

FY 2016

California
Occupational Safety
and Health Program

State OSHA Annual Report (SOAR)



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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) 2016 Annual Performance Plan developed by Cal/OSHA was intended to support the overall goals of the five-year Strategic Plan. The 2016 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
- ⇒ Responding effectively to mandates regarding timely investigation of fatalities and issuance of citations so that workers are provided full protection under Cal/OSHA.

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 2016 ACCOMPLISHMENTS

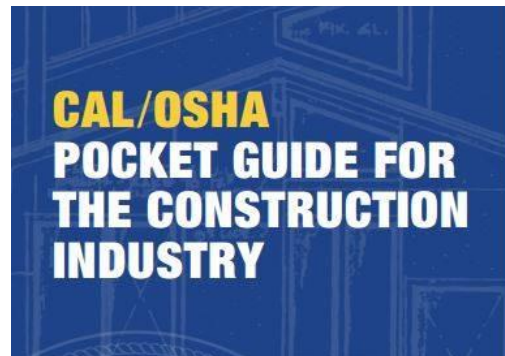
California continued to encounter many challenges over the past few years. Budgetary constraints at State level at the beginning of the decade, along with the Federal Budget sequester in 2013, which resulted in a continued reduction of the 23(g) grant funding, created obstacles for Cal/OSHA in hiring 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 hiring efforts have continued throughout the 2016 FY.

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 23(g) 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 23(g) 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.

Several publications were updated or newly created and posted on the public web site, including:

- Safe Patient Handling in California (new)
- Tree Work Safety Guide (new)
- Construction Pocket Safety Guide (updated)
- Are You a Working Teen? Protect Your Health Know Your Rights (new, English and Spanish)
- Protecting Temporary Agency Employees (new in Spanish)



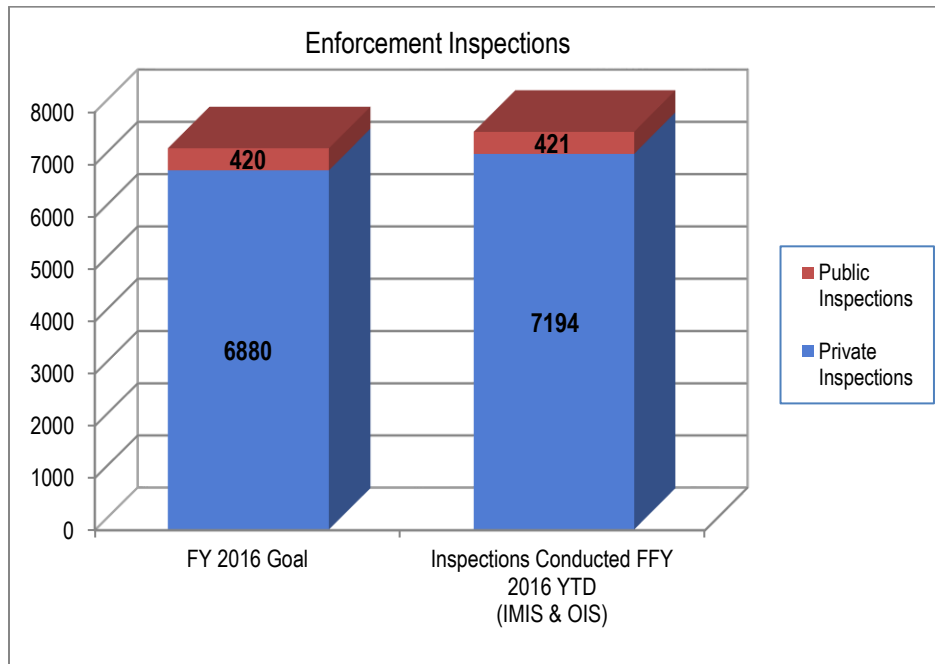
Last year's achievements in the training and professional development of Cal/OSHA staff continued throughout FY 2016, by ensuring that newly hired or promoted compliance personnel complete the training requirements for new compliance officers, and new managers and seniors, and by offering an unprecedented number and variety of advanced technical training for staff.

Another area of continued 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).

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 2016 Annual Performance Plan.

Enforcement and Outreach/Educational Activities

This Federal fiscal year, Cal/OSHA Enforcement successfully conducted a total of 7,615 inspections, exceeding the goal to conduct 7,300 inspections. The aforementioned inspections comprised of 7,194 private industry inspections and 421 public sector inspections. During this time, Cal/OSHA identified over 19,851 hazards, potentially affecting the estimated 5.2 million workers employed at these establishments. Of the hazards identified, 30 resulted in willful, 65 in repeat, and 17 in failure-to-abate citations¹.



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.



