



"The Public Interest"

Health/Safety and Environmental Issues

the PASMA way to shared knowledge

Public Agency Safety Management Association

March 14, 2013

Cal/OSHA Round-up:

Cal/OSHA Poster & Other News

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Now that the newsletter is back, the first page will be devoted to newsbytes from various web sources reflecting Cal/OSHA issues and involvements. If the hyperlinks fail to launch, simply Google News and type in "Cal/OSHA" Ed.

Reminder: Log 300A posting

The California Department of Industrial Relations' Division of Occupational Safety and Health (DIR/DOSH), also known as Cal/OSHA, is providing 2013's notification to all employers to post the annual summary of all work-related injuries and illnesses (Form 300A). The form must be posted at their place of business from February 1 through April 30. The Form 300A is available for free download on DIR's website. The form is a required workplace posting so that employees may have the opportunity to review any injury or illness that took place at their worksite in the prior year. Former employees and their representatives have a right to review the form as well. The form must be posted in a visible and easily-accessible area. For additional information and examples go to: http://www.dir.ca.gov/dosh/dosh_publications/rckeekeepoverview.pdf

Recent Articles Involving Cal/OSHA

[ASH fined \\$27675 by Cal/OSHA](#)

Atascadero News-Feb 5, 2013
The first was a regulatory violation for not providing Cal/OSHA with complete Cal/OSHA Log 300's for the calendar year of 2012. According to ...

[Glendale officer alleges retaliation for reporting violations](#)

Los Angeles Times-Feb 17, 2013
Schmidt's complaint does not specify which Cal-OSHA regulations were allegedly violated, nor does it go into detail about his exposure to any ...

[San Francisco VA Research Lab Cited After Employee Dies](#)

WorkersCompensation.com (press release)-Feb 21, 2013
"Cal/OSHA shares federal OSHA's concerns," said Cal/OSHA Chief Ellen ... This is why Cal/OSHA adopted a standard in 2009 to protect

[PG&E Boosts Training After Deaths Of 3 California Workers](#)

Insurance Journal-Feb 26, 2013
After Maximiliano Martinez was electrocuted in March of 2010, Cal/OSHA found nine violations by PG&E of workplace safety laws, several of ...

[California Contractors State License Board confirms asbestos ...](#)

Lexology (registration)-Feb 7, 2013
Once registered, the contractor must submit verification of the Cal OSHA registration to the CSLB. The CSLB will then add "ASB" on the license ...

Rule Making Reminder - Proposed Standards [Sections 1529, 1532 and 1532.1, Appendix B of Section 1532.1, Sections 1532.2, 1535, 5150, 5189, 5190, 5191, 5192, and 5194, Appendices A through G of Section 5194, Section 5198, and Appendix B of Section 5198, Sections 5200, 5201 and 5202, Appendix A of Section 5202, Sections 5206, 5207, 5208, 5209, 5210, 5211, 5212, 5213, 5214, 5217, 5218 and 5220](#) Globally Harmonized System Update to Hazard Communication – Health (Horcher)

[Section 2940.8](#) The Securing of Poles During Removal Operations

[Section 3329](#) Working on (Dismantling) Pressurized Pipe

[Section 3381](#) Federal OSHA Direct Final Rule - Head Protection

[Section 3385](#) Strap-On Foot Protectors

[Section 4309](#) Horizontal Pull Saw (Radial Arm Saw) Guarding

[Section 4994](#) Hoisting, Use of Cribbing, ASME Reference Correction

[Section 5155](#) Airborne Contaminants - Ethylbenzene

[Section 5197](#) Laboratory Accreditation for Diacetyl Analysis

[Section 5199\(g\)\(3\)\(B\)](#) Aerosol Transmissible Diseases Respirator Exception



“Globally Harmonized System (Hazard Communication Standard Final Rule)

The new hazard communication standard still requires chemical manufacturers and importers to evaluate the chemicals they produce or import and provide hazard information to employers and workers by putting labels on containers and preparing safety data sheets. However, the old standard allowed chemical manufacturers and importers to convey hazard information on labels and material safety data sheets in whatever format they chose. The modified standard provides a single set of harmonized criteria for classifying chemicals according to their health and physical hazards and specifies hazard communication elements for labeling and safety data sheets.

Major changes to the Hazard Communication Standard:

Hazard classification: Chemical manufacturers and importers are required to determine the hazards of the chemicals they produce or import. Hazard classification under the new, updated standard provides specific criteria to address health and physical hazards as well as classification of chemical mixtures.

