



# "The Public Interest"

## Health/Safety and Environmental Issues

*the PASMA way to shared knowledge*

Public Agency Safety Management Association

February 28, 2015

**Front Page: ASSEMBLY BILL 1634  
(SKINNER) RE: ABATEMENT**

**Individual Highlights:**

2014 Ending Most Common Citations	2
2014 to 2015 New Safety Orders	3
LOG 300 Reminder & Self Test	4

**Editor:** *Dick Monod de Froideville, Retired - Cal/OSHA*  
[dmonod.pasma@gmail.com](mailto:dmonod.pasma@gmail.com)

### PASMA NORTH & SOUTH

**Contacts:**

**President PASMA South:**

*Paula Bouyounes, Risk & Safety Mgr, Orange County Water District, (714) 378-3310*  
[pbouyounes@ocwd.com](mailto:pbouyounes@ocwd.com)

**Vice President: Wes Bauer, S&H**

*Supervisor Risk Mgt Div., OC Sanitation Distr. [wbauer@ocsd.com](mailto:wbauer@ocsd.com)*

**Secretary: Briza Morales, Risk**

*Management Tech, City of Santa Ana (714) 454-7602*  
[info@pasmaonline.org](mailto:info@pasmaonline.org)

**Treasurer: Anna Levina, H&SO Officer**

*LA County Dept of Mental Hlth (213) 738-4430*  
[alevina@dmh.lacounty.gov](mailto:alevina@dmh.lacounty.gov)

**PASMA Legislative Affairs Director:**

*Bill Taylor, CSP Safety Manager City of Anaheim (714) 765-4399*  
[btaylor@anaheim.net](mailto:btaylor@anaheim.net)

**President PASMA North:**

*Stephen Hackett, Safety Officer Napa County (707) 259-8744*  
[stephen.hackett@countyofnapa.org](mailto:stephen.hackett@countyofnapa.org)

**Treasurer: Gwen Ho Sing-Loy**

*Public Services Operations Manager City of Walnut Creek (925) 256-3536*  
[gghsl@walnut-creek.org](mailto:gghsl@walnut-creek.org)

**Secretary&Leg Affrs: Charity Nicolas**

*Assistant Risk Manager-Loss Control Contra Costa County (925) 335-1463*  
[Charity.Nicolas@riskm.cccounty.us](mailto:Charity.Nicolas@riskm.cccounty.us)

**Members At Large: Barb Smaker, Safety Coordinator, Contra Costa County Public Works**

*Mike Landy, Sr. Safety Spec., Dept. Water Resources Sacramento County*

### Assembly Bill – 1634

### Occupational Safety and Health: Violations (2013-2014)

Amends Sections 6319, 6320, and 6625 of the Labor Code

#### PLEASE READ AND CONSIDER THE IMPACT OF THIS NEW LAW

#### AB 1634, Skinner. *Occupational safety and health: violations.*

Existing law establishes the Division of Occupational Safety and Health in the Department of Industrial Relations to enforce employment safety laws. Existing law authorizes the division to conduct hearings, inspections, and investigations regarding alleged violations of employment safety laws and to issue a citation for a violation of those laws, including violations that regulations adopted by the division classify as serious, repeat, or willful violations. Existing law authorizes the division to propose appropriate modifications concerning the characterization of violations and corresponding modifications to civil penalties for violations. Existing law requires the division, if a serious violation is not abated at the time of the initial or subsequent inspection, to require the employer to submit a signed statement under penalty of perjury that he or she has complied with the abatement terms within the period fixed for abatement of the violation. Existing law establishes the Occupational Safety and Health Appeals Board in the department, and prescribes procedures for the appeals board to hear and decide appeals of a citation. Regulations adopted by the appeals board generally stay the abatement period of a citation until the conclusion of the appeal.

This bill would **prohibit the division from granting**, for serious violations, a proposed modification to civil penalties for abatement or credit for abatement **unless** the employer **has abated the violation**, as specified, **or** has submitted a statement to the division in accordance with existing law, and would additionally require supporting evidence with the statement where necessary. The bill would authorize the division to grant such a modification only if the violation has been abated, as specified, **or** the signed statement and supporting evidence **is received within 10 working days** after the end of the period fixed for abatement. The bill would **generally prohibit the stay or suspension of a requirement to abate the hazards affirmed by the decision or order during the pendency before the appeals board** of a petition for reconsideration of a citation for a violation that is classified as a serious violation, repeat serious violation, or willful serious violation. The bill would authorize the appeals board to stay or suspend an abatement, **upon petition by the employer, only if** the employer demonstrates that a stay or suspension will not adversely affect the health and safety of employees.