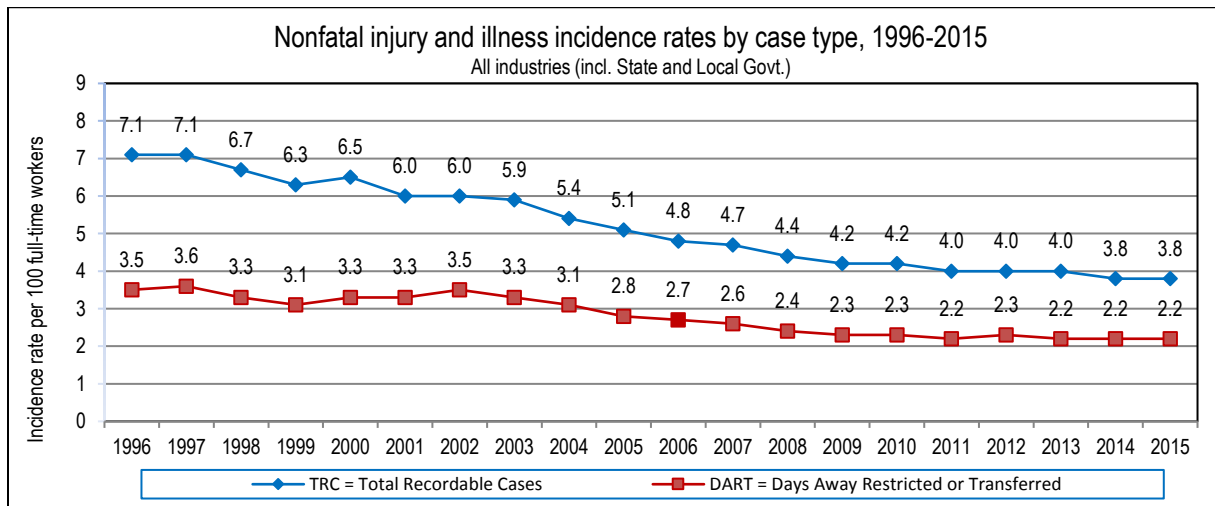
¹ Federal IMIS Scan Report dated July 10, 2016 OIS Inspection Summary and Inspection One-Liner Reports dated December 5, 2016.

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



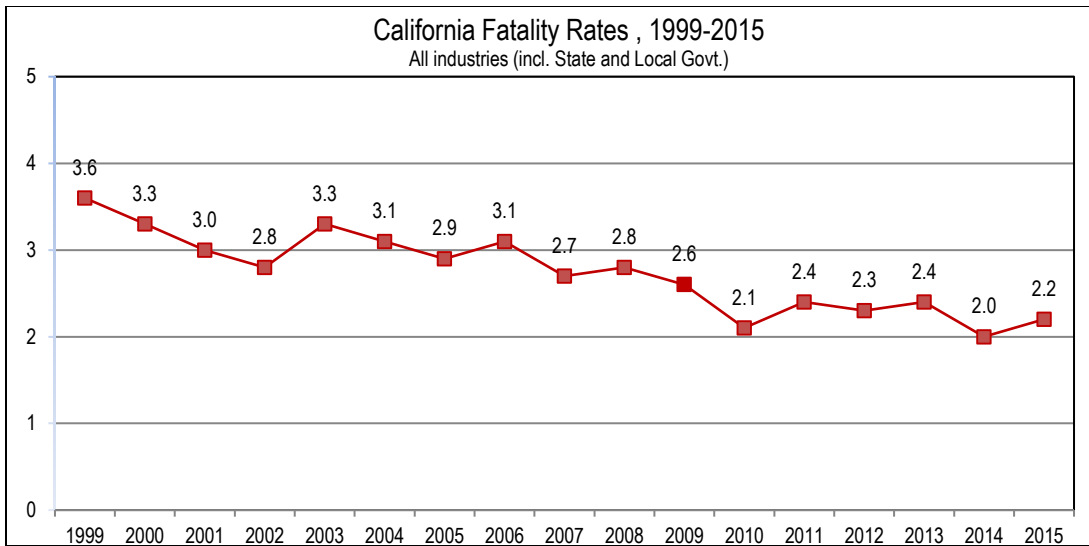
Injuries, Illnesses and Fatalities

Cal/OSHA firmly believes these combined enforcement and educational efforts have contributed to maintaining California’s already low on-the-job total recordable case (TRC) injury and illness incidence rate of 3.82 in CY 2015. Please see the following graph.



The rate of fatalities for CY 2015 was 2.2 per 100,000 full-time equivalent (FTE) workers as reported by the Census of Fatal Occupational injuries (CFOI)³. Although this number represents an increase compared to CY 2014 which had a rate of fatalities of 2.0, the CY 2015 fatality rate is one of the lowest since CY 1999⁴. Please see the following graph.

2 Table 1. Incidence rates of nonfatal occupational injuries and illnesses by selected industries and case types, 2015 at www.dir.ca.gov/OPRL/Injuries/2015/2015Table1.pdf.
 3 Fatal occupational injury rates by industry, 2015, California available at <https://www.bls.gov/iif/oshwc/cfoi/rate2015ca.htm>
 4 Fatality incidence rate data, California, 1999 – 2015 available <http://www.dir.ca.gov/dosh/CFOI/index.html>



California's CY 2015 fatality rate is also lower than the national rate of fatal work injuries for civilian workers in CY 2015 of 3.4 per 100,000 full-time equivalent (FTE) workers⁵ (2.2 fatality rate for California compared to 3.4 national 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 public administration, the fatality rates in all other industries were equal to or lower than the national average.

