

January 17, 2023

## **New Year Brings the Same Enforcement Staffing Vacancies**

Unfortunately, it is more the same at Cal/OSHA in terms of field enforcement inspector vacancies.

The latest available data comes from the August 1, 2022, DIR list of authorized DOSH positions, which was not publicly released until November 30th — four months later and five months back from now.

On August 1, 2022, DIR reported 70 vacant compliance safety and health officer (CSHO) positions for a vacancy rate of 27% for field inspectors (see attached summary chart).

A review of the "hiring progress" reports issued from the office of the Cal/OSHA Chief between September 8 and December 27, 2022 reveals only four (4) CSHOs were actually hired between September and December 2022 (see attached chart). Two District Managers were promoted, and two clerical staff were also promoted or hired during that same period.

It is clear that the hiring of Cal/OSHA field enforcement and office staff during the period of September-December 2022 barely touched the 70 vacant CSHO positions in the August 1<sup>st</sup> DIR list of DOSH positions.

In addition, field enforcement positions continued to become vacant during the fall due to retirements, resignations, and separations from state service. Because of ongoing attrition, especially at the end of the calendar year, it is possible the number of vacant CSHO positions was actually larger on December 31, 2022, than it was on August 1, 2022.

Other key takeaways from the August 2022 (released at the end of November) include:

- 70 vacant compliance safety and health officer (CSHO) positions for a vacancy rate of 27% for field inspectors;
- Crippling vacancies in some District Offices — three of which had no District Manager; another three had zero clerical staff; and three had continuing high CSHO vacancy rates: Fremont at 64%, Fresno at 38% and Oakland at 33%.
- It doesn't look like that additional CSHO field positions authorized and funded by the FY2022-23 budget that went into effect in July 2022 (22 industrial hygiene positions and 5 safety engineer positions) have been included in the DIR List yet, which means the vacancy rate would be even higher.

- The Legal Unit, handling the employer appeals of many Covid-related citations, has a vacancy rate of 54% — 25 vacant attorney positions out of 54 positions.

It is difficult to know exactly what the current situation is given the 4-month delay in data releases from DIR/DOSH, which is part of the continuing practice of DIR/DOSH to withhold key information for months.

But the new year presents us with the same challenges of a DOSH riddled with vacancies and unable to meet its mandate or mission. Over the past months, DIR and DOSH have mounted a “happy talk” PR campaign about hiring done at Cal/OSHA – but the figures reported by DIR/DOSH itself do not match the optimistic promises.

Several articles that were published last fall – including on the lack of bilingual capacity among CSHOs, and an epidemic of deadly silicosis among granite and artificial stone workers – indicate the scale of the problems that DOSH is facing and has not been able to address.

There are also continuing questions about why nearly 50% of Cal/OSHA’s annual funding has been unspent and “reserved for economic uncertainties” for years now, and what happens to the annual million dollar-plus surpluses in the fund that supports Cal/OSHA’s refinery safety unit (which has only ten CSHO positions, four of which were vacant in August).

Let’s hope that 2023 shows more progress in hiring and activity for DOSH than was the case in 2022.

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