

State OSHA Annual Report (SOAR)

Federal FY 2015

California Occupational Safety and Health Program



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EXECUTIVE SUMMARY

The Cal/OSHA annual report documents progress toward achieving the Cal/OSHA strategic vision of becoming a model agency that promotes workplace safety and health by motivating employers and employees to be actively involved in preventing hazards, which would lead to reduced injuries and illnesses on the job.

The role of Cal/OSHA is to enforce safety and health regulations for employers who are not in compliance with the law through enforcement efforts, and to provide compliance assistance through targeted outreach, education and training and to emphasize increased awareness on the part of both employers and employees of the importance of a safety and health culture.

Cal/OSHA strives to provide as many employers as possible with assistance in achieving voluntary compliance with Cal/OSHA standards before enforcement measures become necessary—and, more importantly, before an employee is injured or killed. Traditional enforcement methods are supplemented by incentive and education programs and targeted outreach that encourage voluntary compliance. Partnership and cooperative programs leverage Cal/OSHA's resources.

In accordance with the requirements of the Government Performance and Results Act (GPRA), California developed a Five-Year Strategic Plan covering the period 2013 through 2017. The Five Year Strategic Plan incorporated the three federal OSHA goals as its direction. The three overall strategic goals are:

- Goal 1. Secure safe and healthy workplaces, particularly in high-risk industries, and improve workplace safety and health through enforcement and consultative assistance.
- Goal 2. Promote workplace cultures that increase employer and employee awareness of, commitment to, and involvement in safety and health.
- Goal 3. Maximize Cal/OSHA's effectiveness and enhance public confidence.

The Fiscal Year (FY) 2015 Annual Performance Plan developed by Cal/OSHA was intended to support the overall goals of the five-year Strategic Plan. The 2015 Performance Plan included specific performance goals designed to produce measurable progress toward realization of Cal/OSHA's strategic goals. Performance goals include:

- ⇒ Reducing fatalities and occupational injuries in construction and agriculture;
- ⇒ Reducing injuries, illnesses and fatalities in selected high hazard industries with a goal of removing the industry from the High Hazard Industries list due to decreased injury and illness rates;
- ⇒ Reducing fatalities and occupational injuries and illnesses in refineries and other industries which fall under the requirements of the Process Safety Management standard;
- ⇒ Raising awareness of heat illness prevention among employees and employer groups in outdoor places of employment;
- ⇒ Improving communication and interaction with high-risk worker organizations regarding workplace safety and health;
- ⇒ Promoting voluntary compliance by offering employers a variety of partnerships including recognition and exemption programs; and
- ⇒ Effective response to mandates so that workers are provided full protection under Cal/OSHA by timely issuance of citations, so that hazards could be timely corrected, and by timely response to work related fatality reports.

This annual report for Cal/OSHA Enforcement reflects the integrated approach to achieving goals which were stated in the Cal/OSHA Strategic Plan. Cal/OSHA Enforcement programmed and self-referral activities have continued to be coordinated to ensure the greatest impact on selected industries with the highest preventable injury, illness and workers' compensation rates.

FY 2015 ACCOMPLISHMENTS

California continued to encounter many challenges over the past few years. Budgetary constraints at State level at the beginning of the decade, along with the Federal Budget sequester in 2013, which resulted in a continued reduction of the 23(g) grant funding, created obstacles for Cal/OSHA in hiring much needed personnel, particularly field staff. However, starting on July 1, 2013, concerted efforts made by the Department of Industrial Relations (DIR) and by Cal/OSHA were successful each consecutive year in obtaining State authorization and funding for significantly increasing staffing. Initially, Cal/OSHA was authorized to backfill all of the positions having become vacant as of that date, then State funding for additional 31 Enforcement positions was provided starting on July 1, 2014. Furthermore, starting on July 1, 2015, Cal/OSHA obtained approval and funding for 43 new positions in Enforcement and Enforcement-support units, for which the recruitment and hiring efforts are continuing.

During this past fiscal year, Cal/OSHA in collaboration with the Occupational Safety and Health Standards Board developed, proposed, amended and promulgated a significant number of regulations, some of which are the first in the nation, broadening the range of hazards from which workers are to be protected.

Cal/OSHA continued its sustained outreach efforts, which were complemented by the newly created or updated publications. Although previous fiscal years' budget restrictions resulted in the elimination of 23g positions that had been dedicated to Research and Education (publications), and since these positions dedicated to publications creation have not been restored to date, DOSH implemented a responsible and creative alternative approach to that end. Educational publications are primarily created in draft form by a 23g staff member in the Consultation Program. The draft document is then reviewed and edited by Consultation senior staff, Research and Standards staff, the DOSH Legal Unit and lastly by the DIR Public Information Office.

Publications that were updated or newly created and posted on the public web site are listed below:

- Health & Safety Rights: Facts for California Workers (new)
- Safety and Health Protection on the Job
- Hazard Communication and the Globally Harmonized System (new)
- Protecting Temporary Agency Employees (new)
- Cal/OSHA Pocket Guide for the Construction Industry¹
- Heat Illness Prevention eTool
- Tree Work Safety (new)
- Tree Work Checklist (new)
- Recordkeeping eTool
- Fall Protection in Construction (new)
- Injury and Illness Prevention Model Program for Non-High Hazard Employers (new in Spanish)
- Access to Medical Records
- Working Safely in Nail Salons (new in Spanish and Vietnamese)

Significant achievements were realized in the training and professional development of Cal/OSHA staff, by more than doubling the number of compliance personnel who completed the training requirements for new compliance officers, and by offering the highest volume of advanced technical training for staff since the 1990s.

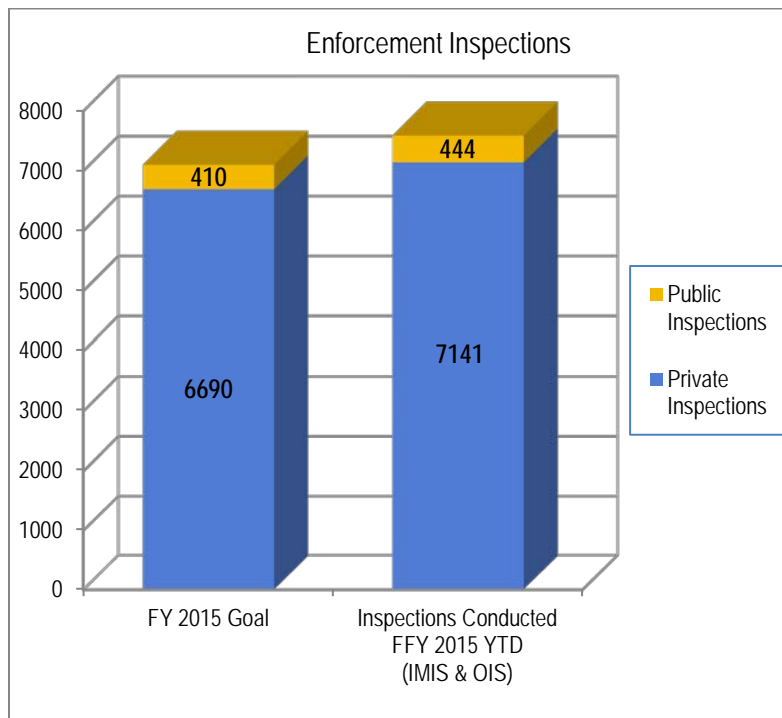
Another area of substantial progress has been the updating, reorganization and expansion of instructions and other information on Cal/OSHA's Internet pages (for stakeholders and public), and Intranet pages (for staff).

¹ A comprehensive revision of the Pocket Guide for the Construction Industry should be available in print by February 2016

As result of all these sustained efforts, throughout the challenges posed by the improving economy while maintaining fiscal responsibility, Cal/OSHA has persevered, achieving and surpassing many of the activity measures set forth in the FY 2015 Annual Performance Plan. More important even, California observed a significant drop in the rate of work-related injuries, illnesses and fatalities.

Enforcement and Outreach/Educational Activities

This Federal fiscal year, Cal/OSHA Enforcement successfully conducted a total of 7,585 inspections, exceeding the goal to conduct 7,100 inspections. The aforementioned inspections comprised 7,141 private industry inspections and 444 public sector inspections. During this time, Cal/OSHA identified 17,527 hazards, potentially affecting the estimated 6.5 million workers employed at these establishments. Of the hazards identified, 19 resulted in willful, 99 in repeat, and 18 in failure-to-abate citations². These numbers, however, are expected to increase as information continues to be data-entered into the Federal Integrated Management Information System (IMIS) and the OSHA Information System (OIS).



While enforcement activities are critical to the Cal/OSHA program, education and outreach are also valuable components to the success of its mission. To achieve this, Cal/OSHA teamed up with workers’ compensation insurance providers, employer groups and associations, including small businesses representatives, and others to participate in various training and outreach seminars throughout California to help employers become self-sufficient in reducing occupational injuries and illness and workers’ compensation losses. Topics covered during these seminars have included: establishing an effective Injury and Illness Prevention Program (IIPP); recognizing the most frequently cited hazards; understanding Cal/OSHA and the inspection process; how to prepare for an inspection; employer/employee rights and responsibilities; heat illness prevention; new Cal/OSHA standards, and other industry specific topics.