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
2015	2.2	17.1	6.8	1.0	4.9	1.4	2.3	0.7	1.5	1.6	3.0

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.
2015	3.4	22.8	10.1	2.3	4.9	n/a	3.0	0.7	2.0	3.0	1.9

⁵ Fatal occupational injuries, total hours worked, and rates of fatal occupational injuries by selected worker characteristics, occupations, and industries, civilian workers 2015 available at <https://www.bls.gov/iif/oshcfoi1.htm#2015>

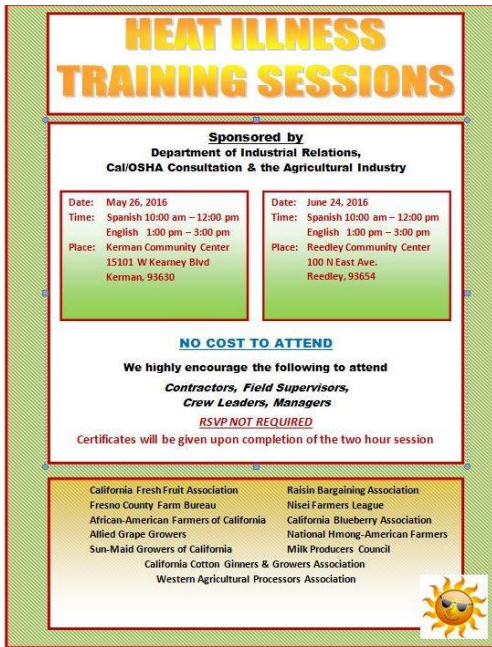
SPECIAL INITIATIVES

Heat Illness Prevention

According to several reports from the National Oceanic and Atmospheric Administration (NOAA) the summer of 2016 marked an ongoing trend of record breaking heat across the globe, the continental United States, and California.

The Cal/OSHA program continued its highly effective heat illness prevention program in 2016. The program combines a multifaceted approach that includes components of education and focused enforcement.

Cal/OSHA has partnered with agricultural and construction industry groups, insurance carriers and others again in 2016 in order to provide highly effective training and outreach to employers, supervisors and work crews on heat illness prevention. By the end of the FY, Cal/OSHA staff participated in over 250 events in which heat illness was discussed.



HEAT ILLNESS TRAINING SESSIONS

Sponsored by
Department of Industrial Relations,
Cal/OSHA Consultation & the Agricultural Industry

Date: May 26, 2016 Time: Spanish 10:00 am – 12:00 pm English 1:00 pm – 3:00 pm Place: Kerman Community Center 15101 W Kearney Blvd Kerman, 93630	Date: June 24, 2016 Time: Spanish 10:00 am – 12:00 pm English 1:00 pm – 3:00 pm Place: Reedley Community Center 100 N East Ave. Reedley, 93654
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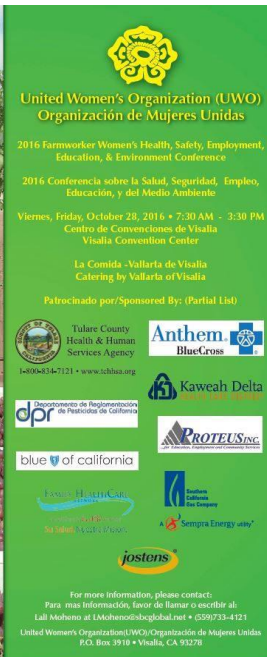


NO COST TO ATTEND

We highly encourage the following to attend
**Contractors, Field Supervisors,
Crew Leaders, Managers**

RSVP NOT REQUIRED

Certificates will be given upon completion of the two hour session

California Fresh Fruit Association Fresno County Farm Bureau African-American Farmers of California Allied Grape Growers Sun-Maid Growers of California	Raisin Bargaining Association Nisei Farmers League California Blueberry Association National Hmong-American Farmers Milk Producers Council California Cotton Ginners & Growers Association Western Agricultural Processors Association
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United Women's Organization (UWO)
Organización de Mujeres Unidas


2016 Farmworker Women's Health, Safety, Employment,
Education, & Environment Conference

2016 Conferencia sobre la Salud, Seguridad, Empleo,
Educación, y del Medio Ambiente

Viernes, Friday, October 28, 2016 • 7:30 AM - 3:30 PM
Centro de Convenciones de Visalia
Visalia Convention Center

La Comida -Vollarta de Visalia
Catering by Vollarta of Visalia

Patrocinado por/Sponsored By: (Partial List)



For more information, please contact:
Para más información, favor de llamar o escribir a:
Laili Mohamed at LMohamed@bcglobal.net • (559)733-4121
United Women's Organization (UWO) Organización de Mujeres Unidas
P.O. Box 3918 • Visalia, CA 93278



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 2016.

Outreach materials and resources continued to be highly useful in assisting both employees and employers in the prevention of heat related illness and death. Many of these materials are available online at either the Cal/OSHA heat page at: <http://www.dir.ca.gov/dosh/heatillnessinfo.html> or at the Cal/OSHA heat campaign outreach page located at <http://99calor.org/english.html> It is important to note that both web pages are available in either an English or a Spanish format, and that many of the individual products are also available in Hmong, Mixteco, and Punjabi.



