



OSEC

Workplace Safety Responsibilities & Strategies for Safety Coordinators, Supervisors, Managers and Leads



Occupational Safety & Environmental Compliance

County of Santa Clara

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Safety Trainer

Activity #1

Charity

10 minute activity

1. Introduce yourself to your table group
2. Discuss your name, department, any experience with the safety program, and time as a supervisor
3. Discuss what you would like to learn from this class
4. Gather as a group to hear feedback

- ▶ I. Occupational and Environmental Health and Safety Policy
- ▶ II. Supervisor's Safety Information
- ▶ III. How to Report a Safety Hazard
- ▶ IV. Work-Related Serious Injury Reporting
- ▶ V. Frequently Asked Questions About Safety in the Workplace
- ▶ VI. OSEC Services
- ▶ VII. Injury and Illness Prevention Program (IIPP)
- ▶ VIII. Safety and Health Training
- ▶ IX. OSHA Log 300 Recording of Work-Related Injuries and Illnesses
- ▶ X. Interacting with Cal/OSHA

Shared Responsibility for Safety

Injury and Illness Prevention Program

County –

Provide overall guidance and direction

Departments –

Develop and implement effective safety programs

Managers/Supervisors –

Ensure safety of employees and workplace

Everybody –

Know and follow County policies and procedures,
Work Safety!

I. Occupational and Environmental Health and Safety Policy

- ▶ The County of Santa Clara is committed to using environmentally sound practices and providing safe work environments to employees and the public we serve.
- ▶ The County will comply with all environmental regulations and occupational safety standards, demonstrating the strongest commitment to the protection of the environment and the safety of its employees. County agencies, departments, employees and contractors will strive to preserve natural resources through pollution prevention, recycling, using environmentally-friendly products, and by reducing the use of toxic chemicals in the workplace.

I. Occupational and Environmental Health and Safety Policy

- ▶ The County will provide its employees the information, training, equipment, guidance and technical support to perform their job successfully and safely. Department heads, middle managers and supervisors will be held accountable for providing proper training, a safe work environment and prompt resolution of environmental health and safety issues.

I. Occupational and Environmental Health and Safety Policy

- ▶ All employees will be responsible for following County policies and procedures, assisting in resolving environmental health and safety issues, and contributing to the overall safety and environmental compliance of their operation. County management will recognize the efforts of employees who further the County's commitment to environmental health and safety practices.
- ▶ The County will strive to constantly improve its overall safety and environmental compliance by supporting an organizational culture, which encourages all employees to reach their full potential while preserving the quality of life

II. Supervisor's Safety Information

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- ▶ “Supervisors have an affirmative responsibility to set up and maintain a safety program. The key principles include: personal protection, the work environment, proper equipment maintenance, safety education, departmental supervision and control, records, inspections, investigations and analysis.”
- ▶ Supervisors’ Responsibilities:
 - ▶ Development of the proper attitude toward health and safety
 - ▶ Knowledge of Safe Work Procedures
 - ▶ Orientation and Training of Employees
 - ▶ Detection of Employee Personal Difficulties

II. Supervisor's Safety Information

- ▶ Supervisors' Responsibilities (continued):
 - ▶ Enforcement of Safe Practices and Regulations
 - ▶ Conducting Planned Observations
 - ▶ Prevention of Unsafe Conditions
 - ▶ Conducting Planned Safety Inspections
 - ▶ Conducting Safety Meetings
 - ▶ Correcting Unsafe Conditions
 - ▶ Investigating Unsafe Conditions
 - ▶ Becoming familiar with Workers' Compensation

II. Supervisor's Safety Information

- ▶ As supervisors, you have a special responsibility to initiate actions to safeguard the wellbeing of the workers you oversee.
- ▶ **MOTIVATE** your employees toward proper accident awareness by having a positive attitude about safety and environmental compliance, and displaying the following attributes:
 - ▶ **Knowledge**—Knowing the rules of safety applying to the work you supervise. Obtain expert safety advice.
 - ▶ **Example**—Setting a good example by demonstrating safety in your own work habits and personal contact.
 - ▶ **Communication**—Encouraging your employees to discuss the hazards of their work with you. Be sure they understand and accept safety rules.

II. Supervisor's Safety Information

- ▶ Anticipating Hazards—Anticipate hazards before they occur, or risks that may arise from changes in equipment or methods. Inspect the work environment regularly.
- ▶ Encouragement— Motivate your employees to work safely by methods such as: periodic meetings, awards for good safety performance, use of educational materials (films, printed matter, field demonstrations), and your personal approval of a difficult task well-handled.
- ▶ Investigation—Investigate and analyze every accident. Correct the cause. Encourage employees to report minor injuries to avoid a possible major injury later.
- ▶ Cooperation—Cooperate with others in your organization who are actively concerned with accident prevention. Your combined purpose is to keep employees fully able and on the job.

REMEMBER: Supervisors are responsible for everything their workers do—or fail to do!

