



2020 Cal/OSHA Update

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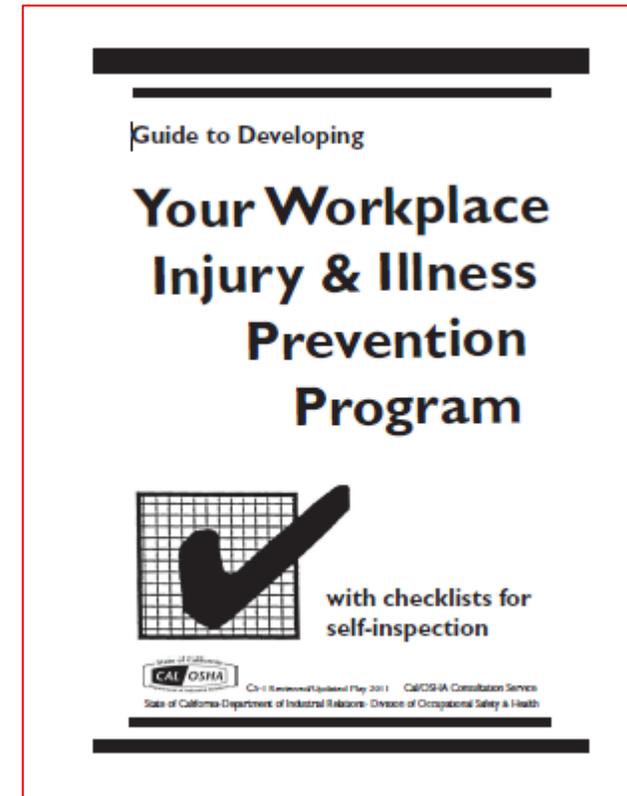
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Injury and Illness Prevention Program (3203)

- New subsection (a)(8) – *Allow employee access to the Program*
- Effective July 1, 2020



Terms

- **“Access”**
 - The right and opportunity to examine and receive a copy

- **“Designated representative”**
 - Any individual or organization to whom an employee gives written authorization to exercise a right of access
 - NOTE: A recognized or certified collective bargaining agent shall be treated automatically as a designated representative for the purpose of access to the Program

Terms

- **“Written authorization”**
 - Request provided to the employer containing the following information:
 - a. The name and signature of the employee authorizing a designated representative to access the Program on the employee's behalf
 - b. The date of the request
 - c. The name of the designated representative (individual or organization) authorized to receive the Program on the employee's behalf
 - d. The date upon which the written authorization will expire (if less than one year)

How the Employer Provides Access

- **Provide access in a reasonable time, place, and manner, but in no event later than five business days after the request for access is received from an employee or designated representative**
 - The employer shall provide the requester a printed copy of the Program, unless the employee or designated representative agrees to receive an electronic copy of the Program
 - One printed copy of the Program shall be provided free of charge
 - If requests additional copies within one year of the previous request and the Program has not been updated since the prior copy was provided, the employer may charge reasonable, non-discriminatory reproduction costs for the additional copies

How the Employer Provides Access

- **Provide access in a reasonable time, place, and manner, but in no event later than five business days after the request for access is received from an employee or designated representative (Con't)**
 - Provide unobstructed access through a company server or website, which allows an employee to review, print, and email the current version of the Program
 - Unobstructed access means that the employee, as part of his or her regular work duties, predictably and routinely uses the electronic means to communicate with management or coworkers

Additional Information

- **The Program provided to the employee or designated representative need not include any of the records of the steps taken to implement and maintain the written Program**
- **If an employer has distinctly different and separate operations with distinctly separate and different Programs, the employer may limit access to the Program (or Programs) applicable to the employee requesting it**

Additional Information

- **The employer shall communicate the right and procedure to access the Program to all employees**
- **Nothing in this section is intended to preclude employees and collective bargaining agents from collectively bargaining to obtain access to information in addition to that available under this section**

Outdoor Agricultural Operations During Hours of Darkness (Between Sunset and Sunrise)

- **Section 3449 (formerly a repealed ladder section)**
- **Effective July 1, 2020**



Illumination

- **Outdoor agricultural operations taking place between sunset and sunrise shall be illuminated at levels no less than the levels stated in Table 1**
- **Illumination levels for task lighting shall be measured at the task/working surface, in the plane in which the task/work surface is present**
- **Illumination levels for area lighting shall be measured at approximately 30 inches above the floor or other horizontal, vertical or sloped surface on or through which the employee walks, works or gains access to a work area**