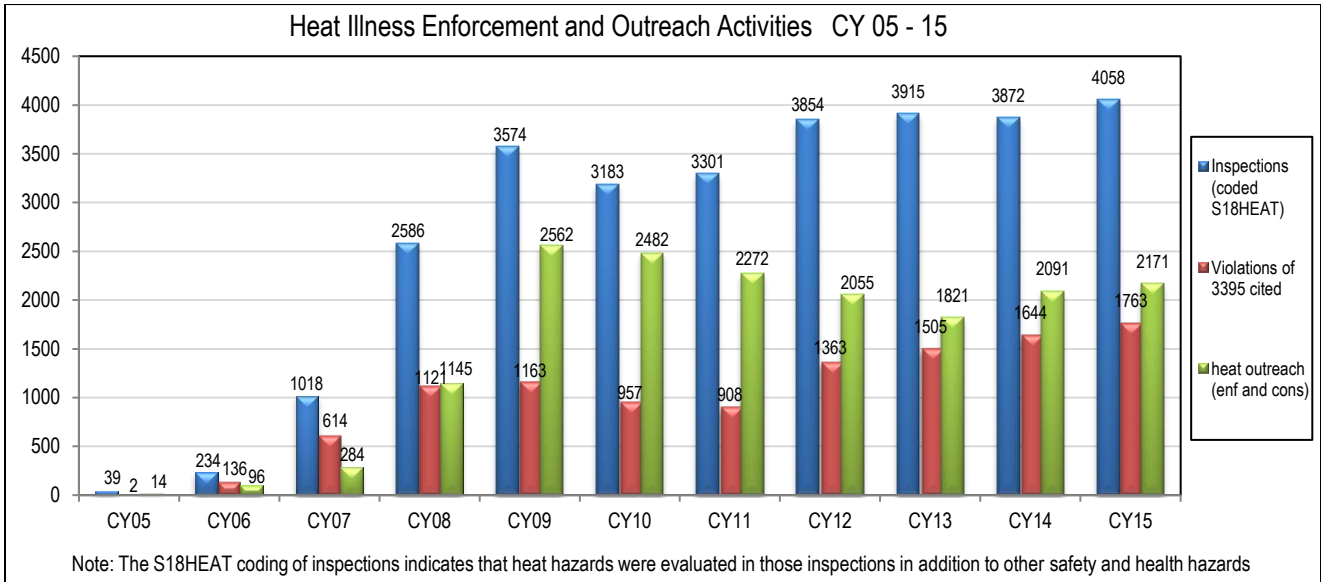
California employers are required to take these four steps to prevent heat illness:

- 1. Training**
Train all employees and supervisors about heat illness prevention.
- 2. Water**
Provide enough fresh water so that each employee can drink at least 1 quart per hour, or four 8 ounce glasses, of water per hour, and *encourage them to do so.*
- 3. Shade**
Provide access to shade and encourage employees to take a cool-down rest in the shade for at least 5 minutes. *They should not wait until they feel sick to cool down.*
- 4. Planning**
Develop and implement written procedures for complying with the Cal/OSHA Heat Illness Prevention Standard.

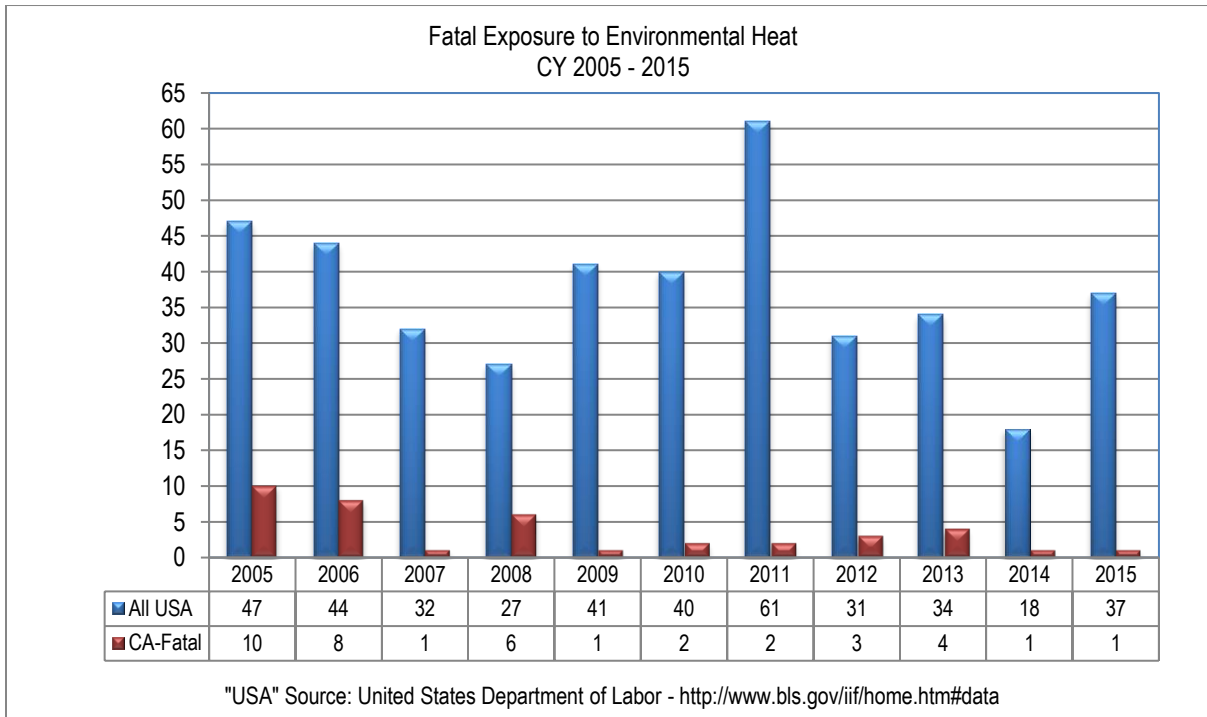
Compliance with the heat standard last revised in 2015 was addressed during inspections of industries with outdoor employment throughout the year. Peak enforcement times paralleled summer heat events. As of October 2016, Cal/OSHA found a significant increase in the overall compliance rate with the Heat Illness Prevention standard; from 63.3% in 2015 to 73.7% in 2016



The following graph represents the year round enforcement and outreach activities from calendar year (CY) 2005 through CY 2015.

