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Cal/OSHA Inspector vacancy rate grows in both existing and new enforcement offices; longstanding gaps cripple worker protection in California

By Garrett Brown

According to the latest available data, **Cal/OSHA's vacancy rate for field enforcement inspector positions has grown to 46%** -- crippling both existing and newly announced worker protection offices. The data is from July 31, 2024, which was not released until November 8, 2024, by the Department of Industrial Relations (DIR).

As of August 1, 2024, there were **124 vacant compliance safety and health officer (CSHO) positions**, for a rate of 46% with 143 filled CSHO positions.

There were dramatic levels of CSHO vacancies in the state worker protection agency:

- The Santa Ana office of the Process Safety Management (PSM) which oversees the state's 15 operating oil refineries had **zero CSHOs** and the Concord PSM unit had only two CSHOs, meaning the Santa Ana office had 100% vacancies and the unit as a whole had 80% vacancies. There are only 10 CSHO positions overall in the PSM unit;
- **Fifteen existing enforcement District Offices had CSHO vacancy rates at or above 40%** -- Santa Ana Refinery PSM (100%), Santa Ana (73%), San Bernardino (71%), San Francisco (66%), Concord Refinery PSM (60%), Concord Non-refinery PSM (57%), Fremont (55%), LETF unit (55%), Bakersfield (50%), Long Beach (50%), Oakland (50%), Santa Ana Non-refinery PSM (50%), Monrovia (49%), Sacramento (45%), and Fresno (42%).
- **Four more District Offices had CSHO vacancy rates between 33% and 40%** -- American Canyon, Foster City, San Diego, and Van Nuys.
- There were **five District Offices without a District Manager** in Los Angeles, Modesto, Monrovia, Santa Barbara, and Van Nuys. In these District Offices, a CSHO must serve as Acting District Manager, so those offices effectively have one additional CSHO vacancy as the ADMs do not conduct field inspections.
- Overall, **several regions had vacancy rates at or above 50%**: Region I (51%), Region III (61%), Region V (50%), and Region VII (64%). Region III has no Regional Manager as well as the 61% CSHO vacancy rate.

The California Employment Development Department (EDD) reported the California civilian labor force in August 2024 as 19,382,900 workers. The 148.5 FTE CSHO positions represents an inspector to worker ratio of 1 inspector to 130,525 workers. **Cal/OSHA's inspector to worker ratio of 1 inspector to 130,000 workers is much less health protective than Washington State's ratio of 1 to 26,000, and Oregon's ratio of 1 to 24,000.** [These non-California ratios were cited in the April 2024 "Death on the Job" report.]

In August, Cal/OSHA announced the establishment of the **newly established enforcement District Offices which have significant vacancies**: Santa Barbara (100%), Riverside (66%) and Fresno High Hazard Unit (60%). There will also be a new Region VIII office in Fresno. The Riverside and Fresno HHU offices have two CSHOs each – transfers from other existing District Offices.

The **new Agricultural Safety unit had zero CSHOs** and only five designated position for the four slated enforcement offices (Bakersfield, El Centro, Lodi, and Salinas), plus about 10 satellite offices throughout the state. It is not clear whether additional CSHO positions will be allocated to Ag Safety unit; or whether these offices will be filled with transfers from existing District Offices ("robbing Peter to pay Paul").

Establishing the Ag Safety unit must be done with great care to avoid the creation of a "silo" for farmworker complaints and accident inspections if the existing 20-plus District Offices simply refer all ag-related issues to the four ag enforcement offices. The current District Offices have developed considerable experience and expertise in ag-related safety inspections and accident investigations, which could be lost with new inspectors in the new ag safety enforcement offices.

The Ag Safety unit is being established in the wake of a series of damning news media articles (*Sacramento Bee*, *Los Angeles Times*, *Capitol & Main*, among others), and legislative oversight hearings in Sacramento, on the inability of understaffed Cal/OSHA offices to respond to farmworker complaints and injuries.

At the same time, there has been **no progress in hiring Spanish-speaking CSHOs**. The July 31st DOSH Org Chart indicated that 11 field CSHOs are certified as bilingual. Region II (Northern California and Central Valley) and Region VIII (Central Valley and Central Coast) each had one bilingual CSHO in the field. It is estimated that 5 million of the state's 19 million worker labor force speak languages other than English, with many monolingual in their native tongue.

Cal/OSHA had only five industrial hygienists among field inspectors – with none in Region I (San Francisco Bay Area), Region IV (Los Angeles), and the Process Safety Management unit (PSM) which inspections oil refineries and chemical plants. Industrial hygienists are needed to conduct "health" inspections to evaluate harmful exposures to hazardous chemicals, noise and heat, ergonomics and repetitive motions.

Cal/OSHA has brand new standards to protect workers against airborne silica and lead – as well as outdoor and indoor heat exposures in a changing climate – but currently has only extremely limited capacity to conduct effective industrial hygiene inspections.

While the initiative to expand Cal/OSHA's geographical coverage and to increase (if done properly) protections for California agricultural workers is welcome, it is unclear when and how these moves will actually increase worker protections in the state without rapid and sustained hiring. With over 120 inspector vacancies and a vacancy rate of 46%, enforcement offices have been crippled with an overwhelming, unmet workload.

When and how the long-promised hiring to eliminate these years-long vacancies will occur is unknown. Significant CSHO hiring also cannot be verified, of course, as long as DIR withholds release of the pertinent data for 2.5 to 3 months after it is generated.

In the meantime, the people who pay the cost for these debilitating enforcement vacancies are the 19 million workers of California, and especially the most vulnerable workers in agriculture, other outdoor occupations, and those working with deadly hazards such as silica and lead.