Table 1

<i>Foot-candles</i>	<i>Lux</i>	<i>Operations, Areas or Tasks</i>
0.09-0.19	1-2	Poultry harvesting or catching operations.
3	32.29	Meeting area and meal/rest area.
5	53.82	Outdoor agricultural operations except where otherwise specified in this table.
		Pathways leading to and around restrooms and drinking water.
		Inside restroom facilities.
		Storage areas accessed by employees.
10	107.64	Intermittently exposed or exposed point of operation equipment, covered under
		Group 8. Points of Operation and Other Hazardous Parts of Machinery.
		Operationally visible moving parts of machinery covered under Group 6. Power
		Transmission, Prime Movers, and Machine Parts of the General Industry Safety Orders.
		Task lighting for agricultural operations that involve the use of tools that can
		potentially cause cuts, lacerations, or punctures.
20	215.30	Task lighting for maintenance work on equipment.

Illumination

- **Employers shall provide and maintain hands-free portable personal lighting or area lighting or both to employees**
 - Area lighting should be set up in a manner that minimizes glare to the workers (selection of lamps, shielding, proper adjustment of the beam angle, glare avoidance screens)



Safety Meetings

- **Supervisory employees shall conduct a safety meeting at the beginning of each shift to inform employees of the location of the restrooms, drinking water, designated break areas, nearby bodies of water, and high traffic areas**

PPE

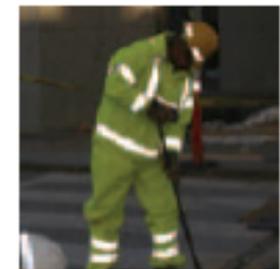
- **The employer shall provide and require workers to wear Class 2 high visibility garments meeting the requirements of Section 3380(e) and conforming to specifications of American National Standard for High-Visibility Safety Apparel and Accessories, (ANSI/ISEA) 107-2015, which is hereby incorporated by reference, for work activities between sunset and sunrise**
 - NOTE: See Sections 3380, *Personal Protective Devices*, and 3383(b), *Body Protection*



Class 1 Garments



Class 2 Garments



Class 3 Garments

Single-User Toilet Facilities

- **Construction (1526) & General Industry (3364) [including Ag (3457)]**

- **Effective July 1, 2020**

<i>Number of Employees</i>	<i>Minimum Number of Water Closets*</i>
1 to 15	1
16 to 35	2
36 to 55	3
56 to 80	4
81 to 110	5
111 to 150	6
over 150	1 additional for each additional 40 employees or fraction hereof.

Single-User Toilet Facilities

- **Where there are less than five (5) employees, one (1) single-user toilet facility designated for all-gender use is sufficient**
- **Each single-user toilet facility designated for all-gender use counts as one of the required separate toilet facilities if all of the following conditions are met:**
 1. the total number of toilet facilities provided is in accordance with subsection (a)
 2. all single-user toilet facilities are designated for all-gender use
 3. all multi-user separate toilet facilities are provided in equal number to each sex

Protection From Wildfire Smoke (5141.1)

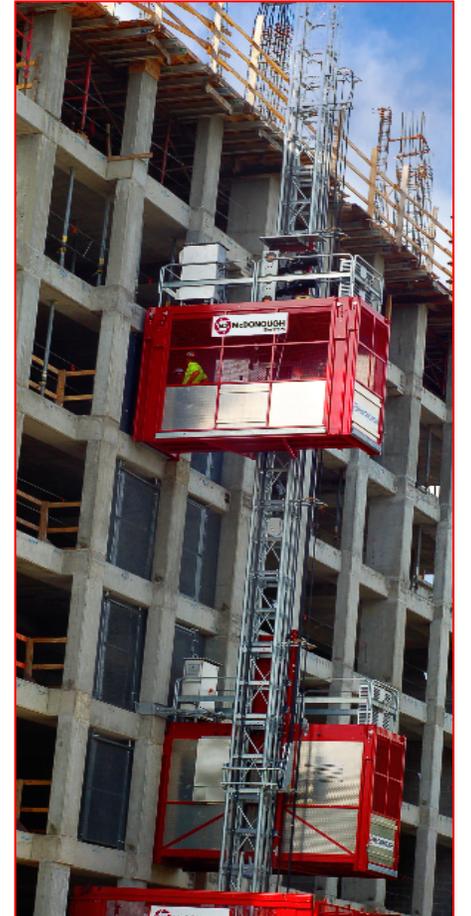
- Still using the emergency standard
- In effect through September 21, 2020
- Main concern for this season is the limited supply of N95 respirators
- From the Wildfire Smoke FAQ page:

Can I use a cloth or a bandana as a respirator to protect against the hazards of wildfire smoke?

