

Peer Speaks Out About Crisis at Cal/OSHA

July 2, 2020

Dear Colleagues: The national Public Employees for Environmental Responsibility (PEER) has issued a statement on the ongoing staffing and enforcement crisis at Cal/OSHA.

As the coronavirus infection rate spikes in California, prompting a new wave of hospitalizations and ICU treatment of infected people, the importance of workplace “hot spots” in the community spread of the virus is increasingly recognized. The inability of Cal/OSHA to respond to more than 3,000 worker complaints and dozens of reports of illnesses and deaths in California workplaces undermines the efforts to bring the COVID pandemic under control.

Best, Garrett Brown

For Immediate Release: Thursday, July 2, 2020

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Cal/OSHA Inspectors AWOL During Pandemic Growing Backlog of Workplace Complaints; Vacancies Remain Unfilled

Washington, DC —California’s workplace health and safety agency is currently suffering from many unfilled vacancies and a diminished presence in the field, according to figures posted today by Public Employees for Environmental Responsibility (PEER). The result is a growing backlog of uninvestigated complaints of unsafe work conditions, occupational injuries, and deaths.

While millions of California workers risk exposure during a resurgent coronavirus pandemic:

There is a 21% vacancy rate in Cal/OSHA field inspectors as of June 2020, a slight increase since January. This means California has only one inspector for every 99,000 workers, a fraction of ratios for Washington (1 to 25,000) and Oregon (1 to 22,000);

Over the last month, less than a third of inspectors (40-50 of the 193-person inspectorate) have been conducting field inspections again. Between mid-March to mid-May, almost no field enforcement inspections were conducted; and

In a state where more than a quarter of its 18.5 million workers speak languages other than English, there are only 28 Cal/OSHA field enforcement inspectors (less than 15% of the inspectorate) certified to speak languages other than English.

“As California struggles to reopen, it is critical that the state is capable of protecting both essential workers and those now returning to the job,” stated Pacific PEER Director Jeff Ruch, noting that the impact of inspector shortages is compounded by high vacancies in leadership positions in Cal/OSHA regional and district offices. “During this critical period, California cannot afford to have its workplace health and safety agency go missing.”

Cal/OSHA employees report a backlog of more than 3,000 worker complaints of unsafe or unhealthy working conditions. There is also “a couple hundred” backlogged investigations into employer reports of workplace fatalities, illnesses, and injuries requiring more than first aid, which by law, (unless ruled “invalid”) require an on-site, in-person enforcement inspection.

“California has a regulation designed to protect health care workers against airborne diseases like COVID-19, but that regulation does little good if it is not enforced,” added Ruch, pointing out that California has more fish and game wardens than Cal/OSHA inspectors. “At this point, Cal/OSHA resembles Trump’s Fed OSHA in terms of prolonged understaffing, voluntary guidelines over regulatory enforcement, and a small number of in-person field inspections.”

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