Cal/OSHA has also availed of opportunities to participate in community outreach events to give a face to Cal/OSHA and reach out to the public it serves. This is particularly important when the targeted

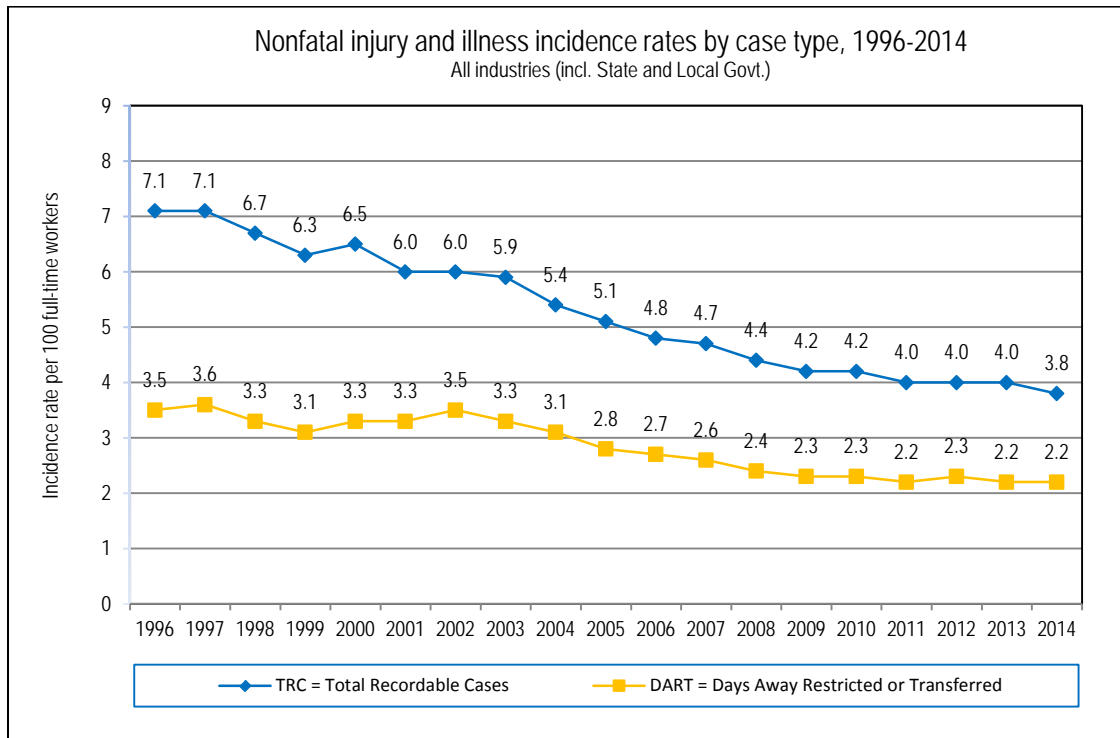
² Federal IMIS Inspection Report dated November 16, 2015 and OIS Inspection Summary and Inspection One-Liner Reports dated November 18, 2015.

audience is the limited or non-English speaking population that is often reluctant to report hazardous conditions in the workplace.

Injuries, Illnesses and Fatalities

Cal/OSHA firmly believes these combined enforcement and educational efforts have contributed to the reduction of California’s already low on-the-job total recordable case (TRC) injury and illness incidence rate of 3.8³ in CY 2014. Please see the following graph.

In addition to these low rates for the last calendar year, the overall decreasing trend from 1996 to 2014 is impressive, both parameters showing reductions of over 35%.



The rate of fatalities for CY 2013 was 2.4 per 100,000 full-time equivalent (FTE) workers as reported by the Census of Fatal Occupational injuries (CFOI)⁴. Although this number represents a slight increase compared to CY 2012 which had a rate of fatalities of 2.3, the California CY 2013 fatality rate is lower than the national rate of fatal work injuries for civilian workers in CY 2013 of 3.3 per 100,000 full-time equivalent (FTE) workers⁵ (2.4 fatality rate for California compared to 3.3 national data). California final fatality rates for CY 2014 are not currently available; however the preliminary data reflect a double digit decrease in the number of fatalities from the final 2013 data.

The tables below provide a quick comparison of fatality rates between the national and California data by industry type, and show that except for transportation-related incidents, all other industries experienced lower rates in California than nation-wide.

³ Table 1. Incidence rates of nonfatal occupational injuries and illnesses by selected industries and case types, 2014 at <http://www.dir.ca.gov/OPRL/Injuries/2014/2014Table1.pdf>

⁴ 2013 Census of Fatal Occupational Injuries Fatal Work Injury Rates, California available at <http://www.bls.gov/iif/oshwc/cfoi/rate2013ca.pdf>

⁵ Fatal occupational injuries, total hours worked, and rates of fatal occupational injuries by selected worker characteristics, occupations, and industries, 2013 available at http://www.bls.gov/iif/oshwc/cfoi/cfoi_rates_2013hb.pdf

California Fatality Rates

Fatality Rate	Overall Rate	Ag, forestry, fishing & hunting	Const	Mfg	Transportation & Utilities	Whsle. and retail trade	Prof. and business services	Educ. and health services	Leisure and hospitality	Other services, except public admin.	Public Admin
2013	2.4	9.2	6.5	2.0	9.1	2.4	2.2	0.6	1.5	1.5	1.5

National Fatality Rates

Fatality Rate	Total	Ag, forestry, fishing & hunting	Const	Mfg	Trade, Transportation & Utilities	Whsle. and retail trade	Prof. and business services	Educ. and health services	Leisure and hospitality	Other services, except public admin.	Gov't.
2013	3.3	23.2	9.7	2.1	5.1	2.6	2.8	0.7	1.9	2.7	2.0

SPECIAL INITIATIVES

Heat Illness Prevention

Heat illness prevention once again continued to be a major emphasis of the Cal/OSHA program. Educational and enforcement efforts were continued in 2015 due to the Division's commitment to heat illness prevention through enforcement and outreach; significant changes to the Heat Illness Prevention Standard; as well as due to enhanced focus on heat illness prevention by federal OSHA.

The OSHA national emphasis program on heat illness prevention was inspired by work done in California. Many of the materials used in the federal OSHA efforts were adapted from *Heat Hazards in Agriculture – a Guide for Employers to Carry Out Tailgate Training for Workers*, developed by Cal/OSHA and the University of California, Berkley, Labor Occupational Health Program.

Using these and other materials, Cal/OSHA continued to provide extensive training and outreach on the newly revised heat illness prevention standard and stressed the importance of preventive measures throughout the year, but especially during the warmer months. Critical to this endeavor was the partnering with industry, community, and labor groups to educate employers and workers on the steps needed to prevent occupational, heat-related illnesses and fatalities.

Cal/OSHA conducted multiple public stakeholder meetings on the issue of heat illness prevention. The concepts and ideas shared and generated by the stakeholders at these meetings resulted in draft changes to the Heat Illness Prevention Standard that were then submitted by Cal/OSHA to the Standards Board for review, public hearing, and finally adoption.

The changes to the Heat Illness Prevention standard highlighted the importance of prevention and immediate and appropriate response to signs and symptoms of heat illness. The trigger temperature for shade was dropped from 85 degrees to 80 degrees. The degree of availability of shade was changed from 25% of the crew to 100% of the crew on required breaks and for those seeking a preventative cool down rest. Heat illness awareness, first aid, and emergency response sections were enhanced to address the need for acclimatization procedures, supervisor awareness of signs and symptoms, and prompt attention, first aid, and emergency care for those affected by heat illness. Other sections of the standard were also revised. Cal/OSHA created a guidance document, available at <http://www.dir.ca.gov/dosh/documents/Heat-Illness-Prevention-Regulation-Amendments.pdf>, to further assist employers and employees in understanding the revisions to the standard.

Cal/OSHA continued an extensive campaign to ensure that all outdoor workers are protected from heat illness. The ongoing campaign combined outreach and education with strong enforcement to ensure that all employers with outdoor workers know and comply with the Heat standard. The target industries were agriculture, construction, and landscaping, with additional focus on other industries such as oil and gas, and utilities. Cal/OSHA continued extensive utilization of a special Bilingual Outreach Team (BOT) consisting of Spanish speaking retired annuitants.