No. Surgical masks or items worn over the nose and mouth such as scarves, T-shirts, and bandannas will not provide protection against wildfire smoke. An N95 filtering facepiece respirator is the minimum level of protection for wildfire smoke.

Access and Egress (1630)

- Effective July 27, 2020
- In addition to the stairways required in Section 1629, a construction passenger elevator for hoisting workers shall be installed and in operation on or in any building, or structure, designed to be 60 feet or more in height above or 48 feet in depth below ground level when completed



Access and Egress (1630)

- **The elevator shall be installed and operational when the building or structure reaches 36 feet in height**
- **The building or structure height shall be determined by measuring from ground level to the highest structural level including the parapet walls, mechanical rooms, stair towers and elevator penthouse structures but excluding antennas, smokestacks, flag poles and other similar attachments**

Tree Work

Portable Power Hand Tools (3425)

- **Effective October 1, 2020**
- **New Definition Added: Drop starting**
 - The act of starting a power saw by simultaneously pushing the saw away from the body with one hand while pulling on the starter cord handle with the other
- **Some renumbering of sections**

Tree Work

Portable Power Hand Tools (3425)

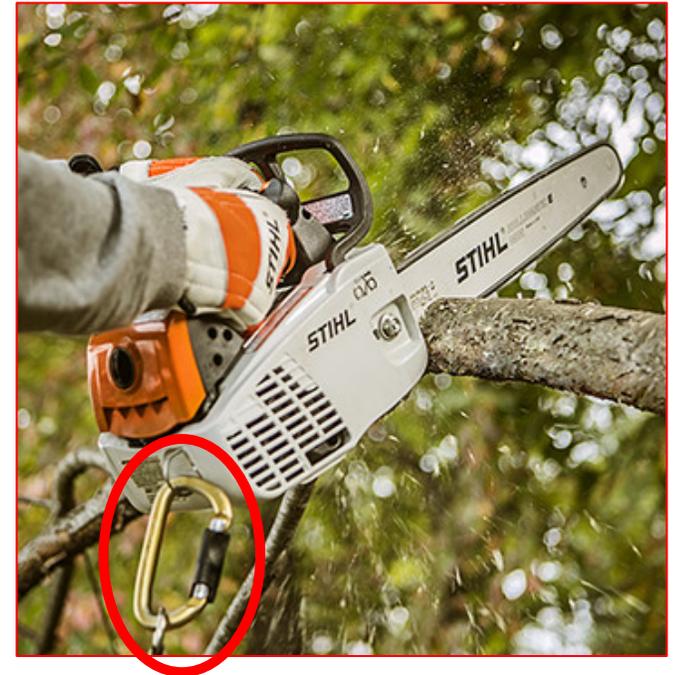
- A power saw shall be started on the ground or where it is otherwise firmly held or supported to prevent unintended movement of the saw
- Chain saws shall not be drop started



Tree Work

Portable Power Hand Tools (3425)

- Power saws shall not be started from an elevated position unless the area below is clear of personnel
- Power saws weighing more than fifteen pounds (service weight) that are used in trees shall be supported by a separate line or tool lanyard, except when working from an aerial-lift device or during topping or removing operations where no supporting limb is available



TOP 20 CITATIONS (2015 to 2019)

Top 20 Citations

(CY 2015 to 2019)

Rank	T8CCR Section	Details
20	1670(a)	Fall protection (7 ½') (construction)
19	3203(a)(7)	IIPP (employee training)
18	3395(c)	HIPP (providing water)
17	2340.16(a)	Blocked electrical equipment and/or controls
16	3314(g)(2)(A)	LO/TO (equipment specific written procedures)



Top 20 Citations

(CY 2015 to 2019)

Rank	T8CCR Section	Details
15	3203(b)(2)	IIPP Training records (1 year)
14	1509(b)	Code of Safe Practices (written) <small>(construction)</small>
13	6151(c)(1)	Fire Extinguishers (providing)
12	1512(b)	First Aid (Training) <small>(construction)</small>
11	3314(c)	LO/TO (cleaning, servicing and adjusting)



Top 20 Citations

(CY 2015 to 2019)

Rank	T8CCR Section	Details
10	5162(a)	Emergency Eyewash and Shower
9	3203(a)(4)	Injury and Illness Prevention (inspections)
8	3395(h)(1)	Heat Illness (employee training)
7	461(a)	Air Tank Permit (>1.5 ft ² or 11.22 gal)
6	5194(e)(1)	Hazard Communication Program (written)



Top 20 Citations

(CY 2015 to 2019)

