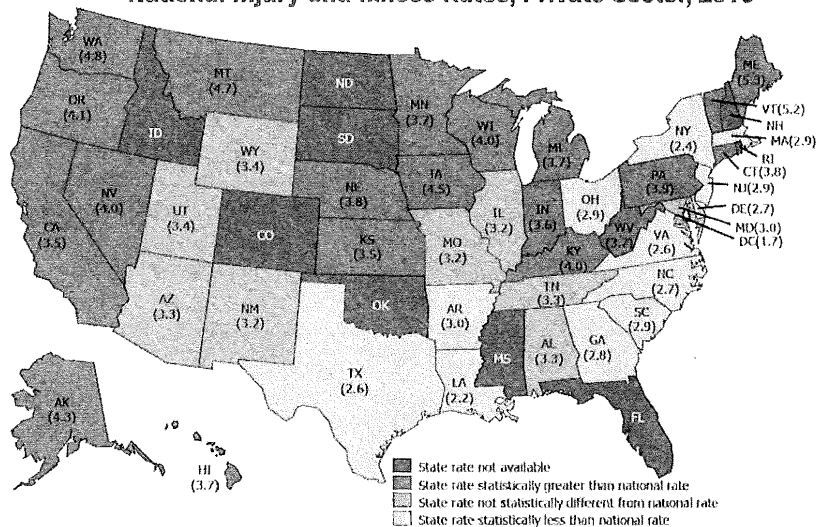
Private industry cases rose about 4% from 2012. By percentage, the largest increase was in the information sector, where injuries and illnesses rose 41%, to 8,600. The health care/social assistance sector saw a rise of 19%, to 60,300 cases, and retail saw 11% more injuries and illnesses, to 54,800.

The highest rate among individual employment sec-

2013 Vs. 2012: California Injury & Illness Numbers and Rates				
	2013 Total Recordable Cases	2012 Total Recordable Cases	2013 I&I Rates	2012 I&I Rates
All Sectors	468,400	451,500	4.0	4.0
Private Industry	360,500	345,400	3.5	3.5
Agriculture, Forestry, Fishing & Hunting	19,200	17,100	5.4	5.3
Mining	500	500	1.6	1.5
Construction	21,100	17,500	4.0	3.6
Manufacturing	38,600	38,700	3.2	3.2
Wholesale Trade	19,100	20,500	2.9	3.1
Retail Trade	54,800	49,300	4.5	4.2
Transportation & Warehousing	20,600	20,300	5.2	5.5
Utilities	1,500	1,900	2.7	3.6
Information	8,600	6,100	2.0	1.5
Financial Activities	10,700	10,900	1.5	1.6
Professional & Business Services	35,100	36,100	1.9	2.1
Educational Services	3,600	4,200	1.8	2.4
Health Care & Social Assistance	60,300	50,700	4.8	5.0
Arts, Entertainment & Recreation	7,100	9,200	4.6	4.9
Accommodation & Food Services	43,000	43,100	4.9	5.0
Other Services	10,600	10,300	3.0	3.1
State & Local Gov't.	107,800	106,100	7.1	7.1

Highest California I&I Rates Total Recordable		Rate
Local Government		
Heavy and Civil Engineering Construction		14.1
Justice, Public Order and Safety Activities		13.0
Transit and Ground Passenger Transportation		11.9
Hospitals		9.1
State Government		
Justice, Public Order and Safety Activities		11.8
Nursing and Residential Care Facilities		11.3
Hospitals		11.0
Private Industry		
Air Transportation		8.0
Couriers and Messengers		7.9
Animal Production		7.4
Leather and Allied Product Manufacturing		7.3
Accommodation		7.3
Hospitals		6.9
Nursing and Residential Care Facilities		6.9
Waste Management and Remediation Services		6.3
Wood Product Manufacturing		6.0

National Injury and Illness Rates, Private Sector, 2013



tors was in heavy and civil engineering and construction for local government, which experienced a 14.1 rate. For private industry, air transportation led the way as it often does, at 8.0.