III. How to Report a Safety Hazard

Paul

- ▶ If you observe an unsafe or hazardous condition, immediately report it to your supervisor or call OSEC (408) 441-4280.
- ▶ In addition to completing the following formal Hazard Report form, other reporting avenues are:
 - ▶ Report the hazard to your Departmental Safety Coordinator
 - ▶ Report the hazard to your Departmental Safety Committee
 - ▶ Report the hazard to OSEC at (408) 441-4280
 - ▶ Report the hazard to your Union Safety Steward
 - ▶ Report the hazard anonymously to any of the above.

III. How to Report a Safety Hazard

- ▶ “Hazard Report” Form
- ▶ If the hazard presents a *clear and immediate danger* to health and safety, **DO NOT USE THE FORM!**
- ▶ Supervisors have two days to respond to the employee.
- ▶ **MORE...?**

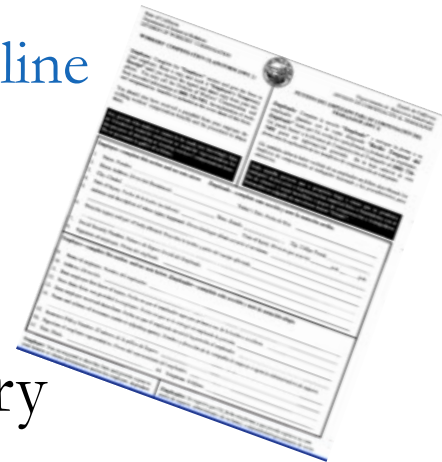
Supervisor's First Report of Injury

- ▶ Completing a Supervisor's First Report of Injury
- ▶ Be thorough and accurate

A nursing aide *sprains* her *back* from *overexertion in lifting* a *health care patient*.

↑ ↑ ↑ ↑
(nature) (part of body) (event or exposure) (source)

- ▶ Collect information in a calm and comforting manner
 - ▶ Find CAUSE not fault
 - ▶ Be as thorough as possible when filling out each line
 - ▶ Write clearly and legibly
 - ▶ Forms must be submitted within 24 hours
-
- ▶ Provide a Form within 24 hours of the injury



Data In... Data Out...

INJURY	8. WHERE DID INJURY OR EXPOSURE OCCUR? (Address, City, County)	<i>112 Easy St., Concord</i>	9. ON EMPLOYER'S PREMISES?	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO
	10. WHAT TASK WAS EMPLOYEE DOING WHEN INJURED? (i.e., lifting a patient, filing, reports, capturing an animal, etc.)	<i>Walking</i>			
	11. HOW DID THE INJURY OR EXPOSURE OCCUR? (Please describe fully the events that resulted in injury or occupational disease. Tell what happened and how it happened. Use separate sheet if necessary.)	<i>Slipped</i>			
	12. OBJECT OR SUBSTANCE THAT DIRECTLY INJURED EMPLOYEE (i.e., machine, fumes, floor, desk, person, tool, box, animal, vehicle, etc.)	<i>Floor</i>			
	13. NATURE OF INJURY OR ILLNESS AND PART OF BODY AFFECTED	<i>Knee</i>			
14. DATE OF INJURY OR ILLNESS	15. TIME OF DAY	16. DID THIS INJURY RESULT IN EMPLOYEE LEAVING WORK AT ANY TIME?			

- Its tempting to write brief answers but this leads to a lot of questions about what happened

Data In... Data Out...

INJURY	8. WHERE DID INJURY OR EXPOSURE OCCUR? (Address, City, County)	<i>112 Easy St., Concord</i>	9. ON EMPLOYER'S PREMISES?	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO
	10. WHAT TASK WAS EMPLOYEE DOING WHEN INJURED? (i.e., lifting a patient, filing, reports, capturing an animal, etc.)	<i>Walking across break room to the sink, carrying a coffee mug</i>			
	11. HOW DID THE INJURY OR EXPOSURE OCCUR? (Please describe fully the events that resulted in injury or occupational disease. Tell what happened and how it happened. Use separate sheet if necessary.)	<i>Slipped on a water spill and fell, and hit right knee on floor</i>			
	12. OBJECT OR SUBSTANCE THAT DIRECTLY INJURED EMPLOYEE (i.e., machine, fumes, floor, desk, person, tool, box, animal, vehicle, etc.)	<i>Ceramic tile floor</i>			
	13. NATURE OF INJURY OR ILLNESS AND PART OF BODY AFFECTED	<i>Impact to Right Knee</i>			
14. DATE OF INJURY OR ILLNESS	15. TIME OF DAY	16. DID THIS INJURY RESULT IN EMPLOYEE LEAVING WORK AT ANY TIME?			