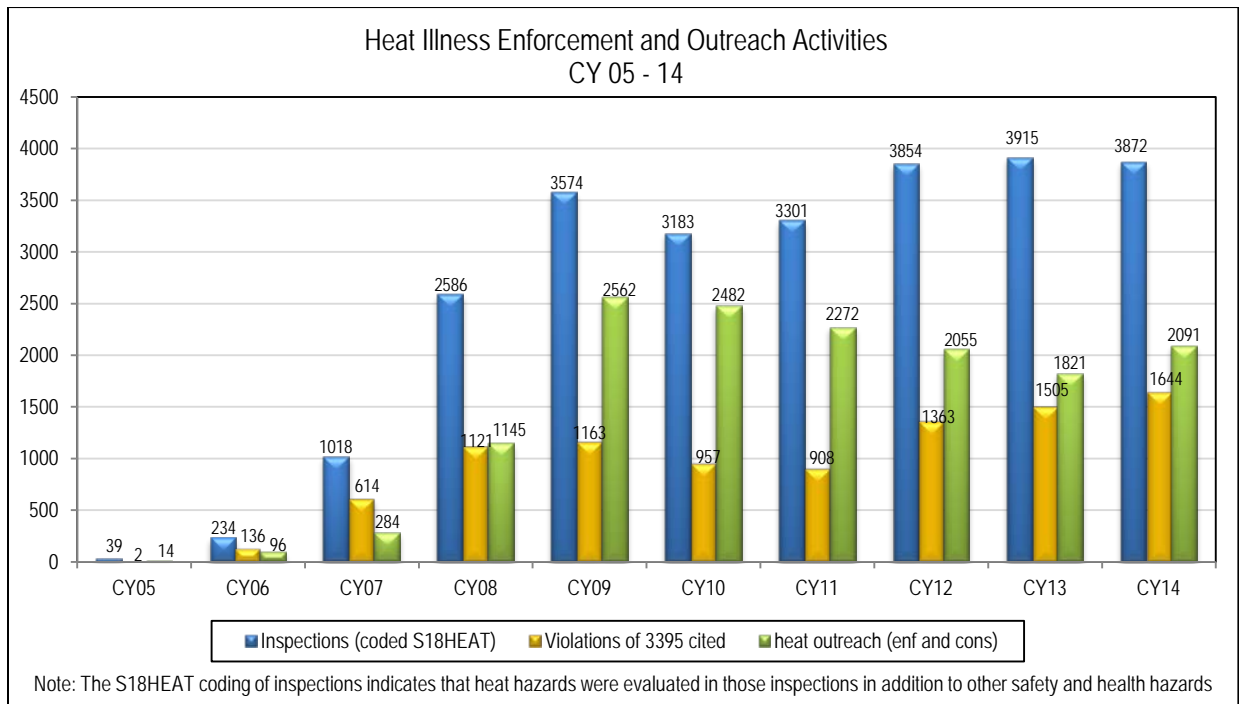


Cal/OSHA has partnered with agricultural and construction industry groups, insurance carriers and others again this year in order to provide training and outreach to employers, supervisors and work crews on heat illness prevention. By the end of the FY, Cal/OSHA staff participated in approximately 200 events in which heat illness was discussed.

As in past years, bilingual training efforts were augmented with television interviews, and regular participation in radio programs to raise awareness of the Cal/OSHA program, how to file a complaint, heat illness prevention and field sanitation issues. Paid radio and billboard advertisements targeting outdoor workers throughout the State continued again during 2015.

Compliance with the Heat standard, both the previous version and the revised one that was effective May 1, 2015, was addressed during inspections of industries with outdoor employment year round. Nonetheless, enforcement actions intensified during the summer in areas with forecasted heat waves. The summer's enforcement resulted in the issuance of one heat-related Orders Prohibiting Use (OPUs). As of November 2015, Cal/OSHA found better compliance related to heat illness prevention in agriculture, approximately 80% versus construction, at approximately 75%.

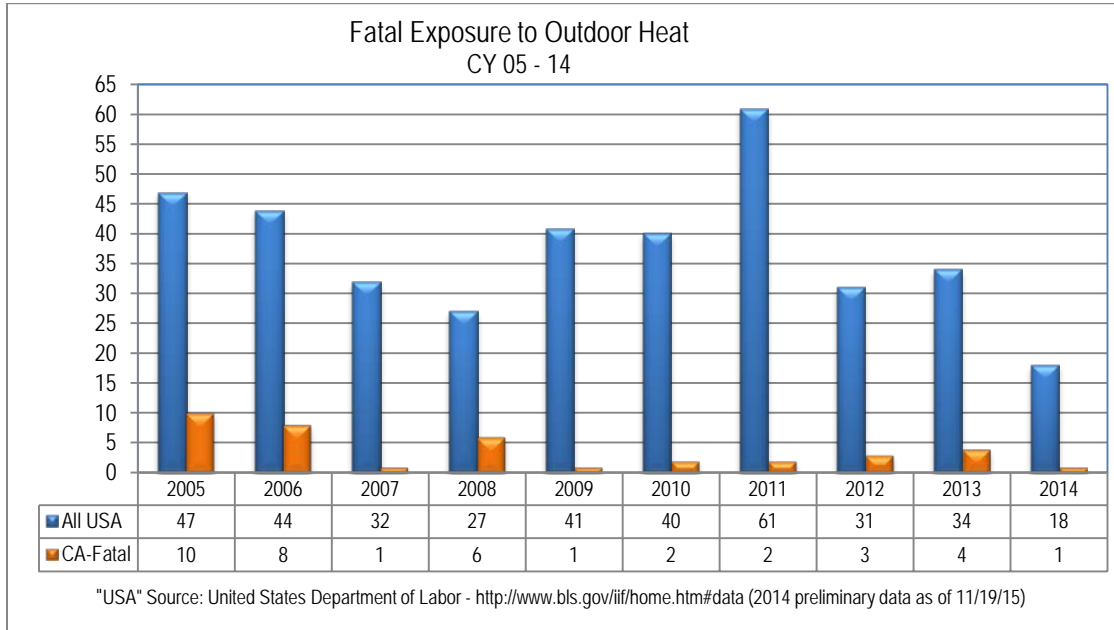
The following graph represents the year round enforcement and outreach activities from calendar year (CY) 2005 through CY 2014.



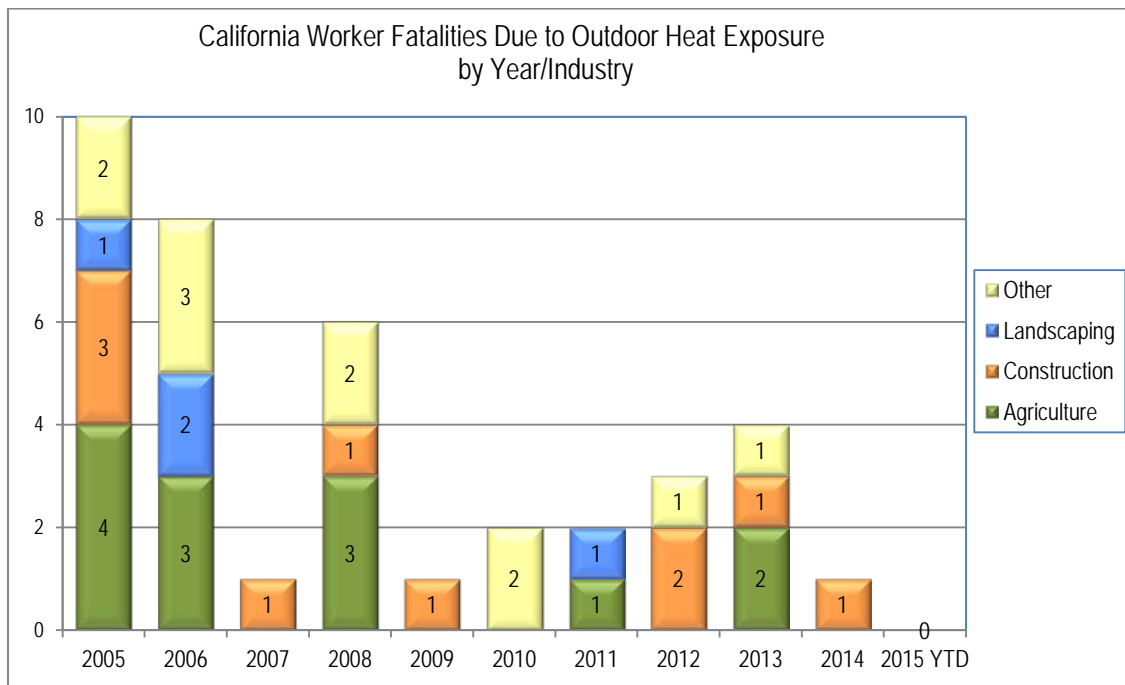
The ongoing efforts to enforce and educate the workforce about the dangers of heat illness continue to produce positive results. Cal/OSHA continues to see higher compliance rates with the heat illness regulation, from 32% in CY 2006 (the first full year after adopting the regulation) to almost 66% overall in CY 2014.

In CY 2014, there was one confirmed heat related fatality compared to 10 in CY 2005, when the initial emergency standard was passed. California has seen a 90% decrease in heat related fatalities in the workplace since CY 2005, while the nation as a whole, as reported in BLS statistics, has experienced a

38% decrease in reported heat fatalities during this same time, from 34 to 18.⁶ Please see the graph below.



To date for 2015, California has zero medically confirmed fatality cases related to outdoor heat exposure. Ten suspect heat fatalities are pending medical records review as of this writing. Final enforcement outcomes are still pending at this time. The following table indicates the distribution of fatalities due to outdoor heat exposure, by industry, for the 2005-2015 YTD period.



⁶ The national statistics may not be entirely comparable in that they may include cases of indoor heat-related fatalities, while California's are focused on outdoor heat cases.
"USA" Source: United States Department of Labor - Bureau of Labor Statistics

Safety Awareness Campaign for Roofers

In March 2015, Cal/OSHA launched a safety awareness campaign for roofers, where the workplace incidence of serious injuries and fatalities is higher compared to other industries.

Between 2012 and 2014, Cal/OSHA conducted 126 investigations of roofing operations where an accident occurred. A full three out of four of those accidents occurred at roofing operations that were found to be in violation of state safety regulations.



Falls are the leading cause of death and serious injury for roofing workers. For example, in December 2013, a West Coast Roofing employee fell 36 feet to his death at a job site in Ventura. Investigators found that the victim had not been wearing fall protection equipment or a positioning system. West Coast Roofing was cited \$22,360 for 10 violations, including two serious in nature. Another tragic and preventable case occurred earlier that year in June 2013, when a Midwest Roofing & Solar employee fell approximately 17 feet from the unprotected edge of an apartment building roof in Pico Rivera, and died five days after the accident. Cal/OSHA cited Midwest Roofing & Solar \$39,600 for five serious violations.