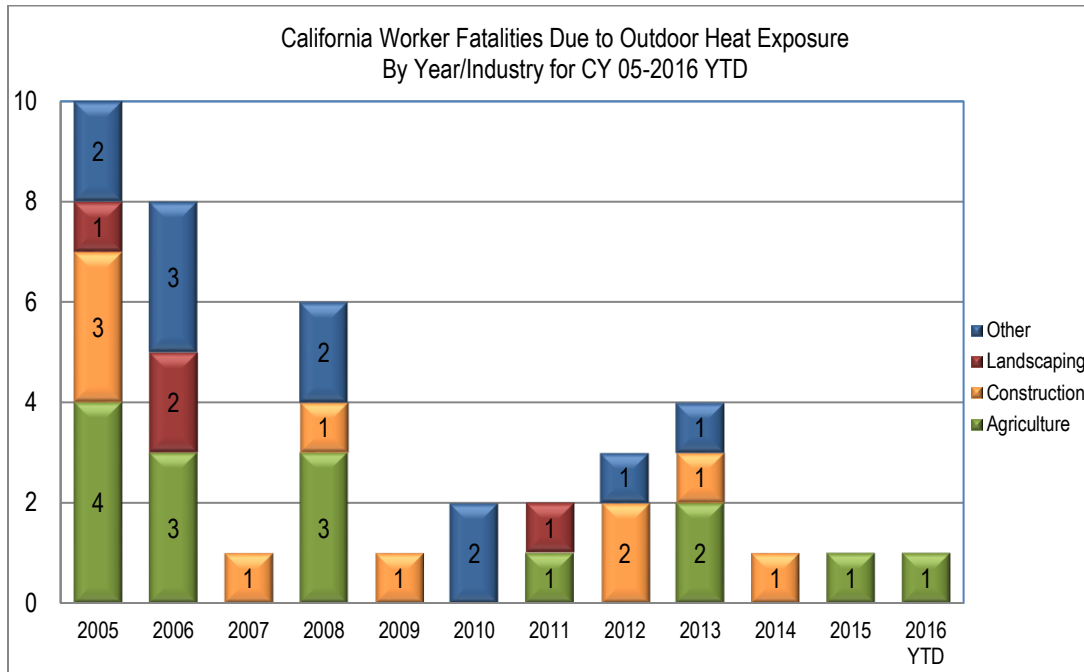


In CY 2015, there was one confirmed heat related fatality compared to 10 in CY 2005, when the initial emergency standard was passed. California has seen a 90% decrease in heat related fatalities in the workplace since CY 2005, while the nation as a whole, as reported in BLS statistics, has experienced a 38% decrease in reported heat fatalities during this same time, from 34 to 18.6 Please see the graph below.



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

To date for 2016, California has had one medically confirmed fatality case related to outdoor heat exposure. Seven 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 2005-2016 YTD period.



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 October 2016, Cal/OSHA's bilingual staff (in various languages) had risen to 55 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 2016. 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 2016, the successful training efforts continued, thus ensuring that the numerous newly hired or promoted compliance personnel completed the training requirements for new compliance officers, and for new managers and seniors, and by offering an unprecedented number and variety of advanced technical training for staff.



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 2016, 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.



2016 was the eight 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.

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 2016, 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 117 referrals for investigation to DLSE (94 concerning labor law violations, and 23 concerning employer retaliation and discrimination), and receiving five referrals from DLSE concerning working conditions.

SIGNIFICANT CASES

Cal/OSHA investigated many noteworthy cases during FY 2016. Some of these include:

Citations for Exposing Workers to Cave-in Hazards after Stop-Work Order Issued EMI Design & Construction Inc. (#1058128) and Salt Light Investments Inc. (#1058134)

On October 15, 2015, the Cal/OSHA Oakland district office issued several citations, including two classified as willful, to each of EMI Design & Construction Inc., and Salt Light Investments Inc., for failing to provide anti cave-in protection and for lack of design for proper shoring, in an excavation.

During a complaint investigation at a residential construction site located in Berkeley, California, Cal/OSHA investigators found employees of these companies exposed to the imminent hazard posed by 11-foot unshored walls and issued an "Order Prohibiting Use" (OPU) that same day to address the unsafe excavation. Three weeks later, Cal/OSHA learned that the employers ordered workers back to the site, despite failing to correct the imminent hazards.

In addition to the two willful serious citations, EMI Design & Construction Inc. was cited for three serious, one regulatory and four general violations, with total penalties of \$164,465.

Two of the serious citations related to unguarded floor and wall openings, and the third to impalement hazards. The regulatory violation was for failure to obtain an excavation permit, and the four general violations were for failure to have at the site a Code of Safe Practices, for undermining the stability of structures adjacent to the excavation, for unsafe use of ladders, and for failure to support structural deficiencies prior to demolition.

Salt Light Investments Inc. was also issued an additional citation, for the general violation of not having an Injury and Illness Prevention Program, with total penalties of \$140,375.

Citations to Furniture Manufacturer Ashley Furniture Industries, Inc. (#1065683)

On November 24, 2015, the Cal/OSHA San Bernardino district office issued four general and ten serious citations with total penalties of \$147,090 to Ashley Furniture Industries, Inc., located in Colton, California, as result of an SVEP referral from OSHA.

