



"The Public Interest"

Health/Safety and Environmental Issues

the PASMA way to shared knowledge

Public Agency Safety Management Association

March 26, 2026

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History Repeating itself...Why is this still happening?

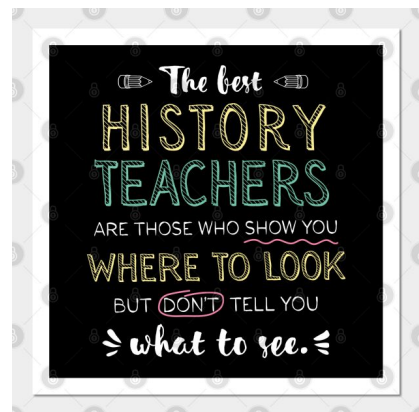
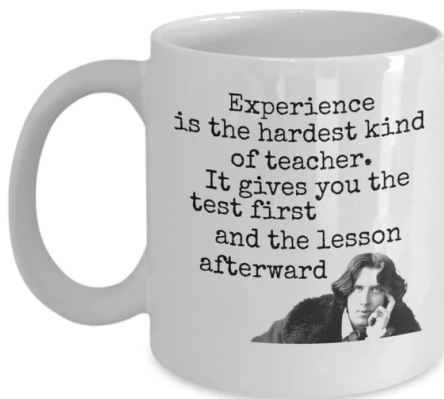
Calendar Year 2015 Rankings

1	3203	Injury and Illness Prevention Program, General Industry
2	3395	Heat Illness Prevention in Outdoor Places of Employment
3	1509	Injury and Illness Prevention Program, Construction
4	3314	The Control of Hazardous Energy for the Cleaning, Repairing, Servicing, Setting-Up, and Adjusting Operations of Prime Movers, Machinery and Equipment, Including Lockout/Tagout.
5	342	Reporting Work-Connected Fatalities and Serious Injuries
6	5194	Hazard Communication
7	5144	Respiratory Protection
8	6151	Portable Fire Extinguishers
9	461	Permits to Operate, Unfired Pressure Vessel
10	3276	Portable Ladders

Note: Shaded Rows only 2 differences between the years

Calendar Year 2025 Rankings

1	3203	Injury and Illness Prevention Program, General Industry
2	3395	Heat Illness Prevention in Outdoor Places of Employment.
3	1509	Injury and Illness Prevention Program, Construction
4	342	Reporting Work-Connected Fatalities and Serious Injuries
5	5194	Hazard Communication
6	3314	The Control of Hazardous Energy for the Cleaning, Repairing, Servicing, Setting-Up, and Adjusting Operations of Prime Movers, Machinery and Equipment, Including Lockout/Tagout.
7	6151	Portable Fire Extinguishers
8	5144	Respiratory Protection
9	5204	Occupational Exposures to Respirable Crystalline Silica
10	5162	Emergency Eyewash and Shower Equipment



"Why is this still happening" has multiple reasons for its organizational failures, and one of them is an apparent lack of contextual understanding on the part of the regulated vis a vis Compliance thinking. So, for the next several issues I'll be providing Compliance Clues with the hope that this will aid in any corrective measures our members may make to correct this historical data point. Since the IIPP is the General Duty Clause in California, it will be my opening commentary with the caveat that the reader does need to understand one thing...where there is vague and ambiguous language in any Code, the reader **MUST** define and quantify that language relative to their environment, process, equipment and personnel and **document** their means and methods to identify, evaluate and control hazards by means of the hierarchy of controls.

3203. "Every employer shall establish, *implement and maintain an effective Injury and Illness Prevention Program (Program)*. The Program shall be in writing and, shall, at a minimum:"

(a)(1) *Identify the person or persons with authority and responsibility for implementing the Program.*

CSHO Perspective: Name and/or Title of person in charge NEEDS to be known to ALL 1st Contact Personnel. If not, it will appear that the program is NOT known to all in the org. chart or any visitors/Temp personnel. The term "effective" has been quantified in Cal/OSHA P&P C45A and should be referenced. **CSHO will also check that the IIPP is only applicable to the site processes that is the subject of the inspection. ERGO, NOT A SYSTEM WIDE POLICY.** Anything other than that simply exposes the employer to more scrutiny.