Cal/OSHA's "Roofing Maximum Enforcement Program," took place from March through November, and called for targeted inspections of roofing operations across the state, with the goal to raise awareness for on-the-job safety in the roofing industry so that hazards are identified and corrected. Approximately 200 inspections were conducted pursuant to this initiative, and their results are still being tallied and evaluated.

Fall protection was one of the main items evaluated during the inspections, from railings on buildings to personal devices such as a hook that connects a worker's vest to a lanyard that attaches to an anchorage point. Inspections also included evaluation of safe access to rooftops and protection from electrocution hazards posed by overhead power lines. Additionally, employers' heat illness prevention program was reviewed in each inspection, given that in roofing operations reflected surfaces can increase the heat factor of the climate.

Cal/OSHA offers online resources for workers and employers, with a fact sheet on preventing slips and falls for roofers and other safety publications.

Communicating with the Limited and Non-English Speaking Workforce

Direct communication with limited and non-English-speaking workers and their employers continues to be a high priority for Cal/OSHA. Starting in 2002, Cal/OSHA sought to overcome language barriers between Cal/OSHA staff and the limited and non-English speaking workforce by increasing the number of in-house certified bilingual employees, which at the time were 26. By September 2015, Cal/OSHA's bilingual staff (in various languages) had risen to 56 employees who passed the state's language

certification exam. These efforts were supplemented by contracting with an external translation service, providing a network of native-speaking language interpreters telephonically available for over 100 languages and dialects for those instances where an in-house bilingual employee was not readily available or staff was unable to identify the language spoken.

Cal/OSHA's commitment to serve the growing number of limited and non-English-speaking workers in California was reaffirmed in 2011 by the introduction of the Language Learning Project. The Cal/OSHA Language Learning Project provides tuition fees, books, and paid study time for employees interested in learning a second language after work hours at a community college, UC/CSU extension, or other local provider (on-line courses excluded). Cal/OSHA continued to make this program available to employees in FY 2015. Although Spanish is the current priority, Cal/OSHA is also considering other languages in the future as well.

Professional Training and Certification

In 2011, Cal/OSHA revitalized its Professional Development and Training Unit (PD&TU) to enhance and maintain the professional expertise of its Enforcement and Consultation staff. An internal Cal/OSHA Training Committee was formed and the PD&TU is implementing the federal training requirements for both longtime staff and recent new hires. Training includes both in-service classes and webinars conducted by DOSH staff and out-service classes taught by academic institutions and professional organizations in the State.

In 2015, the number of compliance personnel who completed the training requirements for new compliance officers more than doubled, and the volume of advanced technical training for staff was the highest since the 1990s.

As a way of encouraging professionalism of its field staff, Cal/OSHA began in 2011 to support staff in achieving certification in their fields. In FY 2015, the Division continued to offer to fund tuition, books and to provide paid study time for staff interested in taking a Certified Safety Professional (CSP) exam preparation course at UC Davis or UC San Diego. Requirements for enrollment in the preparation course include a four-year college degree, three years of experience, and approval by the Board of Certified Safety Professionals (BSCP).

A similar opportunity is offered to industrial hygienists interested in certification as well. Because there are numerous Certified Industrial Hygienist (CIH) exam preparation courses offered throughout California, Cal/OSHA industrial hygienists interested in certification can apply for the course and, if approved, the Division will fund their participation as well.

PARTNERSHIPS / COMPLIANCE ASSISTANCE

Employment Education and Outreach (EMPLEO)

The Employment Education and Outreach (EMPLEO) was established as an alliance to provide Spanish-speaking employees and employers with information on federal and state workplace laws. This partnership is two-fold: helping workers know what rights and protections they have, and helping employers know what resources there are available to them. Partners in the EMPLEO program include the U.S. Department of Labor's Wage and Hour Division; OSHA; the U.S. Equal Opportunity Commission; California Division of Labor Standards Enforcement; Cal/OSHA; the consulates of Mexico, El Salvador, Guatemala, Honduras, Nicaragua and Costa Rica; the regional Hispanic Chamber of Commerce; and the Coalition of Human Immigration Rights in Los Angeles, among others.

Cal/OSHA is proud to be part of this program since its inception in 2004, providing information and assistance to Spanish-speaking workers and employers regarding their rights and responsibilities, and responding to workplace complaints.

Alliance with the Mexican Consulates

The California Department of Industrial Relations (DIR) joined the U S Department of Labor in launching the annual Labor Rights Week at San Francisco's Mexican Consulate. The opening ceremony included the signing of an alliance with DIR's Cal/OSHA, Federal OSHA and the Mexican Consulates in California to assist in educating Mexican workers on their labor rights, as part of the OSHA Alliance Program.

2015 was the seventh year when DIR and its representatives from Cal/OSHA, the Labor Commissioner's Office and Division of Workers' Compensation participated in Labor Rights Week seminars at all 10 Mexican Consulates across the state.



OSHA's National Falls Campaign Stand Down

The Cal/OSHA Enforcement and Consultation Services Branches actively participated in OSHA's National Falls Campaign Stand Down, which was held in May, 2015. Staff participated in even more stand down functions than in the previous year, and activities included fall protection personal protective equipment (PPE) demonstrations, tool box training and formal presentations by Cal/OSHA and construction company senior management. Cal/OSHA also worked diligently to announce the campaign on its website and through speeches and the Cal/OSHA Reporter, and was very successful in "getting the word out" to many construction companies throughout the state.



Participation in the Labor Enforcement Task Force, Roofing Compliance Working Group

During the 2015 FY, Cal/OSHA continued its full participation in the Labor Enforcement Task Force (LETF), which combats the underground economy in California to create an environment where legitimate businesses can thrive. In this joint effort between state agencies and affected communities, information and resources are shared to ensure hard-working, compliant business owners and their employees have an opportunity for healthy competition.

The Roofing Compliance Working Group (RCWG) started as an arm of LETF, was launched in September 2013 and has continued its activities throughout FY 2014, to enforce safety and labor law standards in this key industry in California. RCWG is a collaboration of State and local agencies, as well as labor and management, and its objectives include a rapid, real time response to complaints of workplace health and safety hazards in the roofing industry, as well as investigation of complaints related to payroll, misclassification and workers' compensation issues. As a pilot, RCWG has been operating in Alameda, Contra Costa and San Francisco counties.

Roofing related falls result in deaths and devastating injuries to workers, and in very high costs of workers' compensation. According to data released by Workers' Compensation Insurance Rating Bureau, there were 367 roofing-related falls from scaffolds, ladders, elevations, and into openings such as skylights in California from 2008 to 2010, resulting in total indemnity and medical costs of over \$70 million.

The Roofing Compliance Working Group comprises Cal/OSHA and the Division of Labor Standards Enforcement (both divisions of the Department of Industrial Relations), as well as the Employment Development Department, the Contractors' State Licensing Board, the State Compensation Insurance Fund, two local District Attorney Offices, U C Berkley's Labor Occupational Health Program, Associated Roofing Contractors, the Bay Area Roofers Labor – Management Trust, and two Roofers and Waterproofers Union Locals.

This partnership program resulted in 18 inspections by Cal/OSHA, and various other enforcement actions by its partners. Cal/OSHA found violations in most of these inspections, with serious violations identified in many of the cases.

Participation in High Rise Rescue

In October, 2014, Cal/OSHA Research and Standards staff teamed up with the Orange County Fire Department (OCFD) personnel to bring to safety a crew of window washers who became trapped on a suspended platform. The cleaning crew was working on the platform servicing a 19-story building, when the suspension wire rope became damaged and prevented the motorized pulley system from lowering or raising it.



The Cal/OSHA Senior Safety Engineer consulted with the equipment manufacturer and advised the Command Chief of the OCFD on technical complexities of the system and on the required steps leading to the successful manual raising of the platform to the rooftop of the building several hours later.

Cross Referrals with the Division of Labor Standards Enforcement (DLSE)

Under California law, the Division of Labor Standards Enforcement (DLSE) has responsibility for investigating worker complaints related to unpaid wages, lack of rest breaks, and other labor law violations. Unlike the federal system, DLSE – not Cal/OSHA – is responsible for investigating worker complaints of retaliation, reprisal and discrimination by employers against employees who express concern about and/or contact Cal/OSHA regarding unsafe and unhealthy working conditions.

In May 2012, DLSE and Cal/OSHA established a streamlined system involving new forms and a centralized processing point for cross-referrals between the two agencies so that all referrals are logged and tracked. Cal/OSHA refers complaints of labor law violations and employer discrimination to DLSE, while DLSE refers worker complaints, and the observations of its own employees conducting DLSE inspections of work sites, regarding unsafe and unhealthy working conditions to Cal/OSHA. The new procedures have resulted in more reliable and rapid cross-referrals between Cal/OSHA and DLSE.

During the FY 2015, the cross referral process continued for the benefit of the workers covered by these two Divisions of the Department of Industrial Relations, with Cal/OSHA forwarding 109 referrals for investigation to DLSE (90 concerning labor law violations, and 19 concerning employer retaliation and discrimination), and receiving five referrals from DLSE concerning working conditions.

SIGNIFICANT CASES

Cal/OSHA investigated many noteworthy cases during FY 2015. Some of these include:

Citations in Electrocution Accident Five Star Plastering Inc. (#317388650)

On January 15, 2015, the Cal/OSHA Santa Ana district office issued five serious citations, four of which designated as accident-related, and one willful citation to Five Star Plastering, Inc. with total penalties of \$164,275. On July 17, 2014, two employees were in the process of erecting metal scaffolding just under overhead power lines when they came in contact with lines energized to 12 KV; one suffered fatal injury and the other suffered serious injury.