For days away from work, restricted duty and transfers

(DART), the overall rate was down from 2012, at 2.2; for private industry it was the same in 2013 as the previous year. The highest DART rate in the state was in transportation and warehousing, at 3.7/100. The lowest was in financial activities, at 0.8.

The federal Bureau of Labor Statistics reports just over 3 million nonfatal injuries and illnesses nationally in 2013 in private industry, with the 3.3 rate, which “continues the pattern of statistically significant declines for the past decade or so, excluding 2011.

The national rate for state and local government was 5.2 cases per 100 workers, down from 5.6 in 2012.

	2013	2012
All Sectors	2.2	2.3
Private Industry	2.1	2.1
Agriculture, Forestry, Fishing & Hunting	3.3	3.6
Mining	1.3	1.0
Construction	2.8	2.5
Manufacturing	2.1	2.1
Wholesale Trade	1.9	1.9
Retail Trade	2.7	2.6
Transportation & Warehousing	3.7	4.1
Utilities	1.6	1.7
Information	1.2	0.9
Financial Activities	0.8	0.8
Professional & Business Services	1.1	1.3
Educational Services	1.0	1.3
Health Care & Social Assistance	2.4	2.5
Arts, Entertainment & Recreation	3.5	3.0
Accommodation & Food Services	2.6	2.5
Other Services	1.9	1.9
State & Local Gov't.	3.4	3.5

General Industry Safety Orders §3380 and Construction Safety Orders §1514 have been revised to better conform them to the equivalent federal standards, 29 CFR 1926.95(a) and 1910.132 (a).

The proposal also removes an “informative note” in §3380 that board staff considers unenforceable, outdated and with an obsolete reference to a bureau that no longer exists. Staff initiated the rulemaking proposal after reviewing both safety orders.

The rulemaking was heard at the April 17, 2014, public hearing and adopted by the Standards Board on October 16. See sidebar on the next page for details.

NFPA References Brought Up to Date

OAL also approved revisions to several safety orders to bring current their references to National Fire Protection Association standards.

The references in Title 8 to NFPA standards are “badly outdated” and conflict with California Fire Codes.

The revisions update GISO §§ 5620, 6165, 6180, 6181, 6182, 6183 and 6184 to follow the most recent NFPA editions, at the suggestion of Ray Bizal, NFPA’s Southwest regional director. NFPA updates its codes every three years or so, but Cal/OSHA not nearly as often on its references.

The revision states that when specific structures, devices, equipment or systems are provided, they shall be designed, installed, constructed, inspected or maintained “in an approved manner.” Notes are added to direct users to the appropriate NFPA codes for design, construction and/or installation. The revision also directs the regulated public to “your local fire jurisdiction department” for information on the referenced standards. The revision covers:

- Piers and wharves (NFPA 207-2011)
- Standpipes and hose systems (NFPA 14-2013)
- Dry chemical extinguishing systems (NFPA 17-2013)
- Carbon dioxide extinguishing systems (NFPA 12-2011)
- Water-spray fixed or foam-water sprinkler and spray systems (NFPA 15-2012)
- Automatic fire detection systems and local fire alarm signaling systems (NFPA 72-2013)

[Click here](#) to see the complete rulemaking revision.

Both of the approved rule changes take effect on April 1, 2015.

Now in Title 8

PPE, NFPA Revisions Finalized

California’s Office of Administrative Law has approved two new safety order revisions, including requirements for personal protective equipment, and an update to National Fire Protection Association standards. Both sets of revisions take effect next spring.

Making Sure PPE is Up to Snuff

New language requires employers to ensure that all personal protective equipment (PPE), whether employer-provided or employee-owned, complies with Title 8 and is maintained in a safe, sanitary condition. This fleshes out – cleans up - current language.



You can't know when an emergency will occur. You can know how to prepare for one. [Learn Now](#)