



"The Public Interest"

Health/Safety and Environmental Issues

the PASMA way to shared knowledge

Public Agency Safety Management Association

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Front Page:

Reporting & Recording	Pg. 1-2
Cost/Benefits of Safety	Pg. 3
Hazard Recognition Play	Pg. 4
Hazard Recognition Sources	Pg. 5
Cal/OSHA Training Matrix	Pg. 6

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**"PLEASE RESPOND TO
OUR MEMBERSHIP
SURVEY"**

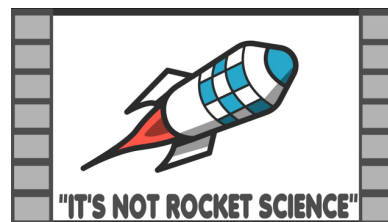
Editorial Challenge Message

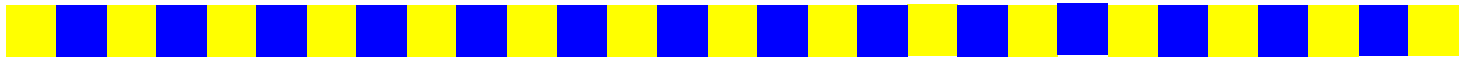
Reporting & Recording, the most common citation since ever & why

On January 27th, 2025, Cal/OSHA issued their new penalty structure via a "[news release](#)". One of the most striking of this release was the penalty for "The maximum penalty for general and regulatory violations, including posting and recordkeeping violations, is **\$16,285**".

At this amount, one would think organizations would correct all procedures that would cause this administrative oversight from re-occurring. Yet since 2006 when I personally started tracking my old Divisions outcome data, it has consistently occupied number 4, 5, or 6 of the top 10 most commonly issued ([see 10 most frequently cited](#)) citations. Why is this still happening? I have several theories, and I'll explain them in this section.

Observation 1: Misunderstanding the nuances of the Code text, is the single most critical disconnect between what is expected and what is done. Reference if you will [T8CCR342](#), it consists of only 3 major subsections. **Subsection (a)** imposes the duty that "Every employer report...any serious injury or illness, or death, of an employee occurring in a place of employment or in connection with any employment" and refers to [T8CCR330\(h\)](#) for detailed definitions. Make no mistake, the term "EVERY EMPLOYER" means *that individual* in the chain of command that has first knowledge of the reportable incident usually the first line supervisor, foreman, or lead, **NOT** any other individual up the chain of command. The data, however, suggests that this is not understood, and costly mistakes continue to be made since most employers simply do not train their supervisors to initiate that call causing significant delays. This delay is compounded when the incident occurs on Friday afternoons. Note further that the **CLOCK** starts from the time of first knowledge and the specifics of the event found in **subsection (c)(1-10)**...are mandatory at that time..."**if available**". The bottom line of this subsection is to **simply STOP the clock**. All related or ancillary information as to a medical diagnosis and/or mitigating or extenuating circumstances can wait pending your own investigation. Supervision should simply provide minimum information including "we are awaiting medical determinations; we'll call you back when we know more". This is....





Observation 2: Compounding the failure to notify elements is the lack of institutional knowledge regarding that which is OSHA and/or Workers Compensation related. This too, has been a historical reason for late reporting. Regardless, the Patient Right to Privacy Act, otherwise known as HIPPA has exceptions to withholding of patient information when such information is needed for compliance to OSHA reporting and recordkeeping rules. Unfortunately, some employer's and medical providers are still not fully aware of these exceptions which may cause a delay in timely reporting. To help re-educate supervisors in OSHA reporting protocols, employers could 1. Provide the actual intake form used for reporting by Cal/OSHA staff and two carry a summary of the exceptions listed in the HIPPA law should they need it while waiting for a medical determination prior to reporting. See example below.