(a)(2) *Include a system for ensuring that employees comply with safe and healthy work practices. **Substantial compliance** with this provision includes recognition of employees who follow safe and healthful work practices, training and retraining programs, disciplinary actions, or any other such means that ensures employee compliance with safe and healthful work practices.*

CSHO Perspective: Looks to see ID the means & methods to ensure (enforce) compliance to H&S matters. It must be "universally applied and equitably enforced" based on some possible documented criteria and outcomes (injury/illness) of the misbehavior to enforce compliance to H&S matters. The term "substantial" needs to be articulated by the employer as to why a citation should not be issued. The term "substantial" is defined in the Cal/OSHA P&P C45A and should be referenced

(a)(3) *Include a system for communicating with employees in a form readily understandable by all affected employees on matters relating to occupational safety and health, including provisions designed to encourage employees to inform the employer of hazards at the worksite without fear of reprisal. **Substantial compliance** with this provision includes meetings, training programs, posting, written communications, a system of anonymous notification by employees about hazards, labor/management safety and health committees, or any other means that ensures communication with employees.*

CSHO Perspective: Looks for means and methods of open communication of H&S issues to employees. Safety Committee **IS OPTIONAL**. If selected, **(c)(1-7)** now applies and must **AND WILL be vetted by CSHO** in terms of its "effectiveness".

(a)(4) *Include procedures for **identifying and evaluating work place hazards** including scheduled periodic inspections to identify unsafe conditions and work practices. Inspections **shall be made** to identify and evaluate hazards:*

(A) When program first established -

(B) *Whenever new substances, processes, procedures, or equipment are introduced to the workplace that represent a new occupational safety and health hazard; and*

(C) Whenever the employer is made aware of a new or previously unrecognized hazard.

CSHO Perspective: They will look to how this is done (JSA/RA) and at what frequency. CSHO will interview Employee/Supervisor to determine if Haz. was ID'd., when communicated and evaluated for severity, extent and likelihood. **Checklists alone, DO NOT MEET CODE REQUIREMENTS. Both subsections (B) and (C) require communications with related departments such as maintenance, purchasing etc. PRIOR to any changes to assess any occupational hazards.**

(a)(5) *Include a procedure to investigate occupational injury or occupational illness.*

CSHO Perspective: CHSO looks at degree of incident investigation process/procedure and training to first line supervisors regarding initial responses and controls. Specifically, CSHO will ask leading questions of supervisor such as "describe your expected response steps when told of an incident and/or accident. Employer should restrain from rendering opinions on cause and effect on DWC1 or other standardized forms until complete investigation is done. Remember, the Statute of Limitations is 6 Months. Cal. Labor Code 6314 establishes criteria for the interview process as does Cal/OSHA P&P C1A Section (c)(7) on Page 16 clearly indicates that these interviews are **VOLUNTARY**.

(a)(6) Include methods and/or procedures for correcting unsafe or unhealthy conditions, work practices and work procedures in a timely manner based on the severity of the hazard:

CSHO Perspective: They will assess means and methods to "triage" hazards based on severity of outcome relative to time to abate. CORRECTIVE MATRIX would be highly desirable since the CSHO has not been granted authority to determine "timeliness". The use of a Correction MATRIX then bars that CHSO tendency to define "timely".

- (A) When observed or discovered; and,
- (B) When an imminent hazard exists which cannot be immediately abated without endangering employee(s) and/or property, remove all exposed personnel from the area except those necessary to correct the existing condition. Employees necessary to correct the hazardous condition shall be provided the necessary safeguards.

(a)(7) Provide training and instruction:

- (A) When first established....
- (B) All new employees
- (C) All employees given **new assignments** for which training has not yet been given.
- (D) Whenever **new substances, processes, procedures or equipment** are introduced to the workplace and represent a new hazard;
- (E) Whenever the **employer is made aware of a new or previously** unrecognized hazard; and,
- (F) *For supervisors to familiarize themselves with the safety and health hazards to which employees under their immediate direction and control may be exposed.*

CHSO Perspectives: They will evaluate Supervisor training relative to H&S knowledge of the entire process involved with the activity. They will look to not just means and methods of content delivery, but to working knowledge of presenter as well. Note that subsections look at the "activity" not the job title of the employee. This is particularly true for changes in chemistries, machinery, and/or expanded duties. This is where the employer should minimize CBT as well as HR involvement, other than record keeping. It is also a good idea that every Supervisor maintain records as well.

(a)(8) Allow employee access to the Program.

CSHO perspective: Checks the records for procedures

(b)(1). Records of the steps taken to implement and maintain the Program shall include:

NOTE that since the LOG 300 currently has a 5 year retention, this may increase the potential exposure to that 5 year statute. Suggestion, keep all required records for at least 5 years, unless a specific Codes (exposure records and [T8CCR3204](#) dictate other requirements)

(b)(2) NOTE all potential exemptions AND those CODES that address any "exposure records" as required by Article 110 Carcinogens, Hearing Conservation, etc.