- Construct the story of what happened
- Don't leave out the details

IV. Work-Related Serious Injury Reporting

- ▶ Cal/OSHA regulation requires that “Every employer shall report immediately...any serious injury or illness, or death, of an employee occurring in a place of employment or in connection with any employment.
- ▶ “Immediately” means as soon as practically possible but not longer than 8 hours after the employer knows or with diligent inquiry would have known of the death or serious injury or illness.” (8 CCR 342(a))

IV. Work-Related Serious Injury Reporting

- ▶ When reporting a serious injury, illness or death to Cal/OSHA, “the reporting party shall include the following information, if available:”
 1. Time and date of accident.
 2. Employer's name, address and telephone number.
 3. Name and job title, or badge number of person reporting the accident.
 4. Address of site of accident or event.
 5. Name of person to contact at site of accident.
 6. Name and address of injured employee(s).

IV. Work-Related Serious Injury Reporting

- ▶ When reporting a serious injury, illness or death to Cal/OSHA, “the reporting party shall include the following information, if available:”
 7. Nature of injury.
 8. Location where injured employee(s) was (were) moved to.
 9. List and identity of other law enforcement agencies present at the site of accident.
 10. Description of accident and whether the accident scene or instrumentality has been altered.

Serious Injury Reporting

- ▶ **Incidents requiring reporting to Cal/OSHA within 8 hours:**
 - ▶ Fatal injury to an employee
 - ▶ Serious injury or illness to employee (immediate)
 - ▶ Serious injury or illness to employee (delayed, such as a minor injury which becomes serious)
- ▶ **Serious injury or illness defined in Title 8, Section 330(h):**
 - ▶ Loss of a member of the body (e.g., amputation)
 - ▶ Serious degree of permanent disfigurement (e.g., crushing or severe burn injuries)
 - ▶ In-patient hospitalization in excess of 24 hours for other than observation
- ▶ **Reporting**
 - ▶ Failure to report a serious injury is a fine of up to **\$5,000**.
 - ▶ **Misdemeanor** to fail to report a death to Cal/OSHA or knowingly to induce another to do so.
 - ▶ Violation may result in a penalty of up to one year in jail, a fine of up to **\$25,000**, or both.

Serious Injury Reporting

Checklist for Serious Injury Reporting to Cal-OSHA:

	Question	Fill information in this column
1	When was the time and date of the accident?	
2	What is the employer's name, address and telephone number?	
3	What is the name and job title, or badge number of person reporting the accident?	
4	What was the address or site of the accident or event?	
5	What is the name of the supervisor or other person to contact about the accident?	
6	What is the name and home address of the injured employee?	
7	What was the nature of the injury?	
8	What is the location where injured employee(s) was (were) moved to?	
9	Can you list the identity of other law enforcement agencies present at the site of the accident?	
10	What is the description of the accident and if the accident scene or instrumentality has been altered.	
11	Date and time serious injury report was made to Cal-OSHA	
12	Person reporting (name and signature)	

- ▶ **See Section IV. Serious Injury Reporting Form**
 - ▶ Notify Department management
 - ▶ Call OSEC (408) 441-4280
 - ▶ Report to Cal/OSHA
(510) 794-2521
 - ▶ Notify County Counsel
(408) 299-5954
 - ▶ Notify County Workers' Compensation

V. Frequently Asked Questions About Safety in the Workplace

Paul

- ▶ **Question:** What are my rights to a safe workplace?
- ▶ **Answer:** In California, you have the right to:
 - ▶ Safe and healthy working conditions.
 - ▶ Training in safe work practices and hazards unique to your job assignment.
 - ▶ Request action from your employer to correct hazards or violations.
 - ▶ Receive information and training on hazardous substances in the workplace, including Safety Data Sheets and labels.
 - ▶ Observe worksite monitoring/measuring of harmful substances.

V. Frequently Asked Questions About Safety in the Workplace

- ▶ **Question:** What are my rights to a safe workplace?
(Continued)
- ▶ **Answer:** In California, you have the right to:
 - ▶ Be informed if you are exposed to harmful substances in concentrations higher than exposure limits allowed and of corrective action.
 - ▶ See and copy your medical records and records of exposure to toxic and harmful substances and physical agents, including exposure records of workers working in similar jobs or conditions.
 - ▶ Request an inspection by making a confidential complaint to Cal/OSHA about unsafe and unhealthy working conditions.

V. Frequently Asked Questions About Safety in the Workplace

- ▶ **Question:** What are my rights to a safe workplace?
(Continued)
- ▶ **Answer:** In California, you have the right to:
 - ▶ Representation on a Cal/OSHA inspection.
 - ▶ Talk privately with the Cal/OSHA inspector.
 - ▶ See the Cal/OSHA citations posted where the violations occurred.
 - ▶ See the log of occupational injuries and illnesses.
 - ▶ Appeal abatement dates, participate in appeal proceedings and variance hearings and to representation in permit safety conferences.