9506		Enter Type: Number:		Report)		
4. a <input type="checkbox"/> Change?	b. Establishment Name			5. Employer ID (State's option)		
6. a <input type="checkbox"/> Change?	b. Site Location (Street, City, State, Zip) THIS SHOULD BE THE ACTUAL SITE/IF ON A CORNER PROVIDE X-SECTION OF STREETS			7. City Code	8. County Code	
9. Mailing Address (If different) (Street, City, State, Zip)				Phone Number		
Industry Ownership	10. Type of Business			11. Primary SIC	12. No of Employees	
	13. Ownership (Mark "x" in one box) a. <input type="checkbox"/> Private Sector b. <input type="checkbox"/> Local Government c. <input type="checkbox"/> State Government d. <input type="checkbox"/> Federal Government					
Receipt Information	14. Reported By			15. Date	16. Time <input type="checkbox"/> AM <input type="checkbox"/> PM	
	17. Job Title			18 Telephone Number		
Employer Representative	19. Group Name(s)					
Site Contact	20. Name and Location				22. Telephone Number	
	21. Job Title THIS SHOULD ONLY BE THE PERSON AUTHORIZED TO ENGAGE WITH THE COMPLIANCE PERSON					
Classification	23. (Mark "X" in one box)		a. <input type="checkbox"/> Fatality	b. <input type="checkbox"/> Catastrophe	c. <input type="checkbox"/> Non-Fatality/Catastrophe Reported by Professional or Media	
Event Description	24. Event Date	25. Event Time	<input type="checkbox"/> AM <input type="checkbox"/> PM	26. Number of Fatalities	27. Number of Hospitalized Injuries	
				28. Number of Non-hospitalized Injuries	29. Number Unaccounted for	
	30. Type of Event (e.g. Fall from scaffold)					
	Name/Address of Injured		Age	Occupation	Injury	
Duty Officer/Clerk Name:	Accident Description (Specify Mechanism/Condition/Hazardous Substance): Describe all extenuating/mitigating circumstances such as emp has documented pre-existing medical issues including heart problems/ employee has to self medicate/ employee had drugs/alcohol etc. Also describe if employee was on break/ performing personal grooming/ on cell phone etc. Where you do not get a medical determination AS TO TREATMENT. Let intake officer know you don't know yet, but will get back with the findings. THE IDEA IS TO STOP THE CLOCK.					
	Location Where Injured Employee was Moved to:					
	Other Law Enforcement Agencies Present at Site:					
	Workers' Compensation Insurance Carrier (Name & Address): (For Fatalities Only)					
ot on	32. Inspection Planned? <input type="checkbox"/> Yes <input type="checkbox"/> No		If No Reason:		33. Supervisor(s) Assigned	
				a.	b.	
				a.	b.	

Cost Benefit Analysis – Most recent “Jumbo” Cal/OSHA Case, Public Sector w/Penalty > \$500,000

Cal/OSHA has cited [Los Angeles City Animal Services](#) operating as Harbor Animal Services Center for six violations, including one general, two willful serious, and three willful serious accident-related in nature. Cal/OSHA’s key findings of the employer’s failure to protect its employees included:

- **Overcrowding of Animals:** The employer failed to evaluate and mitigate risks caused by overcrowding, which led to employee injuries from animal attacks.
- **Inadequate Training:** Employees and supervisors received insufficient training in handling animals or using personal protective devices.
- **Personal Protective Equipment:** Proper assessment and provision of personal protective equipment were not conducted.
- **Emergency Communication:** The lack of an effective communication system delayed critical emergency response and treatment for injuries.

Violation Summary

Violations/Penalties	Serious	Willful	Repeat	Other	Unclass	Total
Initial Violations		5		1		6
Current Violations		5		1		6
Initial Penalty	\$0	\$562,500	\$0	\$750	\$0	\$563,250
Current Penalty	\$0	\$562,500	\$0	\$750	\$0	\$563,250
FTA Penalty	\$0	\$0	\$0	\$0	\$0	\$0

Violation Items

#	Citation ID	Citation Type	Standard Cited	Issuance Date	Abatement Due Date	Current Penalty	Initial Penalty
1.	01001	Other	64010009 C02	11/27/2024	12/19/2024	\$750	\$750
2.	02001	Willful	3203(A)(4)	11/27/2024		\$112,500	\$112,500
3.	03001	Willful	3203(A)(6)	11/27/2024	12/19/2024	\$112,500	\$112,500
4.	04001	Willful	3203(A)(7)	11/27/2024	12/19/2024	\$112,500	\$112,500
5.	05001	Willful	3380(F)	11/27/2024	12/19/2024	\$112,500	\$112,500
6.	06001	Willful	3400(F)	11/27/2024	12/19/2024	\$112,500	\$112,500

Web based H & S resources cite Cost Benefits of Health and Safety - Training

[OSHA Site](#)

[National Safety Council](#)

[NIOSH](#)