The general violations were for failure to mark circuit breakers to indicate their purpose, for failure to enforce forklift operating rules, and for compressed gas cylinders deficiencies. The serious citations issued related to work conducted on energized electrical equipment, damaged insulation on flexible electrical cords, unguarded moving parts of conveyor belts, unguarded band saw, unguarded compaction baler, emergency eyewash equipment deficiencies and unsafe operations of battery charging equipment.

Citations to Hospital for Sharp Disposal Violations Kaiser Foundation Hospitals (#1068406)

On December 3, 2015, the Cal/OSHA American Canyon district office issued two general and three serious citations, two of which were classified as willful with total penalties of \$149,900 to Kaiser Foundation Hospitals, located in Vallejo, California, as result of a complaint investigation.

The general violations related to the Bloodborne Pathogens Exposure Control Plan and training deficiencies. The serious violation addressed failures to implement engineering and work practice controls to minimize employees exposure to bloodborne pathogens hazards posed by public sharps disposal kiosks. The willful citations were issued for failures to control the hazards to which employees were exposed when cleaning and emptying the public sharps disposal containers, even after several employees had been stuck by needles while performing these operations.

**Citations in Roller Coaster Accident
Cedar Fair Southwest Inc. (#1091861)**

On December 15, 2015, the Cal/OSHA Foster City district office issued two general and five serious citations, two of which designated as accident-related with total penalties of \$70,200 to Cedar Fair Southwest Inc., located in Santa Clara, California. On June 12, 2015, a ride mechanic was critically injured when he was struck by one of the roller coasters while retrieving a cellular phone in restricted area.

The general violations related to the Lock Out/Tag Out program and training deficiencies. The serious citations were issued for failure to have operating procedures in place to ensure that the rides were properly de-energized prior to accessing areas where moving equipment and parts exposed workers to hazards and for failure to effectively train workers to shut down the rides when performing operations that put them in the zone of danger.

**Citations to Construction Company for Exposing Workers to Heat Illness
JFJ Pipeline, Inc. (#1094067)**

On February 26, 2016, the Cal/OSHA Van Nuys District office issued four general and four serious citations, one of which was classified as willful with total penalties of \$104,825 to JFJ Pipeline, Inc., for a jobsite located in Simi Valley, California, as result of a complaint inspection.

The general violations related to failure to effectively implement provisions of the Injury and Illness Prevention Program, to deficiencies in the construction and operation of earth moving equipment, and to use of damaged ladders. The serious citations were issued for work that was conducted outdoors in temperatures exceeding 90°F, and employees were not provided access to shade, were not trained in heat illness prevention, and neither were the supervisors. The willful violation was issued for failure to provide employees with drinking water, even after the inspector informed the employer both of the regulatory requirement to provide potable drinking water to its employees and of the hazards associated with lack of access to potable drinking water.

**Citations to Adult Film Producer for Bloodborne Pathogens Exposures
Cybernet Entertainment LLC- Kink.com (#1104991)**

On April 29, 2016, the Cal/OSHA San Francisco district office issued eleven general and two willful serious citations with total penalties of \$146,525 to Cybernet Entertainment LLC- Kink.com, located in San Francisco, California, as result of a complaint inspection.

The general violations related to electrical hazards, insufficient aisle width, first aid materials availability, grinders deficiencies, unguarded saw and un-mounted portable fire extinguisher. The willful serious citations were issued for failure to observe universal precautions and for not requiring performers to use engineering controls (condoms) during the production of adult-content videos and media, even after the employer had been cited for condom violations, and citations had been upheld by the Occupational Health and Safety Appeals Board.

**Citations in Fatal Hay Baler/Compactor Accident
SW Forage LLC (#1125287)**

On August 12, 2016, the Cal/OSHA San Bernardino district office issued two regulatory, five general and seven serious citations, three of which designated as accident-related with total penalties of \$101,385 to S W Forage LLC, located in Hesperia, California. On February 15, 2016, a worker was fatally injured while cleaning a hay baler which had not been adequately de-energized and locked out.

The regulatory violations addressed the failure to timely report the fatality to Cal/OSHA, and failure to post an air tank permit. The general violations related to lack of guardrails at elevated locations, to not providing materials and hardware required for lock-out/tag out, to not developing and implementing a Hazardous Energy Control Procedure, and a Respiratory Protection Program, and to not certifying forklift

operators. The serious violations were issued for the failure to develop and implement an Injury and Illness Prevention Program, for failing to ensure the proper de-energization of a hay baler during cleaning operations, for not training employees in safe hazardous energy control procedures during cleaning, servicing and adjusting of machinery and equipment, for modifying an interlock-equipped gate on a hay baler, and for not guarding sprockets and sprocket chain drive nip points on equipment used at the facility.

REGULATIONS

New or revised Title 8 California Code of Regulations in FY 2016:

Administrative Regulations:

Section 14300.2, Partial Exemption for Establishments in Certain Industries. (Effective January 1, 2016). The list of industries partially exempt from log 300 recordkeeping requirements was updated in response to the federal final rule published on September 11, 2014 and is as effective as the similar list in the federal standard 29 CFR section 1904.2.

Safety Regulations:

GISO Section 5184, Storage Battery Systems (Effective 1 October, 2015). Provides a new regulation for stationary battery systems to cover various battery technologies which have been developed over the past 35 years and are not adequately addressed by current regulations.