V. Frequently Asked Questions About Safety in the Workplace

- ▶ **Question:** What are my rights to a safe workplace?
(Continued)
- ▶ **Answer:** In California, you have the right to:
 - ▶ Take part in making changes to workplace safety and health standards or file a petition to the Occupational Safety and Health Standards Board for a new standard.
 - ▶ File a Cal/OSHA discrimination or whistleblower complaint with the Division of Labor Standards Enforcement.
 - ▶ Request a research investigation on possible workplace health hazards from the National Institute for Occupational Safety and Health (NIOSH).

V. Frequently Asked Questions About Safety in the Workplace

- ▶ **Question:** Do I have responsibilities as a worker under Cal/OSHA?
- ▶ **Answer:** Cal/OSHA does not cite workers, but does encourage employees to comply with all its rules, regulations and standards. Cal/OSHA recommends workers do the following:
 - ▶ Read the Cal/OSHA poster(s) at your jobsite.
 - ▶ Increase your awareness of Cal/OSHA standards, which are designed to protect you.
 - ▶ Obey all workplace safety and health laws, standards, orders and regulations.

V. Frequently Asked Questions About Safety in the Workplace

- ▶ **Question:** Do I have responsibilities as a worker under Cal/OSHA? (Continued)
- ▶ **Answer:** Cal/OSHA does not cite workers, but does encourage employees to comply with all its rules, regulations and standards. Cal/OSHA recommends workers do the following:
 - ▶ Use protective equipment such as hard hats, safety belts, lifelines, machine guards and safety interlocks.
 - ▶ Don't interfere with others' use of safeguards.
 - ▶ Don't remove, displace, damage, destroy or tamper with safety devices, safeguards, notices or warnings.

V. Frequently Asked Questions About Safety in the Workplace

- ▶ **Question:** Do I have responsibilities as a worker under Cal/OSHA? (Continued)
- ▶ **Answer:** Cal/OSHA does not cite workers, but does encourage employees to comply with all its rules, regulations and standards. Cal/OSHA recommends workers do the following:
 - ▶ Report hazardous conditions to the supervisor.
 - ▶ Report any job-related injury or illness to the supervisor.
 - ▶ Cooperate with Cal/OSHA enforcement personnel when they are conducting an inspection.
 - ▶ Exercise your rights under the California Occupational Safety and Health Act - they're provided for your protection.

V. Frequently Asked Questions About Safety in the Workplace

- ▶ **Question:** Can I get into trouble with my employer if I complain to Cal/OSHA?
- ▶ **Answer:** An employee may not be discharged, punished or discriminated against in any way for filing a bona fide complaint about unsafe or unhealthy working conditions or exercising other rights protected by law.

V. Frequently Asked Questions About Safety in the Workplace

- ▶ **Question:** What should I do if my employer tells me not to talk to a Cal/OSHA inspector?
- ▶ **Answer:** You have the right to discuss safety and health issues with Cal/OSHA inspectors in private. If you feel uncomfortable talking with Cal/OSHA inspectors at your workplace, just let them know and give them an alternate place and time that would be better for you. Furthermore, if your employer retaliates against you for talking to Cal/OSHA, you may file a claim with the Division of Labor Standards Enforcement.

V. Frequently Asked Questions About Safety in the Workplace

- ▶ **Question:** Do I have to agree to be interviewed by Cal/OSHA?
- ▶ **Answer:** No. It's your right to decide if you want to be interviewed or not. If you choose not to be interviewed, the Cal/OSHA inspector may not get as much information on safety and health conditions in your workplace. Remember, all employees have the right to be interviewed in private during an inspection.
- ▶ **Question:** If a Cal/OSHA inspector wants to interview me during an inspection, can it be done privately?
- ▶ **Answer:** Yes. Cal/OSHA inspectors must interview workers privately during the inspection.

V. Frequently Asked Questions About Safety in the Workplace

- ▶ **Question:** Should I be informed about the physical and health hazards of materials I'm using in the workplace?
- ▶ **Answer:** Yes. Employers are required to provide information to their employees about hazardous substances to which they may be exposed through a written Hazard Communication Program, including an inventory of hazardous substances, and through labels and other forms of warning, including Safety Data Sheets (SDS) and training.

V. Frequently Asked Questions About Safety in the Workplace

- ▶ **Question:** If my employer (the County) corrects a hazardous workplace condition, but I still feel it is unsafe, what can I do?
- ▶ **Answer:** If you feel uncomfortable talking to your employer, you can file a complaint anonymously with any of the following County personnel:
 - ▶ Your Supervisor
 - ▶ Your Departmental Safety Coordinator
 - ▶ Safety Committee Members
 - ▶ Safety Steward
 - ▶ The County Occupational Safety & Environmental Compliance (OSEC) Department

V. Frequently Asked Questions About Safety in the Workplace

- ▶ **Question:** What if I am denied these rights?
- ▶ **Answer:** Any employee who believes they have been discharged or otherwise discriminated against for exercising their rights to a safe and healthful work environment may file a complaint with the State Division of Labor Standards Enforcement.
- ▶ **Question:** Is there someone in the County I can call with safety and health questions?
- ▶ **Answer:** First, talk to your supervisor, your Departmental Safety Coordinator, one of your Safety Committee members or your Safety Steward about safety and health issues. If you still have questions call an OSEC representative at (408) 441-4280 and ask for assistance.