The serious citation related to deficiencies in the Injury and illness Prevention Program, namely hazard identification and employee training on hazards present at the worksite. The serious accident-related citations related to failure to provide protection from overhead hazards, notification to the operator of the high voltage power lines and maintaining adequate clearance while erecting scaffolding in close proximity of energized overhead energized 12KV power lines. The willful citation related to requiring or permitting employees to work in close proximity to energized high voltage lines without effectively guarding against the danger of accidental contact.

Citations to Wooden Door and Sash Manufacturer Ocean Sash & Door, Inc. (#1045387)

On August 7, 2015, Cal/OSHA High Hazard Unit (North) issued four (regulatory, 18 general, and ten serious citations with total penalties of \$112,945 to Ocean Sash & Door, Inc. located in San Francisco, California, as result of a programmed/planned inspection. The employer, who was engaged in the manufacturing of wooden sashes and doors had been previously inspected by the Cal/OSHA in November 2003 and had been cited for the same violations noted in the 2015 case. There were also eight Orders Prohibiting Use (OPUs) issued during the 2015 inspection for point of operation guarding violations.

The regulatory citations issued to the employer related to failure to post design live loads and operating rules for industrial trucks, and violations of recordkeeping requirements for 300 Logs. The general citations issued related to low voltage electrical safety violations, ineffective Injury and Illness Prevention Program (IIPP), missing guardrails, forklift training and certification, ladder safety, first aid kit deficiencies, ineffective Hazard Communication Program, portable fire extinguishers violations, dust explosion hazards that included cleaning procedures, classified locations hazards, equipment and wiring methods deficiencies, and for having a dust collector that did not comply with the Dust Collection System regulation. The serious citations issued were related to electrical equipment deficiencies in classified locations, emergency exits maintenance, and machine guarding violations.

Citations to Animal Rendering Plant D&D Services, Inc., DBA West Coast Rendering Company (#1037280 and #1058374)

On August 3, 2015, the Cal/OSHA High Hazard Unit (South) issued three regulatory, 23 general, and 16 serious citations (including two characterized as accident-related), with total penalties of \$231,605.00 to D&D Services, Inc. DBA West Coast Rendering Company in Vernon, California. On February 9, 2015, while conducting a programmed/planned inspection, the inspector observed a fall protection hazard at an adjacent business (West Coast Rendering Co.). As a result of this observation, a referral inspection was initiated with the rendering company on the same date. During the course of this inspection, an unreported serious injury was identified which initiated a subsequent accident investigation. An employee of the rendering plant had suffered a crushing injury to his hand after accidental contact with an unguarded chain and sprocket drive, resulting in the surgical amputation of two fingers.

The regulatory citations issued related to failure to report a serious injury to the Division and basic recordkeeping requirements of the Cal/OSHA Log 300. The general citations issued related to lack of, or deficient Injury Illness Prevention Program, electrical maintenance, housekeeping, personal protective equipment, industrial truck (fork-lift) program, respiratory protection program, confined spaces program, maintenance of compressed gas cylinders and fire extinguishers, hazardous energy control procedures, hazard communication program, eyewash/shower equipment, abrasive grinder guarding and ladder violations. The serious accident-related citations pertained to lack of guarding for the chain and sprocket (feed auger) and for lack of implementation of a hazardous energy control procedure, also known as a "Lock-out Tag-out" program. The other serious (non accident-related) citations related to lack of guardrails on elevated locations, lack of guarding for a hopper, improperly elevating employees with lift trucks, unguarded rotating shafts and projecting shafts, unguarded screw conveyors, grinder guarding violations, and emergency eyewash/shower deficiencies.

Citations in Double Crane-Related Fatalities

Disney Construction Inc. (#317251106)

On November 20, 2014, the Cal/OSHA Sacramento district office issued two regulatory, four general and nine serious citations, including two characterized as accident-related, with total penalties of \$106,110 to Disney Construction Inc., of Burlingame, California. On May 30, 2014, two employees were performing repair work on a pile driving crane, using another crane to hoist a personnel platform. The rigging used to connect the platform to the crane dislodged, causing the platform and the workers to fall approximately 80 feet to the ground.

The regulatory citations issued addressed deficiencies of crane inspection and certification records. The general citations related to lack of testing and trial of the personnel platform, and of the signal persons' training and qualifications. The serious citations addressed various deficiencies of the crane, failure to inspect, to test and to take corrective actions regarding the crane and the personnel platform and of its use. The serious accident-related citations addressed the failure to survey and inspect the crane and rigging being used and the crane and equipment being repaired,

Citations in Explosion at Oil Refinery

Exxon Mobil Refining & Supply Company (#1042440)

On August 13, 2015, the Cal/OSHA Process Safety Management South issued 19 citations including six willful serious citations to Exxon Mobil Refining & Supply Company. Of the remaining 13 citations, 12 were classified as serious. Total penalties were \$566,600. The citations were issued after an investigation into the February 18, 2015 explosion of an electrostatic precipitator in the Torrance, CA refinery's fluid catalytic cracking (FCC) unit. Cal/OSHA found that the explosion resulted when a decrease in steam pressure in one part of the FCC unit allowed flammable vapors to travel from process equipment further upstream through the FCC and into the electrostatic precipitator, which remained energized. An electrical discharge in the precipitator ignited the flammable vapors and the resulting explosion blew apart large sections of the six-story air-pollution control device. Powdery catalyst was blown into the air in residential neighborhoods adjacent to the refinery, eventually settling on cars, lawns and streets. Four contract employees received minor injuries in the explosion from flying shrapnel. The ESP unit is not expected to be back online until early 2016, about one year after the explosion.

The 19 citations addressed failures to maintain and properly operate process safety equipment; the use of defective equipment; a lack of written temporary procedures; failure to conduct an adequate process hazard analysis on the electrostatic precipitator operating without safety equipment; failure to activate the employee alarm system in an emergency and failure to properly manage flammable vapors and ignition sources.

Citations in Construction Equipment Amputation

C. C. Myers Inc. (#1008676) and Terry Equipment, Inc. (#1015680)

On May 11, 2015, the American Canyon district office issued one general and seven serious citations, including two characterized as accident-related, with penalties totaling \$ 90,935.00 to CC Myers Inc. of Rancho Cordova, California. On November 13, 2014, as part of the road paving, employees were feeding a concrete placer machine through a hopper. One of the employees was assigned to clean and maintain the hopper by standing on top on top of it, when he slipped and his leg was pulled into the rotating steel auger located inside the hopper. He sustained traumatic injuries to his leg that resulted in complete amputation to the hip bone.

The general citation issued addressed deficiencies of employer's safety program. The serious citations were for inadequate safety training of employees, for deficient lockout/tagout procedures, for improper equipment modifications, and for unsafe operation of the conveyer. The serious accident-related citations addressed the hazards posed by the moving parts of the auger, which was neither guarded nor stopped and de-energized while the victim was cleaning the hopper.

The concrete placer machine was leased from Terry Equipment, Inc. of Bloomington, California, which owned the machine, and failed to provide a guard on the auger, although it had the ability and authority to do so. A serious citation was issued to address this guarding failure.

REGULATIONS

New or revised Title 8 California Code of Regulations in FY 2015:

Health Regulations:

CSO Section 5120, Health Care Worker Back and Musculoskeletal Injury Prevention (effective October 1, 2014). The Health Care Worker Back and Musculoskeletal Injury Prevention requirements in new section 5120 went into effect on October 1, 2014. The federal standards do not have an equivalent section that addresses prevention of musculoskeletal injuries in acute health care settings.

CSO Section 5155, Airborne Contaminants (effective October 1, 2014 and January 1, 2015). The permissible exposure limit (PEL) was lowered for Naphthalene on October 1, 2014 and for Hydrogen Chloride on January 1, 2015. California section 5155 PELs for these chemicals are more effective than the federal standard 29 CFR section 1910.1000 which has a higher PELs for Naphthalene and Hydrogen Chloride.

CSO Section 3395, Heat Illness Prevention (effective May 1, 2015). The heat illness prevention requirements in section 3395 were revised on May 1, 2015. The federal standards do not have an equivalent section that addresses heat illness prevention.

Safety Regulations

GISO Section 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. Group Lockout (Effective: October 1, 2014). Group lockout/tagout requirements were not previously addressed in Title 8 section 3314 of the GISO. OSHA's comparable energy control standard specifically addresses group lockout/tagout device requirements. The California regulations were updated to be at least as effective as the federal standard.

GISP Section 4542 Mixers. Guarding of Vertical Food Mixers (Effective: October 1, 2014). Section 4542 previously addressed guarding requirements for horizontal food mixers, but did not address vertical food mixers. The rulemaking requires vertical food mixers larger than 30 quarts manufactured after January 1, 2015, to use an interlocked bowl guard to prevent employees from contacting the moving parts inside the mixing bowl.

GISO Section 5605 Protection of Tanks in Locations That May Be Flooded (Effective: October 1, 2014). Referenced National Fire Protection Association Standards have been updated to the newest versions to ensure the regulation is as effective as OSHA regulations.