GISO Changing and Charging Storage Batteries (Effective 1 October, 2015). Regulation amended to make the section more applicable to newer battery technologies, in addition to traditional lead-acid batteries. Current regulations address the changing and charging of lead-acid storage batteries and their charging areas. They do not address VRLA (valve-regulated lead-acid) batteries (also commonly referred to as maintenance free batteries), lithium ion and other modern battery types, which are designed, constructed, utilized and handled differently than lead-acid batteries.

CSO Sections 1950-1962, Confined Spaces in Construction (Horcher) (Effective 30 December 2015). These regulations establish requirements for work in confined spaces at construction sites. They require employers performing work at construction sites to identify confined spaces, notify the "Host Employer" and/or the "Controlling Employer" of the confined spaces identified, and to determine whether entry into the confined space by their employees is necessary. Employers whose employees are required to enter a confined space must establish a written confined space program and implement the provisions within the regulations.

GISO Section 3207, Definitions (Effective 1 July, 2016). In conjunction with changes to Section 3212, provides a definition for "competent person" within the GISO, which had been previously omitted. The change clarifies that a "competent person" has the same meaning in both the Construction and General Industry Safety Orders, and ensures that general industry employers assign employees with the level of knowledge and expertise required to perform the work safely.

GISO Section 3212, Floor Openings, Floor Holes and Roofs (Effective 1 July 2016). Amendments added the needed flexibility for fall protection around skylights, which are not directly addressed by federal regulations. The amendments include options for using skylight nets in lieu of covers or screens; and options for installing screens underneath skylights or skylights that meet the strength requirements of covers which are recognized as passive safety protections.

GISO Section 3328, Machinery and Equipment. (Effective 1 April, 2016). The regulation clarifies the intent of Section 3328(a) to denote that machinery and equipment being used is capable of operating safely, without failure, under the loads imposed; and clarifies the meaning of the term "adequate design" by providing additional regulatory text with the requirement stated in subsection 3328(a) indicating machinery and equipment shall be designed to safely sustain all anticipated loads.

GISO Section 3437, 3441 and 3664(b), Agricultural Operations (Effective 1 January 2016). This regulation provides alternate language that allows the use of Personnel Transport Carriers (PTCs) in

level field row crop and irrigation operations, without compromising employee safety. This rulemaking action provides safe operating standards for PTCs that may be used during irrigation operations in relatively level, low-lying row crop fields only. Federal OSHA standards (29 CFR 1928.57(a)(6)(ii)) do not permit riders on farm field equipment (including tractors) other than persons required for instruction or assistance in machine operation. Federal OSHA does not have an exception to their standard to address the use of PTCs as outlined in this amendment to Section 3441(a)(2)(B) "Exception". It is believed that the operation of PTCs at slow, controlled speeds on level fields with the design, training and operating conditions required in the regulation, provide equivalent safety to that of the federal standards.

GISO Section 4412, Conveyors (Horcher) (Effective March 7, 2016). The regulation requires signage for conveyors that crossover walkways and roadways to alert employees to the overhead hazard. Title 8 did not have an equivalent standard to the Federal Regulation (29 CFR 1910.261(c)(15)(iv)). The regulation adopts the signage provisions into the Conveyor standard in the Pulp, Paper and Paperboard Mills Article within Group 8 of the General Industry Safety Orders.

GISO Section 4307, Portable Power Driven Circular Hand Saws (Horcher). (Effective March 7, 2016). This amendment incorporates the applicable Federal Regulation (CFR926.304(d) and ensures that California is at least as effective as the federal standard for guarding portable, power-driven circular saw blades. This regulation adopts the federal language essentially verbatim to clarify existing instructions for the proper operation and use of circular saw blade guards.

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.

LEGISLATION

There were two bills (SB 465, SB 1167) signed by Governor Brown in FY 2016 that affect Cal/OSHA; both bills, while signed in FY 2016, will take effect January 1, 2017.

SB 465 - The bill is in response to the 2015 Berkeley balcony collapse and would expand the information required to be reported by various entities to the Contractors State Licensing Board (CSLB). The bill would require the Division of Occupational Safety and Health (DOSH), after consultation with the CSLB, to transmit to the CSLB copies of any citations or other actions taken by the Division against a contractor. Additionally, this bill would permit the CSLB to enter into an interagency agreement with state and local agencies to ensure specified disciplinary information related to a contractor is reported to CSLB in a timely manner. Other parts of the bill require: (1) a licensee to report specified criminal convictions to the registrar of the CSLB within 90 days, (2) the California Building Standards Commission to convene a specified working group and recommend any statutory changes to the California Building Standards Code, and (3) the CSLB to report to the Legislature the results of its study to determine if the CSLB's ability to protect the public would be enhanced by the specified regulations.

SB 1167 ⁸ - Existing law protects employees who work outdoors from heat-related illness and injury. This bill requires that the Division of Occupational Safety and Health (DOSH) propose for review and adoption by the Occupational Safety and Health Standards Board a new standard that minimizes heat-related illness and injury among employees working in indoor places of employment by January 1, 2019. The new standard shall be based on environmental temperatures, work activity levels, and other factors, and DOSH shall consider specified heat stress and heat strain guidelines.