VI. OSEC Services

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- ▶ Occupational Safety and Environmental Compliance (OSEC) is responsible for the development and implementation of County-wide employee safety programs and for ensuring environmental compliance of internal County activities.
- ▶ OSEC works with five (5) full-time Environmental Health and Safety Professionals, and more than eighty (80) departmental Safety Coordinators who devote part of their time to safety programs. Together, they support 46 County Departments and 8 County Agencies with over twenty one thousand (21,000) employees.
- ▶ OSEC is an active member of the Joint Union-Management County-wide Safety Committee.

VI. OSEC Services

Among the services offered by OSEC are:

- ▶ Occupational safety and environmental compliance support
- ▶ Facility inspection and auditing, and environmental permitting assistance
- ▶ Establishment of County-wide occupational safety and hazardous materials management program
- ▶ Field investigations of accidents and hazardous materials incidents
- ▶ Safety and hazardous materials assessments of County facilities
- ▶ Safety Coordinator training

VII. Injury and Illness Prevention Program (IIPP)

- ▶ The ten elements in an Injury and Illness Prevention Program are:
 1. A written program including all required elements.
 2. Identification of the person(s) responsible for implementing the program.
 3. Employer's system for identifying and evaluating hazards.
 4. Employer's procedures for correcting unsafe or unhealthy conditions and work practices in a timely manner.
 5. Scheduled periodic inspections to identify unsafe conditions and work practices.
 6. Investigation of injuries and illnesses.

VII. Injury and Illness Prevention Program (IIPP)

- ▶ The ten elements in an Injury and Illness Prevention Program are:
 7. A training program to instruct employees in general safe work practices and provide job-specific safety information.
 8. A system to communicate with employees on occupational safety and health matters, including encouraging reports of job hazards without fear of reprisal. (An employee/management safety committee is one method to meet this requirement.)
 9. Employer's system for ensuring employees comply with safe work practices, including disciplinary action.
 10. Recordkeeping to document compliance.

VII. Injury and Illness Prevention Program (IIPP)

There are four basic concepts that have been shown to be effective in preventing injuries and illnesses:

1. Implementing the Injury and Illness Prevention Program to the extent every potentially injury-producing operation, equipment, task, and work practice is identified and hazards controlled by engineered protection or safe work practices.
2. Achieve full compliance with every Cal/OSHA standard applying to the operations, equipment, and work practices at a workplace.
3. Obtain supervisor and employee safety consciousness to preclude intentional and negligent unsafe acts, and establish effective communications to advise employer of unsafe conditions/problems.
4. Progressive discipline of any type appropriate to the safety rule violation and the employee's history must be administered and documented.

Identifying Workplace Hazards

- ▶ Workplace hazards and potential hazards should be identified to prevent injuries.
- ▶ Hazards should be identified before someone gets hurt. Some ways to find hazards include:
 - 1) Inspections
 - 2) Job Hazard Assessments
 - 3) Employee reporting



Inspections

- Schedule site inspections according to:
 - The hazard of the environment
 - The risk of illness/injury
- Template checklists located on the Santa Clara County OSEC website (**See forms, on OSEC Website**)
 - [Safety Inspection Form – Common Areas](#)
 - [Safety Inspection Form - Shop](#)
 - [Workplace Evaluation \(Ergonomics\)](#)
- Document Inspection Findings
- Follow-up on Corrective Actions

CHECKLIST



Training & Communication

Paul

Training

For all employees, when first hired & periodically.

See Section VII. Safety Training

New employee orientation checklist

Safety training matrix (multiple topics)

Other Communication:

Your department/division may communicate about safety in other ways, such as:

- ▶ Bulletin Boards
- ▶ Newsletters and Memos
- ▶ Safety Meetings
- ▶ Safety Committees
- ▶ Employees' Suggestions



VIII. Safety and Health Training

- ▶ Environmental Health and Safety Orientation for New Employees
 - ▶ Safety Orientation Checklist
- ▶ Department-Specific / Job-specific Training
- ▶ Classroom and Hands-On Training
- ▶ Written Training Materials
- ▶ Documentation of Training
- ▶ Cal/OSHA Training Requirements
 - ▶ Initial / Annual / Refresher / Something Changed

VIII. Safety and Health Training

Training Responsibilities:

- ▶ The County IIPP dictates that Agency and Department Heads are ultimately responsible for departmental or site-specific IIPPs and employee training.
- ▶ They may delegate this responsibility to managers and supervisors in the organization who also function as a Safety Coordinator, Training Coordinator, Facility Manager or other designated representatives to manage and administer the program and the training function for their departments.

VIII. Safety and Health Training

What Constitutes Formal versus Informal Training?