- **Labels:** Chemical manufacturers and importers must provide a label that includes a signal word, pictogram, hazard statement, and precautionary statement for each hazard class and category.
- **Safety Data Sheets:** The new format requires 16 specific sections, ensuring consistency in presentation of important protection information.
- **Information and training:** To facilitate understanding of the new system, the new standard requires that workers be trained by December 1, 2013 on the new label elements and safety data sheet format, in addition to the current training requirements.

Changes from the Proposed to the Final Rule: OSHA reviewed the record and revised the Final Rule in response to the comments submitted. Major changes include:

- **Maintaining** the disclosure of exposure limits (Threshold Limit Values [TLVs]) established by the American Conference of Governmental Industrial Hygienists (ACGIH) and carcinogen status from nationally and internationally recognized lists of carcinogens on the safety data sheets;
- **Clarification** that the borders of pictograms must be red on the label;
- **Flexibility** regarding the required precautionary and hazard statements to allow label preparers to consolidate and/or eliminate inappropriate or redundant statements; and
- **Longer deadlines** for full implementation of the standard (see the chart below).

What you need to do and when:

- **Chemical users:** Continue to update safety data sheets when new ones become available, provide training on the new label elements and update hazard communication programs if new hazards are identified.
- **Chemical Producers:** Review hazard information for all chemicals produced or imported, classify chemicals according to the new classification criteria, and update labels and safety data sheets.

Effective Completion Date	Requirement(s)	Who
December 1, 2013	Train employees on the new label elements and SDS format.	Employers
June 1, 2015* December 1, 2015	Comply with all modified provisions of this final rule, except: Distributors may ship products labeled by manufacturers under the old system until December 1, 2015.	Chemical manufacturers, importers, distributors and employers
June 1, 2016	Update alternative workplace labeling and hazard communication program as necessary, and provide additional employee training for newly identified physical or health hazards.	Employers
Transition Period	Comply with either 29 CFR 1910.1200 (this final standard), or the current standard, or both.	All chemical manufacturers, importers, distributors and employers

• This date coincides with the European Union implementation date for classification of mixtures.

Additional information: More information on the hazard communication standard, including the link to the Federal Register notice, can be found on OSHA's hazard communication safety and health topics page at www.osha.gov/dsg/hazcom/index.html

YOU HAVE BEEN CAUTIONED!!





Other Articles, Information & Resources

The state of Safety and Health Professionals in Industry

NIOSH Update: October 20, 2011

Differences in Demand, Supply of New Safety, Health Professionals Are Seen in NIOSH-Commissioned Survey

Contact: Fred Blosser, (202) 245-0645

Over the coming year and beyond, the national demand for occupational safety and health services will significantly outstrip the number of men and women with the necessary training, education, and experience to provide such services, based on current trends, according to the results of a national survey reported by the National Institute for Occupational Safety and Health (NIOSH).

Although employers plan to hire at least 25, 000 occupational safety and health professionals over the next five years, only about 12,000 new graduates are expected to be available from the academic programs that provide the needed pool of expertise nationally. Hiring estimates include new or replacement positions, some of which may be filled by persons without occupational safety and health training.

"Robust businesses are essential for U.S. economic recovery and growth, and in turn, safe and healthy workplaces are a vital ingredient of any successful business plan," said NIOSH Director John Howard, M.D. "The results of this NIOSH-commissioned survey suggest a troubling shortfall of professional expertise at a time when such services are most needed."

Dr. Howard added, "NIOSH will continue to work with partners and stakeholders to identify and pursue ways to meet this critical training need for the 21st Century. The need for an adequate supply of trained professionals is particularly great as we anticipate that growing numbers of older professionals will retire over the next decade, and as new technologies continue to enter the workplace, requiring specialized skills and knowledge. For more than 40 years, under the Occupational Safety and Health Act, NIOSH has provided fundamental support for the academic programs that provide such training."

NIOSH commissioned the survey in 2008 as part of a continuing effort with stakeholders to assess national needs for professional occupational safety and health services. An independent research firm, Westsat, designed and conducted the survey under contract to NIOSH. Input to the process was provided by an advisory task force of professionals from diverse disciplines, by major stakeholders, and by public comment. The survey found that:

Degree programs in occupational safety and health have experienced declines in funding from university, college, and department sources, especially among programs not provided with funding through NIOSH. Obstacles confronted by students who might wish to pursue an occupational safety and health degree include inadequate or limited financial aid, and lack of knowledge about these degree programs. While employers generally are satisfied with occupational safety and health professionals' level of training in their specific work areas, they also would like new graduates to have training in additional relevant areas, including leadership and communication.

The report, "National Assessment of the Occupational Safety and Health Workforce," is posted on the NIOSH web page at www.cdc.gov/niosh/oshworkforce/. Printed copies will be available later this year.