CSHO Perspective: They will review SDS list as well as any sampling data mandated and simply do a records review. Here pay particular attention to [T8CCR5155](#); [5097](#), [3380](#), [5193](#), and any registered [Carcinogens listed in Article 110](#)

3203(c). Health and Safety Committee: IF OPTED FOR IN LIEU OF 3203(a)(3) ALL SUBSECTIONS NEED TO BE ADDRESSED. COMMITTEE NEEDS "STRUCTURE" AND "SPECIFIC H&S TRAINING OF ALL MEMBERS" - Section will need to meet "effectiveness" definition for CSHO.

CSHO Perspective: CSHO will determine working knowledge of all 7 subsections from every committee member so identified via the interview process no matter which department they represent. 5 out of the 7 subsections are technically rooted.

NOTE: ALL CSHO "HARD" EVIDENCE WILL BE CORROBORATED PRIMARILY THROUGH THE INTERVIEW PROCESS. CSHO TENDS TO PICK AT LEAST 3 FROM SAME DEPT/UNIT. ONE SHOULD BE ROOKIE, A MID-CAREER, AND SENIOR.

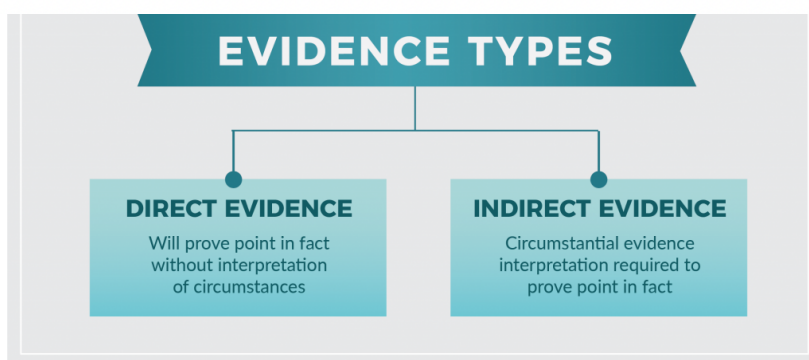
PURPOSE: RESPONSE CONTRASTS WILL VERIFY OR NULLIFY SAFETY CODE REQUIREMENTS: "EFFECTIVE AND MAINTAINED". **In short a partial AUDIT**



Having shared how a CSHO tends to interpret the IIPP language and what they are likely to do to support a citation, it's time to invite all readers to an **AUDITING CHALLENGE**; a desktop exercise. Below is the typical IIPP checklist. With permission of your Department heads and/or Legal Beagels, consider contacting one of our PASMA members and, with their permission, request a copy of their IIPP. Examine that IIPP relative to the context just given and determine if any of the elements would meet the listed outcome criteria. When performing that document audit, to what degree does the text clearly identify the "how" element of the mission statement. Remember that ALL CSHO's are apparently born in Missouri, the **"SHOW ME STATE"**. You could sell this challenge as a **PEER** review exercise. After all, we are all in the same boat.

3203 INJURY ILLNESS PREVENTION PROGRAM CHECKLIST

- (a) Written Plan
 - (1) Identify Person with authority and responsibility Y__ N__
 - (2) Ensure that employees comply Y__ N__
 - (3) Communication Y__ N__
 - (4) Scheduled periodic inspections
 - (A) Initial inspection Y__ N__
 - (B) New substances, processes, procedures, equipment Y__ N__
 - (C) Aware of new hazards Y__ N__
 - (5) Investigate injuries or illnesses Y__ N__
 - (6) Correcting hazards
 - (A) When discovered Y__ N__
 - (B) Handling imminent hazards Y__ N__
 - (7) Training
 - (A) Initial training Y__ N__
 - (B) New employees Y__ N__
 - (C) New job assignments Y__ N__
 - (D) New substances, processes, procedures, equipment Y__ N__
 - (E) New hazard(s) Y__ N__
 - (F) Supervisors Y__ N__
 - (8) Employee access to the Program Y__ N__
- (b) Recordkeeping (3 years)
 - (1) Inspections Y__ N__
 - (2) Training Y__ N__
- (c) Labor Management Safety Committee (optional to comply with communication requirements of 3203(a)(3))
 - (1) Regular meetings Y__ N__
 - (2) Written records Y__ N__
 - (3) Review inspections Y__ N__
 - (4) Review injury and illness investigations Y__ N__
 - (5) Review safety complaints Y__ N__
 - (6) Makes recommendations Y__ N__
 - (7) Verifies abatement of citations Y__ N__



The reason I've inserted this "typical" documents request is in support of that IIPP Audit. As part of that Inspection/Audit peer review, some or all these items should be known and discoverable. One should always ask where are they, who keeps them, are they current, and how familiar is the record keeper with the nuances of the applicable code. The more you know, the better prepared you are for the eventuality.