CSO Section 1514 Personal Protective Devices and GISO Section 3380 Personal Protective Devices (Effective: April 1, 2015). The rulemaking clarifies sections 1514 and 3380 to specify areas of the body, including the extremities that may require PPE and requires such protective equipment to be maintained in a safe condition. In section 1514, an addition was made requiring personal protective equipment to be approved in accordance with section 1505. The rulemaking deleted a non-enforceable note in 3384 and added an enforceable requirement that personal protective equipment be approved for its use in accordance with section 3206.

CSO section 1618.1(e) Cranes and Derricks in Construction - Operator Qualification and Certification. (Effective: April 30, 2015). The rulemaking extended the effective date of construction crane operator qualification and certification requirements of section 1618.1 from July 7, 2015 to

November 10, 2017 which duplicates changes made in the OSHA requirements. The requirements for operator qualification and certification in section 5006.1 remain in effect for cranes in construction.

CSO 1710 Structural Steel Erection (Effective: August 27, 2015). The amendments to section 1710(l) require metal decking to be secured to prevent displacement and ensure metal decking panels are fully supported by structural members. Such requirements already existed in OSHA regulations, but were absent from Title 8 regulations prior to the amendment.

CSO 1903 Helicopter Landing Operations (Effective: January 1, 2015). The amendment to section 1903 converts a non-enforceable “NOTE” into an enforceable exception that would be consistent with Federal Aviation Administration (FAA) standards. These standards permit the pilot in command of the helicopter to deviate from normal landing protocols during an in-flight emergency to get the helicopter safely to the ground.

ESO Sections 2540.7 and 2540.8; GISO Sections 5530, 5568, 5572, 5574, 5575 and 5621. (Effective: October 1, 2015) The rulemaking was done as part of the Globally Harmonized System (GHS). GHS was developed to help standardize the way chemical information is provided worldwide. This proposal changes the classification of liquids from Class I, II, III to the corresponding Category 1, 2, 3, 4, in line with the terminology used in GHS. There are changes to Electrical Safety Orders to be consistent with the General Industry Safety Orders.

GISO Section 3411. Private Fire Brigades (Effective: October 1, 2015) The rulemaking requires foot protection for employees in private fire brigades to meet National Fire Protection Association (NFPA) standard number 1977 published in 2011 rather than the standard previously referenced—a military specification that is difficult to find.

GISO Sections 4345, 4351, 4352, and 4354 Stationary and Mobile Compaction Equipment and Balers (Effective: Jul. 1, 2015). The rulemaking updates the consensus safety standards referenced by the Title 8 regulations regarding the operation of mobile trash compaction equipment, including dual control mobile compaction equipment and balers which are covered by the American National Standards Institute (ANSI) Z245 standards. Previous to the rulemaking, the 1992 ANSI standards were referenced. The updated regulations reference ANSI Z245.1-2012, ANSI Z245.21-2013, and ANSI Z245.51-2013 to reflect current practices. The updated rules also contain requirements that operators of mobile equipment be protected from falling from vehicles with no doors.

GISO Sections 5620, 6165, 6180, 6181, 6182, 6183, and 6184 (Effective: April 1, 2015). The rulemaking amends the existing language of the affected sections to remove references to outdated NFPA standards and replace the references with requirements that structures, devices, equipment or systems shall be designed, installed, constructed, inspected or maintained in an “approved” manner. The term “approved” is defined in section 3206 and allows for compliance using current NFPA standards and the California Fire Code.

LEGISLATION

There were three bills (AB 266, SB 84, SB 421) signed by Governor Brown in FY 2015 that affect Cal/OSHA; all three bills, while signed in FY 2015, will take effect January 1, 2016.

AB 266⁷ - Existing law decriminalizes the use of marijuana for medical purposes, provides for patient access to medical marijuana, and prevents doctors from being penalized for making medical marijuana recommendations. The bill requires DOSH to convene an advisory committee to evaluate whether there is a need to develop cannabis industry-specific regulations related to the activities of facilities issued a license pursuant to the Medical Marijuana Regulation and Safety Act, and to report its findings to the Occupational Safety and Health Standards Board by July 1, 2017, and it requires the Board to determine whether to adopt any recommended standards. This bill will take effect January 1, 2016.

SB 84⁸ - This bill enacts provisions of the Governor's proposed budget. The provisions of this bill affecting the Department of Industrial Relations involve the Division of Occupational Safety and Health. Among other provisions, this bill requires the Division to prioritize investigations of reports of accidents involving death or serious injury or illness and complaints that allege a serious violation over investigations of complaints that allege a nonserious violation. This bill took effect July 1, 2015.

SB 421⁹ - Under existing law (enacted through SB 1300), petroleum refinery employers must submit a schedule of planned turnarounds for each calendar year to the Division and, in certain instances, a refinery must also submit specific additional documentation. SB 1300 included a process for members of the public to request information submitted by the refineries and a specialized process for handling how to disclose information marked "trade secret" This bill addresses concerns raised in the Governor's signing message for SB 1300 to ensure the public may access refinery safety information marked as "trade secret" without the threat of potentially owing attorney's fees. The bill eliminates the mandatory award of costs and attorney's fees to the prevailing party in a case involving a motion to compel or prohibit disclosure of refinery turnaround information. This bill clarifies that a refinery employer or a person requesting the disclosure of turnaround information may intervene in an action filed by the other party, and it removes the requirement to name the other party in the suit as a real party in interest. This bill will take effect January 1, 2016.

⁷ [Bill Text - AB-266 Medical marijuana.](#)

⁸ [Bill Text - SB-84 State government.](#)

⁹ [Bill Text - SB-421 Refineries: turnarounds.](#)

**SUMMARY OF ANNUAL PERFORMANCE PLAN RESULTS
FOR ENFORCEMENT
FEDERAL FISCAL YEAR 2015**

- Performance Goal 1.1 Targeting the Mobile Workforce
- Performance Goal 1.2 High Hazard Employer Programs
- Performance Goal 1.3 Process Safety Management and Related Industries (PSM)
- Performance Goal 2.1 Heat Illness Prevention Educational Outreach to Employees and Employer Groups
- Performance Goal 2.2 Educational Outreach to Vulnerable Employee Populations
- Performance Goal 2.3 Partnership Programs
- Performance Goal 3.1 Citation Lapse Time
- Performance Goal 3.2 Fatality Investigation Response Times

GOAL 1.1

Targeting the Mobile Workforce

Strategic Goal: Secure safe and healthy workplaces, particularly in high-risk industries, and improve workplace safety and health through enforcement and consultative assistance.

Performance Goal: Target the mobile workforce to reduce fatalities and occupational injuries and illnesses in construction and agriculture by reducing and eliminating hazards in these industries.

Performance Indicator Type	Indicator	Results	Comments									
Activity Measures	<ul style="list-style-type: none"> • Conduct approximately 2,600 inspections combined for both construction and agriculture. • Attempt to sustain a higher percentage of the serious classification of citations issued as result of these inspections. 	<ul style="list-style-type: none"> • 3,210 combined inspections were conducted, 2,539 in construction and 671 in agriculture during FY 2015, as reflected by IMIS and OIS. • The percent of serious citations issued in FY 2015 to establishments in agricultural and construction SIC/NAICS codes which were sustained were: <table style="margin-left: 40px; border-collapse: collapse;"> <thead> <tr> <th></th> <th style="text-align: center;">FY 2014</th> <th style="text-align: center;">FY 2015</th> </tr> </thead> <tbody> <tr> <td>Agriculture</td> <td style="text-align: center;">80%</td> <td style="text-align: center;">91%</td> </tr> <tr> <td>Construction</td> <td style="text-align: center;">82%</td> <td style="text-align: center;">92%</td> </tr> </tbody> </table> <p style="margin-left: 40px; font-size: small;">FY 14 – IMIS as of 11/18/15 FY 15 – IMIS as of 11/18/15 & OIS as of 11/19/15</p> 		FY 2014	FY 2015	Agriculture	80%	91%	Construction	82%	92%	<ul style="list-style-type: none"> • The goal to conduct 2,600 inspections was surpassed. When applicable, construction inspections focused on preventing the leading causes of injuries and fatalities, namely falls, electrocution, struck-by, or crushed by/caught between. Similarly, agricultural inspections focused on preventing leading causes of injuries, illnesses, and fatalities, namely heat illness, contact with objects/ equipment, and crushed by/caught between. • This goal to sustain a higher percentage of the serious classification of citations issued to establishments in agricultural and construction SIC/NAICS Codes in FY 2015 compared to FY 2014 was achieved. These numbers, however, are expected to change as cases are adjudicated.
	FY 2014	FY 2015										
Agriculture	80%	91%										
Construction	82%	92%										

Goal 1.1 Targeting the Mobile Workforce (cont.)

Performance Indicator Type	Indicator	Results	Comments
<p>Outcome Measures Cont.</p>	<ul style="list-style-type: none"> • Abatement of non-contested serious hazards found in these industries will be achieved in 95% of cases. • Reduce fatal injuries in construction and agriculture by 2% as compared to the average for the past three years. • Reduce incidence rates for total recordable occupational injury and illness cases per 100 full time employees for agriculture and construction by 0.2 compared to the average for the past three years. 	<ul style="list-style-type: none"> • 95% of non-contested construction and 97% of agricultural inspections with serious, willful and/or repeat violations cited during FY 2015 were abated, as reflected by the IMIS and OIS as of December 17, 2015. • 61¹⁰ fatalities in construction NAICS codes and 30 in agriculture, forestry, fishing and hunting in CY 2013. Final fatality data for CY 2014 is not currently available. • 4.8¹¹ incidence rate for total recordable occupational injury and illness cases per 100 full time workers in construction and 5.2 in agriculture, forestry, fishing and hunting in CY 2014. 	<ul style="list-style-type: none"> • This goal was achieved. Cal/OSHA field staff have worked hard at attempting to secure abatement of these hazards while on-site whenever possible. • This goal was partly achieved. The baseline average number of fatalities for the past three years (2011 - 2013)¹² was 58 in construction and 33 in agriculture, forestry, fishing and hunting. Based upon final 2013 fatality data, in 2013 this goal was not achieved for construction. However, it was achieved for agriculture. • This goal was not achieved. Nonfatal injuries and illnesses, as measured by the incidence rates for total recordable cases, for the baseline average for the past three years (2012 – 2014)¹³ was 4.1 in construction and 5.3 in agriculture, forestry, fishing, and hunting.