23,000
on-the-job
injuries IN THE
EVERY day

employers
pay almost \$
1 Billion
PER week
for direct workers' comp costs alone



DID YOU KNOW ? ON AVERAGE:

indirect cost for a
workplace injury
is between
\$38K-150K

cost of
hiring
replacement
staff
\$130K
TO
\$166K

Triage This: Research all citable observations, then find the one person likely to cause harm to more than themselves - Send your observations and conclusions to the Editor



This image has over 25 Violations. See how many you can identify and then find the applicable Codes

#	Work Activity	# Workers	Hazards ID'd	Sev/Ext/Likelihood	Likely Injury	Code
1						
2						
3						
4						
5						
6						
7						
8						
9						
10						

A word about T8CCR3203(a)(7) – Supervisor Training and Cal/OSHA Enforcement

[Cal/OSHA Policy & Procedure P&P C-45A](#) Subsection G states in part "Training and Instruction -- Whether an effective training program designed to instruct employees in general safe work practices and to provide specific instruction with respect to hazards specific to each employee's job assignment ...; **and (f)** for supervisors to familiarize them with the safety and health hazards to which employees under **their immediate direction and control** may be exposed and how to communicate information about those hazards effectively. Sample **effectiveness measure**: Does training result in an increase in a worker's understanding of workplace hazards, and an improvement in a worker's performance of safe and healthy work practices? **To help with that hazard recognition element I suggest the following websites:**

The [NIOSH Mine Safety Challenge](#) is a semi immersive "virtual" on line trainer that will give the trainee 4 different and 2 minute challenges to identify and subsequently research safety hazards. The page provides instructions, and I use this to help my students recognize and triage the most serious as well as other citable items. Although this is online only, it is well suited for in person as well as zoom meetings.

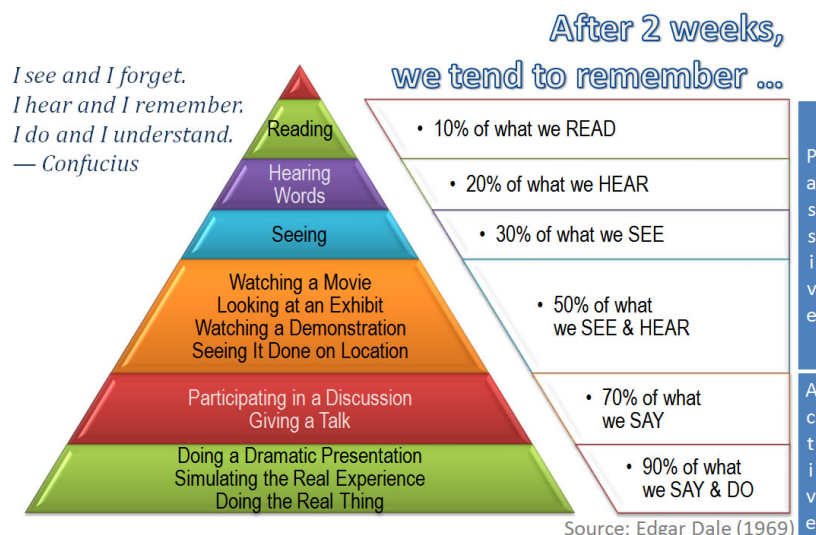
[OSHA Hazard Recognition Training](#) is a downloadable interactive web resource that provides role play as either management or labor. Includes 4 different working scenarios that players can navigate and perform hazard recognition. Included are web tabs that will provide not only directions, but resources as well. The feedback from my students is excellent in terms of content and functionality. Currently, only the PC version is downloadable but the Mac platform is currently being updated to the newest platform.

Worksafe BC has several outreach training categories to accomplish increased hazard recognition and control skills. My class favorites include "[Whats wrong with this photograph](#)" which presents various scenarios for all types of work categories. The beauty of this site is that the directions are simple and allows the user to populate stick pinned word balloons to enter their own script. Once the radio button "done" is entered, the winner of that months challenge shows their observations which can now be used to research our own codes based on topic specific trigger words. Another web based recognition tool are their [slide show presentations](#) hosted by youtube. These slide shows are all based on past fatalities and discuss events leading up to the fatality and then summarizes what should have been done to prevent such an occurrence. What a way to bring REALITY TO THE MESSAGE. Lastly, Worksafe BC maintains an extensive library of [406 short video clips](#) regarding various topics. These can either be viewed on line or are downloadable as Mp4 files. In all cases these clips present not just what may happen if there is a lapse of concentration but also reminds audiences of the importance of compliance.