- ▶ It would be prudent to consider all training efforts formal training, and document accordingly. Perhaps the only "training" considered informal would be presentations where having employees sign an attendance roster are impractical.
- ▶ If you are still unclear as to whether training is formal or informal, ask yourself the following question: "If an inspector asks for training records provided to employees during the past year, will I be able to provide the records?" If the answer is yes or maybe, thorough documentation is essential. **Remember: if it isn't documented, it did not happen.** An employee's signature, along with copies of outlines and handout material documenting that all required elements are addressed are also very important.

VIII. Safety and Health Training

OSEC Services

- ▶ OSEC generally coordinates training programs impacting the entire County where consistency of information is an important factor. Employees are provided with generic information on topics relating to environmental compliance and occupational safety in the workplace setting. Department managers and supervisors are responsible for ensuring employees receive this generic information...
- ▶ Documentation of training must be kept according to departmental recordkeeping retention practices as they relate to departmental IIPPs.
- ▶ Documentation for department or site-wide programs and for programs that require interfacing with regulatory agencies is usually coordinated through OSEC.

VIII. Safety and Health Training

Managers and supervisors are responsible for:

- ▶ ...supplementing generic information distributed by OSEC with department-specific information. For example, specific emergency evacuation to an assembly area.
- ▶ ...training that impacts day-to-day operations within their departments. For example, ensuring employees are familiar with standard operating procedures (SOPs).
- ▶ ...identifying environmental health and safety (EH&S) training and refresher training required for their employees based on the potential safety hazards of their job.
- ▶ ...documentation relating to their operations, work areas and employees.

VIII. Safety and Health Training

Classroom Versus Hands-On

- ▶ Several topics will require the use of classroom or hands-on training. Such is the case when a skill must be evaluated by having the student demonstrate proficiency. For example, Forklift Operator certification training requires both classroom education and hands-on training.

VIII. Safety and Health Training

Written Materials

- ▶ This information exchange will satisfy most training requirements. Managers and supervisors need only document that their employees have reviewed the materials and have had an opportunity to ask questions and get answers about the information.

VIII. Safety and Health Training

Locating Specific Cal/OSHA Training Requirements

- ▶ Cal/OSHA Index:
www.dir.ca.gov/title8/index/T8index.asp.
- ▶ Cal OSHA Training Requirements:
https://www.dir.ca.gov/dosh/dosh_publications/TrainingReq.htm
- ▶ OSEC staff are available to advise and assist in identifying training requirements, interpreting Cal/OSHA standards, and help in preparation or presentation of training material.

VIII. Safety and Health Training

Obtaining Training Resources

- ▶ In addition to OSEC and Cal/OSHA resources, equipment manufacturers provide information such as owners' manuals / operators' manuals / Safety Data Sheets which can provide training information.

IX. OSHA Log 300 Recording of Work-Related Injuries and Illnesses

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- ▶ Cal/OSHA Form 300 – Log of Work-Related Injuries and Illnesses
- ▶ Cal/OSHA Form 300A – Annual Summary of Work-Related Injuries and Illnesses
- ▶ Cal/OSHA Form 301 - Injury and Illness Incident Report
- ▶ Cal/OSHA Form 5020 (Rev 7, June 2002) – Employer’s Report of Occupational Injury or Illness
- ▶ DWC1 (Rev 1/1/2016) – Workers’ Compensation Claim Form

X. Interacting with Cal/OSHA

Charity

Procedures During a Cal/OSHA Inspection or Investigation

- ▶ All Cal/OSHA enforcement inspections are unannounced, but must be conducted at a reasonable time and in a reasonable manner.
- ▶ The inspector must present credentials and state the reason for the inspection.
 - ▶ Note: Any violation observed from a publicly-accessible area may be cited or used as the probable cause for an inspection.

X. Interacting with Cal/OSHA

Procedures During a Cal/OSHA Inspection or Investigation

- ▶ Departments should work with OSEC to plan for Cal/OSHA inspections.
- ▶ Departments should work with OSEC during a Cal/OSHA inspection to assure
 - ▶ the visit goes smoothly, and
 - ▶ the County is aware of Cal/OSHA's information needs and preliminary findings.



Cal/OSHA Inspections

Be polite

Ask for their name and reason for the visit

Ask inspector to wait while you contact your management

Immediately call your Safety Coordinator and Risk Management Loss Control

- ▶ To answer questions
 - ▶ Keep your answers truthful, simple, and to the point
 - ▶ **DON'T VOLUNTEER INFORMATION**

X. Interacting with Cal/OSHA

Elements of Cal/OSHA inspection plans should include:

- ▶ A policy on who can authorize an inspection and accompany the inspector.
- ▶ Policies on when and how long to delay an inspector's access, and whether a search warrant should be requested.
 - ▶ Note: There is nothing wrong with correcting deficiencies prior to an inspection, especially if one is expected.
- ▶ Procedures for escorting the inspector and involving “key” personnel, employee representative (union), and unrepresented employees.