¹⁰ Table A-1. Fatal occupational injuries by industry and event or exposure, California, 2013 available at www.dir.ca.gov/dh/cfoi/cfoi_2013/cfoi2013.htm

¹¹ Table 1. Incidence rates of nonfatal occupational injuries and illnesses by selected industries and case types, 2014 at www.dir.osca.gov/OPRL/Injuries/2014/2014Table1.pdf

¹² The number of fatalities for calendar years 2011, 2012, and 2013 as reported by CFOI were respectively 56, 56, and 61 in construction and 40, 29 and 30 in agriculture, forestry, fishing and hunting.

¹³ The lost work day incidence rates for calendar years 2012, 2013, and 2014 as reported by DIR's Office of Policy, Research, and Legislation (OPRL) were respectively 3.6, 4.0 and 4.8 in construction and 5.3, 5.4 and 5.2 in agriculture, forestry, fishing and hunting.

GOAL 1.2

High Hazard Employer Programs

Strategic Goal: Secure safe and healthy workplaces, particularly in high-risk industries, and improve workplace safety and health through enforcement and consultative assistance.

Performance Goal: Reduce injuries, illnesses and fatalities in selected high hazard industries, with a goal of removing the specific industry from the High Hazard List due to decreased injury and illness rates.

Performance Indicator Type	Indicator	Results	Comments									
Activity Measures	<ul style="list-style-type: none"> Conduct 350 inspections of high hazard industries from highest priority NAICS codes, by the High Hazard Enforcement Unit. 	<ul style="list-style-type: none"> 375 inspections were conducted during FY 2015 by the High Hazard Enforcement Unit, as reflected by IMIS and OIS. 	<ul style="list-style-type: none"> The goal to conduct 350 inspections in FY 2015 was surpassed. Inspections included evaluation of, and assistance in the development and implementation of an effective IIPP, where applicable. 									
Outcome Measures	<ul style="list-style-type: none"> 97% abatement of non-contested serious hazards found in these high hazard industries. Increase percentage of programmed inspections with Serious/Willful/Repeat (S/W/R) violations by at least 10%. 	<ul style="list-style-type: none"> 98% of non-contested High Hazard Unit (HHU) inspections with serious, willful, and/or repeat violations cited during FY 2015 were verified to be abated, as reflected by IMIS as of November 16, 2015 and OIS as of November 23, 2015. The Percent of Programmed Inspections with S/W/R violations in FY 2015 increased by 11% for the HHU, compared to FY 2014 as reflected by the IMIS and OIS reports. <table border="1" style="margin-left: auto; margin-right: auto;"> <thead> <tr> <th colspan="3" style="text-align: center;">High Hazard Units / Safety and Health inspections combined</th> </tr> <tr> <th style="text-align: center;">FY 2014</th> <th style="text-align: center;">FY 2015 Goal (increase by 10%)</th> <th style="text-align: center;">FY 2015</th> </tr> </thead> <tbody> <tr> <td style="text-align: center;">52.26</td> <td style="text-align: center;">57.49</td> <td style="text-align: center;">58.11</td> </tr> </tbody> </table> <p style="font-size: small; margin-top: 5px;"> FY 2014 IMIS SAMMs run date: 12/14/14 (HHU RIDs only) FY 2015 IMIS SAMMs run date: 11/16/15 & OIS Scan Summary Rpt run date: 11/24/15 </p>	High Hazard Units / Safety and Health inspections combined			FY 2014	FY 2015 Goal (increase by 10%)	FY 2015	52.26	57.49	58.11	<ul style="list-style-type: none"> This goal was surpassed. This goal was surpassed.
High Hazard Units / Safety and Health inspections combined												
FY 2014	FY 2015 Goal (increase by 10%)	FY 2015										
52.26	57.49	58.11										

GOAL 1.3

Process Safety Management and Related Industries (PSM)

<p>Strategic Goal: Secure safe and healthy workplaces, particularly in high-risk industries, and improve workplace safety and health through enforcement and consultative assistance.</p>
<p>Performance Goal: Reduce fatalities and occupational injuries and illnesses in refineries and other industries which fall under the requirement of the PSM standard.</p>

Performance Indicator Type	Indicator	Results	Comments
Activity Measures	<ul style="list-style-type: none"> • Conduct 40 programmed inspections at facilities other than petroleum refineries that meet the trigger threshold quantities for the PSM standard, conducted by the PSM Unit. • Participate in five outreach/ compliance assistance activities provided to industry/professional groups. • Conduct four comprehensive inspections of petroleum refineries, conducted by the PSM Unit. 	<ul style="list-style-type: none"> • 44 programmed inspections were conducted at facilities other than petroleum refineries that meet the trigger threshold quantities for the PSM standard, as reflected by IMIS on November 22, 2015 and OIS on December 1, 2015. • The Cal/OSHA PSM Unit staff participated in five outreach/ compliance assistance activities provided to industry/professional groups. • Cal/OSHA PSM Unit staff conducted four comprehensive programmed inspections of petroleum refineries (NAICS 324110) during FY 2015. 	<ul style="list-style-type: none"> • This goal was surpassed. • This goal was achieved. • This goal was achieved. The PSM Unit considers this a big accomplishment, given the staff hours it takes to conduct comprehensive inspections. One inspection in particular, ExxonMobil (#1042440), has taken over 3,200 person-hours and is still on-going.

GOAL 1.3 Process Safety Management and Related Industries (cont.)

Performance Indicator Type	Indicator	Results	Comments
<p>Activity Measures Cont.</p>	<ul style="list-style-type: none"> Conduct follow-up inspections at establishments other than petroleum refineries for 10% of all inspection types, whether programmed, complaint, accident or referral. 	<ul style="list-style-type: none"> Four follow-up inspections were conducted during FY 2015. 	<ul style="list-style-type: none"> This goal was achieved (four out of 44).
<p>Outcome Measures</p>	<ul style="list-style-type: none"> 98% abatement of non-contested serious hazards found in these industries. Number of fatalities and serious injuries/illnesses attributable to violations of the PSM standard at covered facilities will be maintained at the average level for the past three years. 	<ul style="list-style-type: none"> 100% of non-contested Process Safety Management Unit (PSM) inspections with serious, willful, and/or repeat violations cited during FY 2015 were verified to be abated, as reflected by IMIS as of November 16, 2015 and OIS as of November 23, 2015. There were no fatalities or serious injuries/illness attributable to violations of the PSM standard (T8 CCR 5189) at covered facilities during CY 2014, as reported by IMIS and OIS reports dated November 16, 2015 (using accident investigations conducted by the dedicated Cal/OSHA PSM Unit). 	<ul style="list-style-type: none"> This goal was surpassed. This goal was achieved. The average number of fatalities and serious injuries/illnesses attributable to violations of the PSM standard at covered facilities for the past three years (2012 - 2014)¹⁴ was .67.

¹⁴ The number of fatalities and serious injuries/illnesses for calendar years 2012, 2013 and 2014 were respectively 1, 1 and 0.

Goal 2.1

Heat Illness Prevention Educational Outreach to Employees and Employer Groups

Strategic Goal: Promote workplace cultures that increase employer and employee awareness of, commitment to, and involvement in safety and health.

Performance Goal: Raise awareness of heat illness prevention among employees and employer groups in outdoor places of employment.

Performance Indicator Type	Indicator	Results	Comments
Activity Measures	<ul style="list-style-type: none"> • Conduct 2,300 inspections of outdoor places of employment where heat hazards are evaluated. Note: Landscaping is considered an agricultural service and will be counted as part of the agriculture inspections. • Conduct a minimum of 75 seminars where heat illness prevention was emphasized. • Distribute a minimum of 5,000 units of heat illness prevention outreach materials during inspections and outreach events. 	<ul style="list-style-type: none"> • 2,842 combined inspections where heat hazards were evaluated (coded S 18 HEAT) were conducted during FY 2015: 2,244 in construction and 598 in agriculture SIC Codes, as reflected by IMIS and OIS. • Over 100 seminars were conducted where heat illness was emphasized during FY 2015. In all, Cal/OSHA Enforcement staff participated in approximately 200 outreach events where heat illness prevention was addressed and/or publications were distributed, including TV and radio interviews. • Staff distributed over 30,000 units of heat illness prevention materials during outreach events alone. 	<ul style="list-style-type: none"> • The goal to conduct a combined total of 2,300 construction and agricultural inspections where heat was addressed was surpassed. A total of 3,904 inspections in all industries, not limited to construction and agriculture, were conducted where outdoor heat hazards were evaluated (coded S 18 HEAT) as reflected by IMIS and OIS. • This goal was exceeded. Cal/OSHA continues to collaborate with various employers, labor groups, community based organizations and local governments to train employers and employees on heat illness prevention. • This goal was surpassed.
Outcome Measures	<ul style="list-style-type: none"> • Abatement of non-contested heat hazards found in outdoor places of employment will be achieved in 93% of cases. 	<ul style="list-style-type: none"> • 93% of non-contested inspections with heat violations cited during FY 2015 were abated, as reflected by IMIS as of November 16, 2015 and OIS as of December 17, 2015. 	<ul style="list-style-type: none"> • This goal was achieved. Cal/OSHA will continue to work with employers to obtain abatement.