I present these so that you may have the resources at your proverbial fingertips not just to increase content specific training focused on supervision but to meet our due diligence requirement for Hazard Recognition training...all you need now is to customize and **find the TIME**.

The Cone of Learning

sparkinsight.com



Training Matrix; a helpful hint. Experience and citation history suggest that OSHA topic training records tend to be diluted among several related offices, HR and Safety. Often employer training tends to be global rather than specific to a particular trade or job title. This page is devoted to helping the reader create a Cal/OSHA training matrix that also pinpoints the Topic specific Code. To start, go to the [Cal/OSHA Training Matrix](#) and then simply highlight the entire page; copy and paste into a controlling document (See example below), and then customize it according to your organizations needs and populations. For instance, if a line item simply does not apply to any of your working groups, delete it from the matrix. This form should clearly show any compliance officer that you have a topic training schedule that matches the associated safety order applicable to the trade.

Training Topic	Sub Topic	T8 Section	Frequency of Training	Typical Job Classification	Cal/OSHA Publication
Cadmium		5207(m)(4) 1532	Initial Annual	Exposed Employees Competent Person	

Edited Version

Cal OSHA Mandated Training Matrix by Occupation

Training Topic ("SafetySkills Training Title" – if different than Training Topic)	Cal OSHA Regulation	Frequency	CCCSIG Training Formats Available	DESCRIPTIONS/QUESTIONS/NOTES	Administrator	Custodian	Educator	Food Service	Grounds	Instructional Assistant	Maintenance	Equipment Mechanics	Warehouse and Delivery	Bus Drivers
Accident Investigation ("Incident Investigation")	3203 a)(7)(F)	Initial	In-Person & Zoom (30-60 min) Online (18 min)	Supervisors	X									
Accident Prevention Signs and Tags	3341(d)(5)	Initial	In-Person & Zoom (5 min) Online (5-6 min) Lesson 1 Only	The Occupational Safety and Health Administration (OSHA) requires the use of signs and symbols to warn workers about specific hazards in the workplace and tell them how to prevent these hazards from causing harm or injury to employees. The design of these signs is standardized across all types of workplaces so that workers can easily understand their meanings. Workers need to understand the rules that govern safety signs and recognize the meanings of common symbols and colors in order to protect themselves and others from harm. This course – Lesson One -- is designed to provide the learner with an overview of the requirements for accident prevention signs and tags outlined by OSHA and ANSI. Lesson 2 goes into proper pipe labeling which may be inapplicable to school districts.	X	X	X	X	X	X	X	X	X	X
Acetylene, Oxygen and Fuel Gas Safety ("Compressed Gas Safety – Cal OSHA")	1740(k)(1) 8 CCR Sec. 4650, 29 CFR 1910.101	Initial	In-Person & Zoom (15 min) Online (16 min)	Compressed gas cylinders are designed to hold gases under extremely high pressures in a relatively small container. But this convenience also presents physical, explosive, toxic, corrosive and cryogenic dangers. This course should help employees learn how to identify the hazards of compressed gases and compressed gas cylinders, labeling and storage requirements for cylinders, and how to implement safe work practices. This course is intended for employees in California who use or work near compressed gases on a regular basis, and is designed to help employers meet the requirements of OSHA and Cal/OSHA's compressed gas standards.							X	X		
Agricultural and Equipment Tractors ("Lawn Mower and Lawn Care Safety")	3441(a)	Initial and Annually	Online (6 min)	Recommend IN-HOUSE supervisor or assigned competent/qualified person in the district provide hands-on training at time of hire or before using the equipment; and, a refresher annually					X		X	X		
Asbestos Awareness (Staff who perform Class IV Operations who come in contact	1529 40 CFR 763.92(a)(1)	Within 60 days of time of hire (EPA) and Annually	In-Person & Zoom Initial (2hrs - required)	Asbestos is a naturally occurring mineral with excellent heat- and fire-resistant properties. Throughout the 20th century, asbestos was commonly used in building materials, pipe coatings, flooring, paint and texturing, and many other applications. Unfortunately, inhaling asbestos fibers can cause		X		X			X	X	X	

REMEMBER TO BE HEARD, WE PRACTICE WHAT WE PREACH, IF NOT, WE NEED TO CHANGE OUR SPEECH