## Front Load Your Safety Programs – Know what to Compare

### TOP 2014 Cal/OSHA Citations – All Industries

#	Standard	Citations	Inspections	Penalty	Description
	<a href="#">Total</a>	14,383	4,327	\$21,137,841	<i>All Standards cited for NAICS Codes</i>
1	<a href="#">3203</a>	1,515	1,307	\$1,140,882	<i>IIPP</i>
2	<a href="#">3395</a>	1,425	1,109	\$807,590	<i>Heat Illness</i>
3	<a href="#">1509</a>	987	698	\$320,995	<i>Code of Safe Practice</i>
4	<a href="#">3314</a>	475	297	\$1,920,780	<i>Lock Out Block Out</i>
5	<a href="#">342</a>	406	406	\$1,795,975	<i>Failure to Notify</i>
6	<a href="#">5144</a>	333	188	\$116,630	<i>Respiratory Protection</i>
7	<a href="#">5194</a>	320	275	\$75,211	<i>Hazard Communication</i>
8	<a href="#">1512</a>	315	248	\$52,440	<i>Emergency Services - Constr</i>
9	<a href="#">6151</a>	286	262	\$55,680	<i>Portable Fire Extinguishers</i>
10	<a href="#">3276</a>	261	177	\$429,688	<i>Portable Ladders</i>
11	<a href="#">461</a>	255	253	\$54,285	<i>Compr. Air Tanks Permit</i>
12	<a href="#">2340.16</a>	218	217	\$43,680	<i>Workspace about Elec. Equip.</i>
13	<a href="#">3457</a>	199	121	\$151,625	<i>Field Sanitation</i>
14	<a href="#">3650</a>	182	143	\$542,310	<i>Forklift Operation</i>
15	<a href="#">5162</a>	169	141	\$155,510	<i>Emer. Eye Wash/Shower</i>
16	<a href="#">3668</a>	157	152	\$122,590	<i>Forklift Training</i>
17	<a href="#">1527</a>	150	130	\$25,940	<i>Washing Facilities - Constr</i>
18	<a href="#">3328</a>	145	138	\$425,965	<i>Machinery and Equipment</i>
19	<a href="#">3577</a>	142	105	\$156,845	<i>Abrasive Wheel Guarding</i>
20	<a href="#">5193</a>	118	52	\$139,890	<i>BloodBorne Pathogens</i>

This page allows the user to list the most frequently cited Federal or State OSHA standards for a specified 6-digit North American Industry Classification System (NAICS) code. Also available is [Industry Profile for OSHA Standard](#) which lists NAICS classifications having the most occurrences of citations for a specified OSHA standard.

Select number of employees in establishment:

- All 
  1-9 
  1-19 
  1-99 
  20-49  
 20-99 
  50-99 
  100-249 
  1-249 
  250+

Federal or State Jurisdiction:  NAICS:  (Submit empty for NAICS list.)

## Occupational Safety & Health Standards Board July 2014 to Present Approved Regulations

For more information regarding the development of Occupational Safety and Health regulations, e-mail [oshsb@dir.ca.gov](mailto:oshsb@dir.ca.gov).