[National Assessment of the Occupational Safety and Health Workforce](#)  [PDF - 3.06 MB]

NIOSH FACE Reports – an excellent tool to maintain SKILLS as well as a TRAINING AID – Ed.

I've used the following exercise in class as both a learning tool to stimulate "situational analysis", critical thinking and safety order research and understanding.

The web link below will provide you with data regarding various fatality investigations. <http://www.cdc.gov/niosh/face/>

1. Choose either a NIOSH or State of California FACE report
2. Your assignment should you decide to accept, is to select and analyze a report of your choosing.
3. Examine the report and determine what the investigators intimate are the "suggestions" that could have prevented the failure...the report may actually identify a specific violated code section.
4. That would be the easy part, now apply scenario building and creativity and re-create as many environmental factors that could have been in play as a **precursor** to the event. Remember that good investigators must consider **all conditions and variables prior** to arriving at a causative failure theory. List these variables and see if the investigators conclusions may then have changed.
5. Finally, go to both the Cal/OSHA Web page and the Fed/OSHA Web page:

http://www.osha.gov/pls/oshaweb/owasrch.search_form?p_doc_type=STANDARDS&p_toc_level=1&p_keyvalue=1910

<http://www.dir.ca.gov/samples/search/query.htm>

Find the listed code section allegedly violated and read the text of the cited order and answer the following questions

- a) Was the Safety Order easily read and understandable (clear and concise)
- b) What was the order designed to protect against
- c) Was it proscriptive, permissive, or performance oriented
- d) What legal elements were you able to identify (remember to look for critical words before and after such words as "shall", "will", "must", "and", "or", "may", "should" etc., etc. (elemental analysis of the legal text is mandatory)
- e) Were there any exceptions listed
- f) What was the **nature and strength** of the evidence (percipient witness, documents, hearsay, etc.)

Good luck and have some fun. Pretend you're Columbo or Holmes.



Classifieds

<http://www.cdc.gov/niosh/exhibits.html>

This page provides links to educational and professional occupational safety and health-related conferences and events. The list also includes conference and meeting information about other occupational safety and health events sponsored by government agencies, and non-government agencies such as universities, professional societies, and organizations. To post a conference or event to this page, please use the [NIOSH submission form](#). Only submissions with complete required information will be posted.

2013: - [March](#) - [April](#) - [May](#) - [June](#) - [July](#) - [August](#) - [September](#) - [October](#)

PRIMA's 2012 Annual Conference will be held June 3 – 6, 2012, at the Gaylord Opryland in Nashville, Tennessee. Registration for the conference and hotel rooms will open in early January. For additional information, contact Jen Welan Morris at jmorris@primacentral.org.

Occupational Health & Safety's industry events calendar page. Here you can find upcoming health and safety events that are happening around the country. <http://ohsonline.com/calendar/full-calendar.aspx>


2013 National Safety Council
CONGRESS & EXPO
 Congress: September 28 - October 4
 Expo: September 30 - October 2 **CHICAGO**
http://www.nsc.org/nsc_events/Conferences/Pages/Home.aspx



American Society of Safety Engineers
<http://www.asse.org/cartpage.php?link=additem&PID=CONF2013>



To submit
Posts/Meetings/Conferences/Jobs/Photos/Articles/Issues/References or
any other Safety/Health/Risk Management issue please contact the
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About The Cal/OSHA Consultation Service

Mission and Objectives

The mission of the Cal/OSHA Consultation Service is to help eliminate worker injuries and illnesses by providing effective workplace safety and health assistance to California's employer and employee community. Its objectives are to:

- Identify and promote safety and health to small high hazard employers
- Educate employers and employees about the benefits of safety and health
- Encourage employers and employees to implement and maintain good safety and health practices

Services Offered

Consulting services are designed to reduce/eliminate workplace injuries and illnesses through voluntary compliance with occupational safety and health regulations and best practice improvements. This is done through a variety of services from Cal/OSHA Consultation including:

- Onsite Visits
- Offsite Consultation
- High Hazard Employer Program
- Providing Educational Materials and Research
- Partnership Programs
- Outreach Assistance



The Cal/OSHA Consultation Service Will:

- Keep employer names and locations confidential
- Give priority service to small high hazard employers
- Focus on effective safety and health programs
- Emphasize on proper workplace safety culture
- Offer additional resources for assistance

The Cal/OSHA Consultation Service Will Not:

- OSHA-Proof an employer
- Guarantee that Cal/OSHA enforcement will not inspect the workplace
- Perform work the employer is required to do
- Ignore an unabated serious hazard
- Refer an employer to Cal/OSHA Enforcement
- Provide onsite emergency assistance

http://www.dir.ca.gov/dosh/consultation_offices.html

WHAT IS WRONG WITH THESE PICTURES?

