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THE STATE WORKER

# Gavin Newsom makes statement on Cal-OSHA staffing problem. Advocates say it's not enough

BY MAYA MILLER  
MARCH 14, 2024 5:00 AM





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California Gov. Gavin Newsom's office has broken [its silence on the staffing crisis at Cal-OSHA](#). But former agency employees say they're underwhelmed by the governor's vague response to a [four-month Sacramento Bee investigation](#) into the troubled worker safety agency.

"The administration actively prioritizes worker safety and protection," wrote Erin Mellon, Newsom's communications director, in an email Wednesday afternoon. The written statement came after The Bee published an article highlighting the governor's continued silence on the staffing issues.

"In partnership with the legislature, Governor Newsom has bolstered CalOSHA's operations by over \$92 million to hire and retain more staff — with nearly \$50 million specifically allocated to boost enforcement efforts to protect frontline workers," Mellon wrote. "CalOSHA remains intensely focused on hiring in this tight labor market and launching new efforts, including a statewide recruitment campaign, to fill vacancies and bolster enforcement."

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Garrett Brown, who worked previously for Cal-OSHA as an industrial hygienist and special assistant to the agency's chief, said he was disappointed in the lack of urgency in the governor's statement. He was looking for an acknowledgment from Newsom that, "This is an all-hands-on-deck moment. This is a hair-on-fire moment," Brown said.

Ellen Widess, the former chief of Cal-OSHA who worked closely with Brown, agreed that Newsom could and should use his "bully pulpit" to call attention to the urgency around worker health and safety in California.

"The governor has in his power, you know, moral persuasion about the importance of health and safety. To drive us to be that world-class economy that he boasts of," Widess said. "He has to express that. He has to convey that urgency to the Labor Secretary, to the head of DIR, to all of the hiring bureaucracy."

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Chris Kuhns, a former special investigator with Cal-OSHA's Bureau of Investigations, also said he was disappointed with the governor's "boilerplate" response. Past promises to fix the staffing issues, he said, have so far gone undelivered..

"It's the same old thing, over and over again," Kuhns said. "Nothing seems to be changing."

Kuhns and Widess both agreed that the first thing Newsom should do to improve the situation is appoint a new permanent chief of Cal-OSHA. The division has operated under interim leader Debra Lee ever since former chief Jeff Killip departed in January.

Brown added that extra money in the budget won't solve the staffing crisis on its own. .

"You can keep adding positions, and therefore budget allocations," Brown said. "But unless you fill those positions, it's meaningless in terms of actual enforcement and impact for the workers of California."

Troubles with human resources have plagued the Department of Industrial Relations ever since it lost its direct hiring authority in a nepotism scandal with a previous director, Christine Baker. The state's cryptic and lengthy merit-based hiring process also weeds out prospective candidates who can't afford to wait weeks or months to receive an offer from Cal-OSHA.

Doubling down on recruitment also isn't the silver bullet, Brown argued.

"It's sort of a distraction to say, 'Okay, we're going to do more recruitment.' The problem is not recruitment or promotion," Brown said. "The problem is the hiring

process itself,” he continued, “and the failure to perform on the part of the HR staff.”

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Brown suggested Newsom could instruct CalHR to temporarily reassign some human resources officers to DIR and Cal-OSHA. That way, the team could process applications much quicker.

Assemblymember Liz Ortega, D-Hayward, said she had no comment on the governor's response. Instead, she doubled down on her intent to conduct an audit of Cal-OSHA.

“I'm concerned that the average Californian may be paying more for a traffic violation than employers pay for a workplace safety violation,” Ortega wrote in a message to The Bee on Wednesday. She previously said that the governor's office contacted her shortly after the Assembly Labor and Employment Committee hearing she hosted on Feb. 7.

Senator Dave Cortese, D-San Jose, said he hopes and expects that Newsom and his office will have more to say about the Cal-OSHA staffing issue in the near future.

“The governor's staff is justifiably proud of the resources they've provided in the budget. They've done fine on the budget side,” wrote Cortese in a message to The Bee. “Hopefully next they will demand that all vacant positions are actually filled by HR.

“That is yet to happen.”

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