Cal/OSHA Enforcement District Office

Attn:
Cell:

Inspection No.	
Inspector	
Opt Rpt No.	



DOCUMENT REQUEST SHEET

Employer:		Contact Name (print):
Today's Date:	Postmark Date:	Contact Signature:
As discussed during this inspection, copies of the following documents are required for review. Please email (50 MB max/email) or send them to the Inspector at the address above by the Postmark Date. If the copies are not emailed/postmarked by that date, it will be interpreted as an admission that the documents do not exist, which usually results in Citations and Monetary Penalties . [Website: www.dir.ca.gov/dosh]		
Req'd	Documents Required From the Employer:	Rec'd
1 <input type="checkbox"/>	<input type="checkbox"/> Employee Pay Stub <input type="checkbox"/> Business License <input type="checkbox"/> Federal EIN/TIN <input type="checkbox"/> CSLB # <input type="checkbox"/> FLC License #	
2 <input checked="" type="checkbox"/>	Facility layout (plans, flow diagram, evacuation, equipment, etc) (Accident Site).	
3 <input checked="" type="checkbox"/>	Cal/OSHA Form 300 (Log) for the current and past 5 years and the Cal/OSHA Form 300A (Summary) for the past 5 years	
4 <input checked="" type="checkbox"/>	First Report of Injury/Illness: <input checked="" type="checkbox"/> Cal/OSHA 5020 (Er's) <input checked="" type="checkbox"/> Cal/OSHA 5021 (Dr's) for: .	
5 <input checked="" type="checkbox"/>	Worker's Compensation: <input checked="" type="checkbox"/> Proof of Insurance <input type="checkbox"/> "Experience Modification" factor <input checked="" type="checkbox"/> DWC Form 1 (Claim)	
6 <input type="checkbox"/>	<input type="checkbox"/> Emergency Action Plan <input type="checkbox"/> Fire Prevention Plan <input type="checkbox"/> First Aid Kit Medical Approval	
7 <input checked="" type="checkbox"/>	Injury and Illness Prevention Program (IIPP) with Established/Implemented Date(s) listed ("w/Date")	
8 <input checked="" type="checkbox"/>	IIPP Inspection Records for: (Accident Site, last 6 mo., max 10 records).	
9 <input checked="" type="checkbox"/>	IIPP Training Records for: (including COVID prevention & lockout/tagout).	
10 <input checked="" type="checkbox"/>	IIPP Injury/Illness Investigation Report for: (including photos/videos & 3rd party reports).	
11 <input checked="" type="checkbox"/>	IIPP Safety Committee Meeting Minutes for: Last 6 months (if applicable) .	
12 <input checked="" type="checkbox"/>	<input checked="" type="checkbox"/> Job Title & Job Description <input type="checkbox"/> Employee Roster <input checked="" type="checkbox"/> Hired date for: .	
13 <input type="checkbox"/>	<input type="checkbox"/> Heat Illness Prevention Plan w/Date <input type="checkbox"/> Heat Training for:	
14 <input type="checkbox"/>	<input type="checkbox"/> Respiratory Protection Program (RPP) w/Date <input type="checkbox"/> Exposure monitoring for:	
15 <input type="checkbox"/>	RPP: <input type="checkbox"/> Medical evaluations <input type="checkbox"/> Fit testing <input type="checkbox"/> Training for:	
16 <input type="checkbox"/>	Hazard Communication Program (HazCom) w/Date including the List of Hazardous Chemicals w/Date	
17 <input type="checkbox"/>	Safety Data Sheet (SDS) for:	
18 <input type="checkbox"/>	HazCom Training for:	
19 <input type="checkbox"/>	<input type="checkbox"/> Hearing Conservation Program (HCP) w/Date <input type="checkbox"/> Noise Monitoring for:	
20 <input type="checkbox"/>	HCP: <input type="checkbox"/> Last Audiogram <input type="checkbox"/> Training for:	
21 <input type="checkbox"/>	Carcinogen / Asbestos / Lead // Registration / Certification / Notification for:	
22 <input type="checkbox"/>	Asbestos: <input type="checkbox"/> Objective data <input type="checkbox"/> Exposure Assessment <input type="checkbox"/> Medical Surveillance <input type="checkbox"/> Training for:	
23 <input type="checkbox"/>	Lead: <input type="checkbox"/> Program w/Date <input type="checkbox"/> Assessment <input type="checkbox"/> Medical Surveillance / Removal <input type="checkbox"/> Training for:	
24 <input type="checkbox"/>	Bloodborne Pathogen (BBP): <input type="checkbox"/> Exposure Control Plan w/Date <input type="checkbox"/> Sharps Injury Log	
25 <input type="checkbox"/>	BBP: <input type="checkbox"/> Hepatitis Vaccination for: <input type="checkbox"/> Post-exposure Evaluation / F/U for (date):	
26 <input type="checkbox"/>	Patient Protection And Health Care Worker Back and Musculoskeletal Injury Protection Plan	
27 <input type="checkbox"/>	Permits / Variances for:	
28 <input type="checkbox"/>	Equipment Maintenance records for:	
29 <input type="checkbox"/>	Confined Space: <input type="checkbox"/> Program w/Date <input type="checkbox"/> List of Spaces <input type="checkbox"/> Permits for: <input type="checkbox"/> Training & Rescue for:	
30 <input checked="" type="checkbox"/>	<input checked="" type="checkbox"/> Lockout/Blockout/Tagout/Hazardous Energy Control Procedure <input type="checkbox"/> Code of Safe Practices <input type="checkbox"/> Dig Notification	
31 <input type="checkbox"/>	<input type="checkbox"/> Hazard Assessment for PPE <input type="checkbox"/> Safety Instructions /Operation Manual for:	
32 <input checked="" type="checkbox"/>	Other: <input type="checkbox"/> see reverse	