X. Interacting with Cal/OSHA

Elements of Cal/OSHA inspection plans should include:

- ▶ Policies on photographs, samples and documents to protect trade secrets and securing duplicates. If photos are taken, take a duplicate photo. Later, record with photos everything the inspector viewed.
 - ▶ Note: Photos of both alleged violations and corrective actions are needed.
- ▶ Assuring an exit conference is held after each visit, and a closing conference at the end of the inspection process. Make sure the inspector explains potential violations or areas of concern and what more is necessary to determine compliance or noncompliance, and whether there is need for further inspections.

X. Interacting with Cal/OSHA

Elements of Cal/OSHA inspection plans should include:

- ▶ Response to a document request should be carefully prepared and timely submitted; more time can be requested, if needed.

X. Interacting with Cal/OSHA

Issuance of Citations, Classification and Penalties

- ▶ Citations will be received via Certified Mail or in person at a closing conference—usually within weeks, but up to 180-days post-inspection.
- ▶ Posting of the citation near the location of the alleged violation is required upon receipt for 3 days, or until the violation is abated, whichever is longer.
- ▶ Each citation (or each item of a multi-item Regulatory/General citation) will be classified as to its severity and include a charging statement with references to the standard, a proposed penalty, and an abatement date.

X. Interacting with Cal/OSHA

Classifications and penalties include:

- ▶ Regulatory citation is a violation of a procedural requirement, like not reporting a serious injury to Cal/OSHA or failing to properly maintain a Log 300. [Penalty up to \$12,600, usually less than \$1,000.]
- ▶ General citation is a violation of a safety or health related standard, but is not expected to result in serious injury or death. Either there is no employee immediately in peril or only a non-serious injury would occur. [Penalty up to \$12,600, usually \$3,000 - \$5,000.]

X. Interacting with Cal/OSHA

Classifications and penalties include:

- ▶ Serious citation is issued for a violation of a standard when an employee is in the zone of danger and there is a realistic possibility of serious physical harm. Serious physical harm includes more than serious injury, as defined in prior law; it can be any bodily impairment or injuries, like broken bones and repetitive motion injuries with outpatient treatment. [Penalty up to \$25,000; if accident-related, \$18,000 mandatory minimum.]
- ▶ Note: Prior to issuance of a Serious citation, a Notice of Intent, or 1BY Form will be provided to the employer to allow 15 days to rebut the extension of a Serious violation.

X. Interacting with Cal/OSHA

Classifications and penalties include:

- ▶ Repeat citation is the second (or more) violation of the same standard or a substantially similar hazard or condition within a five-year period at any establishment or worksite in the state operated by the same employer. [Penalty up to \$126,000, but calculated based on the underlying offense penalty, above, without any adjustments times 2, 4 or 10 for each successive repeat.]

X. Interacting with Cal/OSHA

Classifications and penalties include:

- ▶ Willful citation requires a showing of intentional and knowing misconduct; for example, disregard for safety in a clearly hazardous situation, or if the employer can be shown to have prior knowledge of the hazard or violation. [Penalty up to \$126,000 based on the underlying offense penalty, above, without any adjustments times 5.]

X. Interacting with Cal/OSHA

Classifications and penalties include:

- ▶ Failure to abate citations are issued if the employer does not appeal the citation (which stays abatement) within the time specified on the citation. If appealed, abatement may be stayed, but, if the citation is upheld through a settlement or Appeals Board decision, it must be abated within the specified time on the citation after the Board's Order is issued. [Penalty up to \$15,000 per day, but adjustments usually reduce the penalty.]

X. Interacting with Cal/OSHA

Actions Upon Receipt of Citations

- ▶ Based on the citations issued and their classification, penalties and abatement feasibility, a decision as to whether and how to contest citations must be promptly made.
- ▶ Due to the strict 15 working days from the date of receipt of a citation time to appeal, input from Department Management, OSEC and legal should be coordinated.

X. Interacting with Cal/OSHA

The steps in the appeal process are:

- ▶ Informal conferences (optional settlement negotiations) can be held with Cal/OSHA up to the appeal deadline, and citations can be amended or withdrawn without need for appeal. Given time constraints, this must be accomplished within 15 days; not usually productive unless non-serious citations not likely to be repeated.

X. Interacting with Cal/OSHA

The steps in the appeal process are:

- ▶ An appeal must be filed online or by mail within 15 working days post-receipt. Appeal forms available on the Appeals Board website (<http://dir.ca.gov/oshab/oshab.html>) must be completed and the citation packet attached and postmarked within the 15 working days, although any written indication of an intent to appeal with the full citation package attached may be sufficient; verification by contacting the Board within 15 days is recommended.

X. Interacting with Cal/OSHA

Last Words...

- ▶ ...on “reasonable diligence”: An employer that shows a sincere “good faith” effort to comply with regulations to “...*furnish to each of his employees employment and a place of employment which are free from recognized hazards that are causing or are likely to cause death or serious physical harm to his employees...*” will likely avoid civil and criminal liability in the event of a Serious incident.
- ▶ Santa Clara County’s provision of this training to you, and your participation in this training, will go a long way in keeping your employees from getting hurt.