Approved Regulation	Effective
<a href="#">Sections 1514 and 3380</a> <b>Personal Protective Devices and Safeguards</b>	<b>Apr. 1, 2015</b>
<a href="#">Sections 1520 and 3384</a> <b>Hand Protection</b>	Jul. 1, 2014
<a href="#">Section 1598 and 1599</a> Update of Reference to California Manual on Uniform Traffic Control Devices for Streets and Highways (CA MUTCD)	Jul. 1, 2014
<a href="#">Section 1903</a> <b>Landing Operations-Note to Section 1903</b>	<b>Jan. 1, 2015</b>
<a href="#">Section 2940.2 and 2940.7</a> Fed OSHA DFR, Revision to CDAC Scope: Exception For Digger Derrick	Jul. 1, 2014
<a href="#">Section 3314</a> <b>Lockout Tagout (LOTO) - Group Lockout</b>	Oct. 1, 2014
<a href="#">Section 3650</a> <b>Powered Industrial Trucks-Excessive Loads</b>	Jul. 1, 2014
<a href="#">Section 4355</a> <b>Operating Rules for Compaction Equipment</b>	Jul. 1, 2014
<a href="#">Section 4542</a> <b>Guarding of Vertical Food Mixers</b>	Oct. 1, 2014
<a href="#">Section 5001</a> <b>Update and Harmonization of Crane Hand Signals Standards and Illustrations</b>	Jul. 1, 2014
<a href="#">Section 5120</a> <b>Safe Patient Handling</b>	Oct. 1, 2014
<a href="#">Section 5155</a> <b>Airborne Contaminants, Hydrogen Chloride</b>	<b>Jan. 1, 2015</b>
<a href="#">Section 5155</a> <b>Airborne Contaminants, Naphthalene</b>	Oct. 1, 2014
<a href="#">Section 5605</a> <b>Tank Storage Subject to Flooding, Precautionary Measure</b>	Oct. 1, 2014
<a href="#">Section 5620, 6165, 6180, 6181, 6182, 6183, and 6184</a> <b>Update of Title 8 General Industry National Fire Protection Association (NFPA) Fire Protection Standards</b>	<b>Apr. 1, 2015</b>



"Any man can make mistakes, but only an idiot persists in his error."  
 Marcus Tullius Cicero  
 Roman Statesman



**Reminder – Cal/OSHA Log 300A  
Annual Summary Posting Period  
February 1<sup>st</sup> - April 30<sup>th</sup>, 2015**

**Test Your Knowledge On Recordkeeping**

**(True or False)**

1. **"Any aggravation"** of a pre-existing condition by a workplace event or exposure makes the case work-related under the California Recordkeeping Standard? **Ref: T8CCR14300.5(b)(4)**
2. **The California Recordkeeping Standard has several "additional exceptions"** to a case being considered work-related. Some of the new exceptions include, voluntary participation in a wellness program, performing personal tasks during working hours, personal grooming, self-medication, colds or the flu, or mental illness. **Ref: T8CCR14300.5(2)(C)**
3. Under the California Standard the **aggravation of an injury or illness** where signs or symptoms have not disappeared, is a continuation of the original case and not a new case? **Ref: T8CCR14300.6(a)(2)**
4. Under the California Recordkeeping Standard **all work-related illnesses are recordable**? **Ref: T8CCR14300.7(a)**
5. According to the California Standard, **"routine job functions"** are defined as any duty the employee regularly performs at least once a week. **Ref: T8CCR14300.7(b)(4)(B)**

**Recording Injuries and Illnesses (Recordable or Not)**

1. Bill, an electrician, was shot in the shoulder when he confronted an unknown person taking tools from a storeroom. Bill was hospitalized and off work for four weeks, before returning to full duty. **Ref: T8CCR14300.5(a)**
2. Rick, a welder in the Maintenance Department, developed flash burns to both eyes. He received prescription medication, but lost no days away from work. **Ref: T8CCR14300.7(b)(5)**
3. Jane, an assembly operator in the Printing Department, reported to her supervisor that she had pain in both wrists. The company nurse provided her with immobilizing splints to use. **Ref: T8CCR14300.7(b)(5)(B)(6)**
4. John was on a business trip to New Orleans and had completed his training for the day. While relaxing in his hotel room, an earthquake shook the hotel and John sustained a serious head injury and was off work for one month. **Ref: T8CCR14300.5(b)(6)**
5. Tony, a Maintenance Mechanic, lacerated his right arm at the elbow while servicing a machine on Friday. His doctor recommended two days off. He returned to work on Monday. **Ref: T8CCR14300.7(b)(3)(D)**

**Understanding First Aid versus Medical Treatment (Recordable or Not)**

1. Treatment limited to cleaning, soaking, applying antiseptic and bandaging a wound. **Ref: T8CCR14300.7(b)(5)(B)(3) or Ref: T8CCR14300.7(b)(5)(B)(4)**
2. Medical glue was applied to close multiple lacerations. **Ref: T8CCR14300.7(b)(5)(B)(4)**
3. Butterfly bandages were applied to multiple lacerations. **Ref: T8CCR14300.7(b)(5)(B)(4)**
4. Applying non-prescription ointments on follow-up visits to prevent drying and cracking of skin. **Ref: T8CCR14300.7(b)(5)(B)(1)**
5. Removal of an embedded foreign material from the eye using other than irrigation or a cotton swab. **Ref: T8CCR14300.7(b)(5)(B)(10)**