If you need more time to satisfy this request, please contact the inspector identified above.

Cal/OSHA 1AY (Rev 6/1/18)

Miscellaneous:

OSHA Technical Data Center

Occupational Safety and Health Administration

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Technical Data Center

OSHA's Technical Data Center (TDC) provides a full range of professional reference and research services primarily to OSHA employees throughout the nation who rely upon the Center to maintain and locate materials to support their research. TDC includes a Docket Office and a Technical Information Resource Center.



Docket Office

OSHA is committed to increasing public participation in the development of occupational safety and health regulations and other related documents, and to also ensuring transparency in the Agency's rulemaking process. The Docket Office serves as OSHA's central repository and dissemination center for all Agency rulemaking documents. "Dockets" serve as a source of current and historical information on Agency activities, including comments received from the public to inform Agency decisions. The Docket Office can assist the general public in the following ways:

- Answering questions about how to access and properly use the public e-rulemaking portal at Regulations.gov, which is a multi-agency website that serves as an on-line clearinghouse for materials related to OSHA rulemaking and non-rulemaking activities, and which also serves as OSHA's official electronic public docket and on-line comment system.
• Providing information about which Agency actions are currently open for comment and appropriate procedures to follow when submitting a comment, which can be done electronically at Regulations.gov.
• Facilitating access to the Agency's Public Reading Room to inspect physical docket items and other materials that may be restricted from view on Regulations.gov.
• Processing requests to authenticate docket records for third-party litigation purposes.

Docket Office Resources:

- Frequently Asked Questions
• Submitting Public Comments

Visit

OSHA Docket Office, Rm. N3508
U.S. Department of Labor
200 Constitution Ave. NW
Washington, DC 20210



Metro Station: Judiciary Square (Red Line)

Public visitors must present a valid photo ID to receive a visitor's badge.

Hours: Monday - Friday 10:00 AM - 3:00 PM
(202) 693-2350

OSHADocketOffice@dol.gov

OSHA Technical Data Center
technicaldatacenter@dol.gov

Highlights

- Regulatory Agenda
• Recent OSHA Docket Activities
• OSHA Dockets Open for Comment
• Regulations.gov

We, and I mean us singularly and collectively, should plan for some level of participation in the 2026 Safe and Sound Event.

Excited for Next Year's S+S Week? Save the Date, August 10-16, 2026

Develop Your Program

Prepare your workplace for S+S Week by getting into the Safe + Sound mindset year-round.

Develop Your Program

Take a Challenge

Challenge your colleagues, suppliers, and partner organizations to be #SafeAndSoundAtWork.

Take a Challenge

Read the Recommended Practices for Safety and Health Programs

Use this guide to start a safety and health program in your workplace.

See the Guide



PASMA Recruiting Drive is in the works, but before we create a marketing strategy, please let me know how long you've been a member and what benefits you've gained from belonging to PASMA; and most importantly have you talked to others about our Association. Please email me directly so I can get started.

Next month:

HAZCom (CCR 5194) Program and CSHO interpretation with checklist provided.

YOU CAN'T HAVE PUBLIC SAFETY WITHOUT



PUBLIC PARTICIPATION