GOAL 2.1 Heat Illness Prevention Educational Outreach to Employees and Employer Groups (cont.)

Performance Indicator Type	Indicator	Results	Comments
<p>Outcome Measures</p>	<ul style="list-style-type: none"> Maintain the number of heat-related serious illnesses and fatalities occurring in outdoor places of employment, based on Cal/OSHA internal tracking, at the average level for the past three years. 	<ul style="list-style-type: none"> There was one confirmed outdoor heat related fatality in CY 2014, based on Cal/OSHA internal tracking. Preliminary data shows there are no confirmed fatalities for CY 2015. However, there are additional fatalities still under review. 	<ul style="list-style-type: none"> This goal was achieved. The baseline average number of heat fatalities for the past three years (CY 2012 - 2014)¹⁵ was 2.7.

¹⁵ The number of fatalities for calendar years 2012, 2013 and 2014 based on Cal/OSHA internal tracking were respectively 3, 4, and 1.

Goal 2.2

Educational Outreach to Vulnerable Employee Populations

Strategic Goal: Promote workplace cultures that increase employer and employee awareness of, commitment to, and involvement in safety and health.
Performance Goal: Promote and interact with high-risk worker organizations about workplace safety and health.

Performance Indicator Type	Indicator	Results	Comments
Activity Measures	<u>Cal/OSHA Enforcement:</u> <ul style="list-style-type: none"> • Distribute over 12,000 publications and flyers in English and other languages to employers, supervisors, foremen and workers, detailing the requirements of Cal/OSHA regulations including worker's rights. • Conduct 100 events with vulnerable workers organized by worker and community organizations, the UC programs, and consulates, conducted by the BOTs and regular DOSH staff. 	<ul style="list-style-type: none"> • Staff distributed significantly over 50,000 publications and flyers while at outreach activities during FY 2015. • Cal/OSHA Enforcement staff participated in over 100 outreach events which were attended by and/or reached to vulnerable workers attended. 	<ul style="list-style-type: none"> • This goal was surpassed • This goal was surpassed.

Goal 2.2 Educational Outreach to Vulnerable Employee Populations cont.

Performance Indicator Type	Indicator	Results	Comments
<p>Outcome Measures</p>	<ul style="list-style-type: none"> • Provide at least 1,000 event participants knowledge of workplace health and safety hazards, workers' rights under the law and how to exercise these. An additional 18,000 workers will gain this information from trainings conducted by participants in the DOSH events. • The Farm Labor Contractor (FLC) Safety and Health Guide will be re-titled and revised, and translated into Spanish. • The Consultation Program will update the Respiratory Protection Fact Sheet. 	<ul style="list-style-type: none"> • Over 1,300 event participants came away with increased knowledge of workplace safety and health hazards, in both English and Spanish. Additionally, over 50,000 workers gained health and safety knowledge from the workshops and training. • The English-language FLC Guide has been revised and reviewed. Approval to post the document is pending departmental authorization. Preliminary translation of the Spanish-language translation was conducted and will be finalized upon final approval of the English language publication, which is now called "Safety and Health in Agricultural Field Operations". • Respiratory Protection Fact Sheet was updated, reviewed and approved during FY 15. 	<ul style="list-style-type: none"> • This goal was surpassed. • This goal was partly achieved. • This goal was achieved.

Goal 2.3

Partnership Programs

Strategic Goal: Promote workplace cultures that increase employer and employee awareness of, commitment to, and involvement in safety and health.

Performance Goal: Promote voluntary compliance by offering employers a variety of partnerships including recognition and exemption programs.

Performance Indicator Type	Indicator	Results	Comments
Activity Measures	<p><u>Cal/OSHA VPP Goals:</u></p> <ul style="list-style-type: none"> Cal/VPP and Cal/VPP Construction Units will hold one workshop each to promote Cal/VPP and Cal/VPP Construction. 	<ul style="list-style-type: none"> Four workshops were held during FY 2015 to promote Cal/VPP and one to promote Cal/VPP Construction. 	<ul style="list-style-type: none"> This goal was surpassed.
Outcome Measures	<ul style="list-style-type: none"> Two new establishments will be added into the Division's leadership level for fixed site establishments (Cal/VPP) and 22 will be renewed. Six new establishments will be added into the Division's leadership level partnership program for construction VPP worksites. 	<ul style="list-style-type: none"> During FY 2015, four new VPP sites were added into the Divisions leadership level for fixed establishments and 10 were renewed. Twelve new establishments were added into the Division's leadership level partnership program for construction VPP worksites. 	<ul style="list-style-type: none"> The goal to add two new establishments into the Division's leadership level for fixed site establishments (Cal/VPP) was surpassed. However, the goal to renew 22 establishments was not met. This goal was surpassed.

Goal 3.1

Citation Lapse Time

Strategic Goal: Maximize Cal/OSHA's effectiveness and enhance public confidence.

Performance Goal: Respond effectively to mandates so that workers are provided full protection under Cal/OSHA by timely issuance of citations, so that hazards could be timely corrected.

Performance Indicator Type	Indicator	Results	Comments												
<p>Activity Measures</p>	<ul style="list-style-type: none"> Run the "Open Inspections with Citations Pending" report monthly and work with CSHOs to expedite citations issuance. Monitor State Activity Mandated Measures (SAMMs) report and other management reports to track progress of citations lapse time. 	<ul style="list-style-type: none"> Cal/OSHA staff ran the IMIS Open Inspections with Citations Pending and the OIS Open Inspections reports on a monthly basis and worked with CSHOs to identify less complicated cases without serious citations with the goal of issuing citations as soon as possible SAMMs, IMIS Open Inspections with Citations Pending and the OIS Open Inspections reports were run on a monthly basis. 	<ul style="list-style-type: none"> This goal was achieved. This goal was achieved. 												
<p>Outcome Measures</p>	<ul style="list-style-type: none"> Decrease average number of days for safety citation issuance by 5% and health citations issuance by 3%, as compared with FY 2014 Increase the percentage of serious violations abated during inspections by 5%. 	<ul style="list-style-type: none"> Citation lapse time as reported by IMIS and OIS SAMMs reports as follows: <table border="1" data-bbox="953 1052 1383 1187"> <thead> <tr> <th></th> <th>FY 2014 (IMIS)</th> <th>FY 2015 Goal</th> <th>FY 2015 (IMIS & OIS)</th> </tr> </thead> <tbody> <tr> <td>Safety</td> <td>70.46</td> <td>66.94</td> <td>77.26</td> </tr> <tr> <td>Health</td> <td>76.02</td> <td>73.74</td> <td>85.60</td> </tr> </tbody> </table> <p>FY 2014 IMIS SAMMs #23 dated 02/01/15 FY 2015 Combined MIS SAMMs #23 dated: 11/18/15 & OIS SAMMs #11 dated 11/23/15</p> 55% of serious, willful, repeat (SWR) violations cited during FY 2015 were abated on site, as reflected by IMIS and OIS. 		FY 2014 (IMIS)	FY 2015 Goal	FY 2015 (IMIS & OIS)	Safety	70.46	66.94	77.26	Health	76.02	73.74	85.60	<ul style="list-style-type: none"> This goal was not met. This goal was achieved. The SWR violations abated during inspections increased from 43% in FY 2014, as reflected by IMIS.
	FY 2014 (IMIS)	FY 2015 Goal	FY 2015 (IMIS & OIS)												
Safety	70.46	66.94	77.26												
Health	76.02	73.74	85.60												

Goal 3.2

Fatality Investigation Response Time

Strategic Goal: Maximize Cal/OSHA's effectiveness and enhance public confidence.
Performance Goal: Respond effectively to mandates so that workers are provided full protection under Cal/OSHA by timely response to work related fatality/catastrophe reports.

Performance Indicator Type	Indicator	Results	Comments
Activity Measures	<ul style="list-style-type: none"> Use internal tracking to monitor on a monthly basis the fatality investigation response time, and correct data entry errors that occur. 	<ul style="list-style-type: none"> Cal/OSHA staff ran IMIS fatality logs and OIS SAMMS reports to monitor response times to identify and correct data entry errors. 	<ul style="list-style-type: none"> This goal was achieved.
Outcome Measures	<ul style="list-style-type: none"> Respond within one day to 100% of the reported fatalities. 	<ul style="list-style-type: none"> 96% of fatalities (122 out of 127) were opened within one workday in FY 2015. 	<ul style="list-style-type: none"> This goal was not achieved. According to SAMMs #10 dated November 23, 2015, 115 out of 127 (or 90.55%) fatalities were responded to within one work day. Twelve inspections were identified as having a response time greater than one day. However, after further review, it was found that of the 12: <ul style="list-style-type: none"> 5 – were initially reported as non-fatal accidents and opened on the same day or day after being notified that it became a fatality; 2 – were never reported as fatalities (opened as accident investigations, and learned that they had become fatalities during the course of the accident investigations); 1 – was due to natural causes; 1 – jurisdiction had to be resolved; and 3 – were opened late due to unusually heavy workload