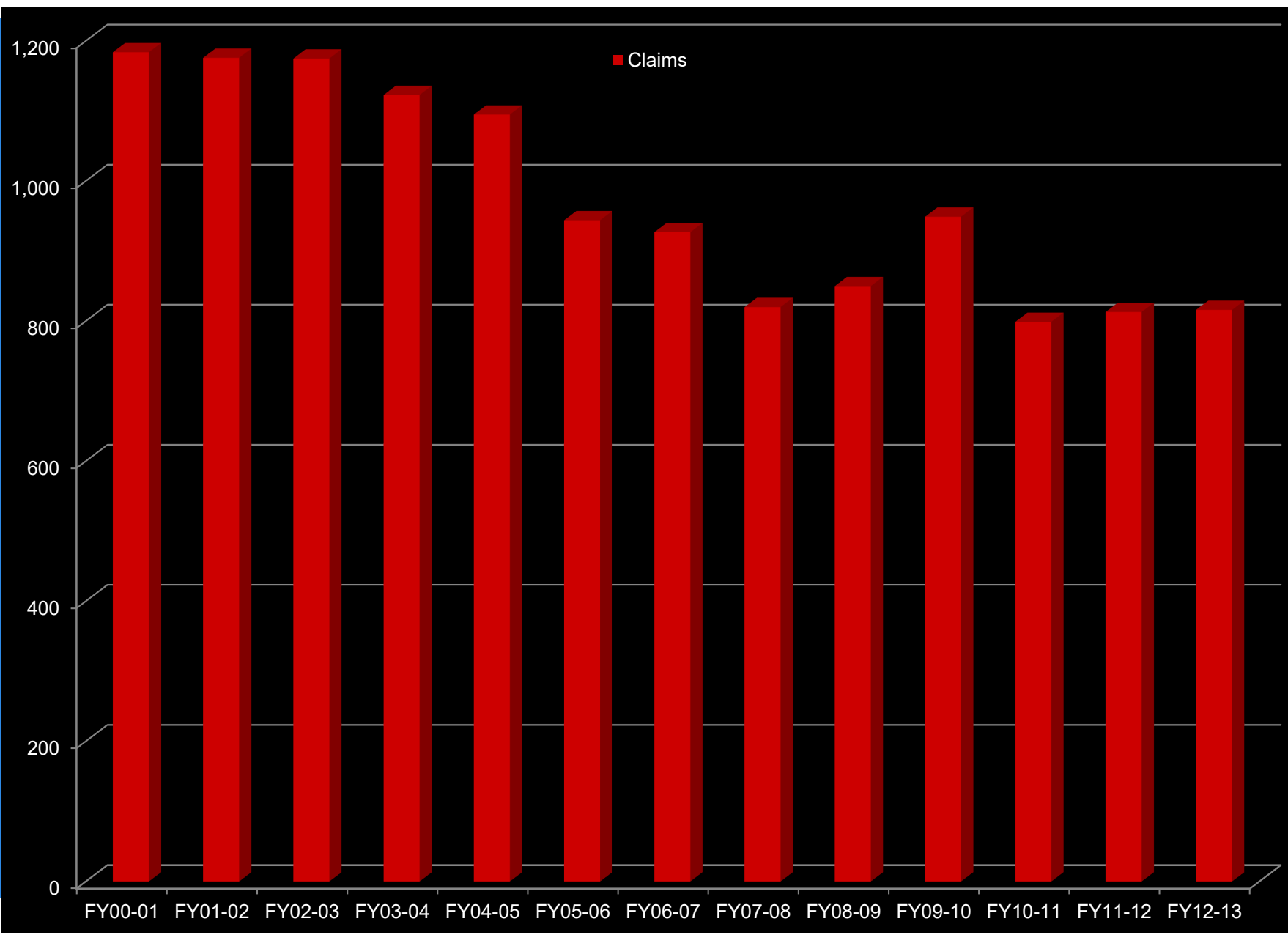
Solid Results – Another Public Agency

2000

- \$21,000,000 claim costs annually
- 1200 claims per year

2014

- \$8,000,000 claim costs annually
- 800 claims per year



How You Can Help Reduce Injuries

- ▶ Institute a **New Employee Safety Orientation** program
- ▶ Implement the elements of the **Injury and Illness Prevention Program**
- ▶ Develop a **Communication method** to discuss safety: regular trainings, online training, emails, safety alerts, etc.
- ▶ **Investigate accidents** and develop actions to prevent the same injuries from occurring again.
- ▶ **Document** these efforts
- ▶ **Talk** with your staff on ideas to improve safety
- ▶ Encourage your staff to be **active contributors** to your safety program

You Are The Safety Leader....



Safety Starts With You!



Questions?

For more info, contact:

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OSEC