Rank	T8CCR Section	Details
5	1509(c)	IIPP Code of Safe Practices (posted) <small>(construction)</small>
4	342(a)	Reporting a serious injury
3	1509(a)	Injury and Illness Prevention Program <small>(construction)</small>
2	3395(i)	Heat Illness Prevention (written plan)
1	3203(a)	Injury and Illness Prevention Program (written plan)



REGULATIONS UNDER CONSIDERATION

New Sections Under Consideration

- **Antineoplastic Drugs in Healthcare**
<https://www.dir.ca.gov/dosh/doshreg/Antineoplastic-Drugs/>
- **Heat Illness Prevention in Indoor Places of Employment**
<https://www.dir.ca.gov/dosh/doshreg/Heat-illness-prevention-indoors/>
- **Marijuana/Cannabis Industry**
<https://www.dir.ca.gov/dosh/doshreg/Marijuana/>
- **Surgical Plume and Smoke**
<https://www.dir.ca.gov/dosh/doshreg/Surgical-Plume-and-Smoke/>
- **Workplace Violence in General Industry**
<https://www.dir.ca.gov/dosh/doshreg/Workplace-Violence-in-General-Industry/>

HOW TO STAY UP TO DATE

Standards Board

www.dir.ca.gov/oshsb/oshsb.html

Occupational Safety & Health Standards Board (OSHSB)

 The Occupational Safety and Health Standards Board office has moved to remote operations due to the Statewide Stay at Home Order (per Executive Order N-33-20). A [MAILING ADDRESS](#) has been established for the Standards Board to better facilitate daily operations:

Occupational Safety & Health Standards Board
1017 L Street, PMB #254
Sacramento, CA 95814-3805

The Standards Board remains committed to continuing to provide essential services to the public, including access to public records. Our Sacramento office remains open BY APPOINTMENT for the inspection of public records held by the Board. Appointments can be scheduled via email at OSHSB@DIR.CA.GOV or by calling (916)274-5721.

The mission of the Occupational Safety & Health Standards Board is to promote, adopt, and maintain reasonable and enforceable standards that will ensure a safe and healthful workplace for California workers.

The Occupational Safety & Health Standards Board, a seven-member body appointed by the Governor, is the standards-setting agency within the Cal/OSHA program. The Standards Board's objective is to adopt reasonable and enforceable standards at least as effective as federal standards. The Standards Board also has the responsibility to grant or deny applications for variances from adopted standards and respond to petitions for new or revised standards. The part-time, independent board holds monthly meetings throughout California.

Meetings, Notices and Petitions

- [Advisory committees](#)
- [Agendas](#)
- [Notice of Proposals & Meeting Schedule](#)
- [Petitions](#)

Standards Variations

- [Approved](#)
- [Emergency](#)
- [Proposed](#)
- [Terminated](#)
- [Permanent](#)
- [Proposed](#)

Quick Links

Popular Pages

- ▶ [Standards Board Public Hearings](#)
- ▶ [Rulemaking proposals scheduled for hearing or adoption](#)
- ▶ [Recently Approved Standards](#)
- ▶ [The Petition Process](#)
- ▶ [The Variance Process](#)
- ▶ [Public Records Request](#)

Search for Regulations

- ▶ [Search for Cal/OSHA Regulations](#)
- ▶ [Title 8 Index](#)

Advisory Meetings

- ▶ [Upcoming Advisory Committees](#)
- ▶ [Recent Cal/OSHA Advisory Committees](#)

About

- ▶ [About Us](#)
- ▶ [Learn about Cal/OSHA Enforcement](#)
- ▶ [Contact the Standards Board](#)

Cal/OSHA's Home Page

www.dir.ca.gov/dosh

Cal/OSHA

The Division of Occupational Safety and Health (DOSH), better known as Cal/OSHA, protects and improves the health and safety of working men and women in California and the safety of passengers riding on elevators, amusement rides, and tramways – through the following activities:

- Setting and enforcing standards
- Providing outreach, education, and assistance
- Issuing permits, licenses, certifications, registrations, and approvals

California Leads the Nation on Worker Safety

California administers the largest state OSHA plan in the nation and consistently exceeds its inspection goals to protect millions of workers each year. Here is the [latest data from the 2019 federal fiscal year](#) on how Cal/OSHA compares:

- Cal/OSHA conducted the most inspections in the nation (7,571 inspections exceeds the goal of 7,540).
- Cal/OSHA cited 18,896 hazards and created safer working conditions for at least 8.4 million employees.
- Enforcement and outreach activities contributed to a 2018 fatality rate lower than the national rate (2.3 versus the national rate of 3.5 per 100,000 full-time workers).

Workers

- [Health & Safety Rights: Facts for California Workers](#)
- [Protecting Temporary Agency Employees](#)
- [Report a labor law violation](#)
- [Report a bad employer in the underground economy](#)
- [Request benefits for a work injury](#)
- [Young workers program](#)

Employers

- [Required for employers:](#)
 - [Notifications](#) • [Postings](#) • [Recordkeeping](#)
- [Consultation Services and Partnership Programs](#)
- [Permits, registrations, certifications & licenses](#)
- [Payments—invoices and penalties](#)
- [Develop an injury & illness prevention program](#)
- [Appeal a Cal/OSHA enforcement action](#)
- [Develop a heat illness prevention plan](#)

Emergency Response

- [Cal/OSHA Safety Guidance on Coronavirus](#)
- [Worker Safety and Health in Wildfire Regions](#)

Quick Links

- [File a workplace safety complaint](#)
- [Obtain a free consultation](#)
- [Important Cal/OSHA updates](#)
- [Public records requests](#)

Cal/OSHA Branches & Units

Branches

- [Enforcement](#)
- [Consultation Services](#)

Units

- [Amusement Ride and Tramway](#)
- [Asbestos and Carcinogen](#)
- [Census of Fatal Occupational Injuries](#)
- [Communications Program](#)
- [Crane](#)
- [Elevator](#)
- [Heat and Agriculture Coordination Program](#)
- [High Hazard](#)
- [Labor Enforcement Task Force](#)
- [Legal and BOI](#)
- [Mining and Tunneling](#)

[File a workplace safety complaint](#)
(Interpretation services available)

Important Cal/OSHA Updates

- [Cannabis Industry Health and Safety](#)
- [Changes to the Definitions of Serious Injury and Illness and Reporting to Cal/OSHA \(AB 1804 and 1805\) - *Frequently asked questions*](#)
- [Permit Requirements for Construction Activities - *Frequently asked questions*](#)
- [Recording and Reporting Occupational Injuries and Illnesses](#)
- [Respirable Crystalline Silica Standards - *Important update*](#)
- [Rulemaking Updates](#)
- [Toilet facilities - *Frequently asked question*](#)
- [Wildfire Smoke Emergency Standard](#)

COVID-19

- www.dir.ca.gov/dosh/coronavirus/Health-Care-General-Industry.html

Guidance by Industry

- [Agriculture](#)
- [Automobile Dealerships and Rentals](#)
- [Child Care Programs and Providers](#)
- [Communication Infrastructure](#)
- [Construction](#)
- [Campgrounds and Other Outdoor Recreation](#)
- [Day Camps](#)
- [Energy and Utilities](#)
- [Food Packing](#)
- [Gambling Facilities](#)
- [General Workforce](#)
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- [Gyms and Fitness](#)
- [Hair Salons and Barbershops](#)
- [Health Care Facilities](#)
- [Hotels and Lodging](#)
- [Life Sciences](#)
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- [Manufacturing](#)
- [Mining and Logging](#)
- [Mortuary and Funeral Homes](#)
- [Movie Theaters and Family Entertainment](#)
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- [Public Transit and Intercity Passenger Rail](#)
- [Real Estate](#)
- [Restaurants](#)
- [Schools and School-Based Programs](#)
- [Shopping Centers and Malls](#)

Benefits of Being Proactive with Consultation

- Reduce costs from having to hire and train new employees when someone is injured
- Reduce down time due to injuries and illnesses
- Avoid unnecessary legal costs
- Avoid increases in your workers' compensation costs
- Chance to earn a Golden Gate Letter or Recognition



Cal/OSHA Consultation Service

Toll-Free Number 1-800-963-9424

San Fernando Valley

6150 Van Nuys Boulevard, Suite 307
Van Nuys, CA 91407
(818)-901-5754

Los Angeles, Orange

1 Centerpointe Drive, Suite 150
La Palma, CA 90638

San Bernardino

464 W. 4th Street, Suite 339
San Bernardino, CA 92401
(909)-383-4567

San Diego

7575 Metropolitan Drive, Suite 204
San Diego, CA 92108
(619)-767-2060

Northern California

1750 Howe Avenue, Suite 490
Sacramento, CA 95825
(916) 263-0704

Note: New Address

San Francisco Bay Area

1515 Clay Street, Suite 1103
Oakland, CA 94612
(510) 622-2891

Central Valley

2550 Maricopa Mall, Suite 2005
Fresno, CA 93721
(559) 445-6800