⁷ Bill text - http://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201520160SB465

⁸ Bill text - http://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201520160SB1167

**SUMMARY OF ANNUAL PERFORMANCE PLAN RESULTS
FOR ENFORCEMENT
FEDERAL FISCAL YEAR 2016**

- Performance Goal 1.1 Targeting the Mobile Workforce
- Performance Goal 1.2 High Hazard Targeting Program
- Performance Goal 1.3 Process Safety Management and Covered Industries (PSM)
- Performance Goal 2.1 Heat Illness Prevention Enforcement and 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 Timeliness of Inspections Opening and Citation Issuance
- Performance Goal 3.2 Imminent Hazards and Fatalities Response Time

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 2,800 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"> 2,877 combined inspections were conducted, 2,284 in construction and 593 in agriculture during FY 2016, as reflected by OIS. The percent of serious citations issued in FY 2016 to establishments in agricultural and construction NAICS codes which were sustained (with final order dates) were: <table style="margin-left: auto; margin-right: auto; border-collapse: collapse;"> <thead> <tr> <th></th> <th style="text-align: center;">FY 2015</th> <th style="text-align: center;">FY 2016</th> </tr> </thead> <tbody> <tr> <td style="padding-left: 20px;">Agriculture</td> <td style="text-align: center;">79%</td> <td style="text-align: center;">85%</td> </tr> <tr> <td style="padding-left: 20px;">Construction</td> <td style="text-align: center;">79%</td> <td style="text-align: center;">86%</td> </tr> </tbody> </table> <p style="font-size: small; margin-top: 5px;">FY 15 – OIS data as of 12/12/16 (IMIS data not available) FY 16 – OIS data as of 12/05/16</p> 		FY 2015	FY 2016	Agriculture	79%	85%	Construction	79%	86%	<ul style="list-style-type: none"> The goal to conduct 2,800 inspections was surpassed. When applicable, construction inspections focused on preventing the leading causes of injuries and fatalities due to falls, electrocution, struck-by, or crushed by/caught between. Similarly, agricultural inspections focused on preventing leading causes of injuries, illnesses, and fatalities from 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 NAICS Codes in FY 2016 compared to FY 2015 was achieved. These numbers, however, are expected to change as cases are adjudicated.
	FY 2015	FY 2016										
Agriculture	79%	85%										
Construction	79%	86%										

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. Fatality rates in construction and agriculture will be reduced by 0.2 compared to the average for the past three years. Incidence rates for total recordable occupational injury and illness cases per 100 full time employees for Agriculture and Construction will be reduced by 0.1 compared to the average for the past three years. 	<ul style="list-style-type: none"> 97% of non-contested construction and 99% of non-contested agriculture inspections with serious, willful, and/or repeat violations cited during FY 2016 were verified abated, as reflected by OIS as of December 5, 2016. 6.8⁹ fatality rate was reported in construction and 17.1 in agriculture, forestry, fishing and hunting in CY 2015. 3.3¹⁰ incidence rate for total recordable occupational injury and illness cases per 100 full time workers in construction and 5.6 in agriculture, forestry, fishing and hunting in CY 2015. 	<ul style="list-style-type: none"> This goal was achieved. Whenever possible, Cal/OSHA field staff attempt to secure abatement of these hazards while on-site. This goal was not achieved. The baseline average fatality rates for the past three years (2013 - 2015)¹¹ was 5.9 in construction and 11.5 in agriculture, forestry, fishing and hunting. This goal was partially achieved. Nonfatal injuries and illnesses, as measured by the incidence rates for total recordable cases, for the baseline average for the past three years (2013 – 2015)¹² was 4.0 in construction (goal achieved) and 5.4 in agriculture, forestry, fishing, and hunting (goal not achieved).

⁹ Fatal occupational injury rates by industry, 2015, California available at <https://www.bls.gov/iif/oshwc/cfoi/rate2015ca.htm>

¹⁰ Table 1. Incidence rates of nonfatal occupational injuries and illnesses by selected industries and case types, 2015 at www.dir.ca.gov/oprl/Injuries/2015/2015Table1.pdf

¹¹ The fatality rates in construction and agriculture for calendar years 2013, 2014, and 2015 were respectively 6.5, 4.5 and 6.8 in construction and 9.2, 8.2 and 17.1 in agriculture, forestry, fishing and hunting.

¹² The lost work day incidence rates for calendar years 2013, 2014, and 2015 as reported by DIR's Office of Policy, Research, and Legislation (OPRL) were respectively 4.0, 4.8 and 3.3 in construction and 5.4, 5.2 and 5.6 in agriculture, forestry, fishing and hunting.

GOAL 1.2

High Hazard Targeting Program

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									
<p>Activity Measures</p>	<ul style="list-style-type: none"> The High Hazard Unit and other District Offices staff will conduct 400 targeted inspections of establishments in high hazard industries from the High Hazard Industries list. 	<ul style="list-style-type: none"> 344 inspections were conducted during FY 2016 by the High Hazard Enforcement Unit and other District Offices, as reflected by IMIS and OIS. 	<ul style="list-style-type: none"> The goal to conduct 400 inspections in FY 2016 was not met. This was due to unplanned vacancies. 									
<p>Outcome Measures</p>	<ul style="list-style-type: none"> Abatement of non-contested serious hazards found in these inspections will be achieved in 97% of cases. Increase percentage of programmed inspections with Serious/Willful/Repeat (S/W/R) violations by at least 5%. 	<ul style="list-style-type: none"> 99% of non-contested High Hazard Unit (HHU) inspections and District Office programmed inspections (coded REGIONP1) with serious, willful, and/or repeat (SWR) violations cited during FY 2016 were verified abated, as reflected by OIS as of December 5, 2016. The Percent of Programmed Inspections conducted in high hazard establishments with S/W/R violations in FY 2016 increased by 7%, compared to FY 2015 as reflected by the IMIS and OIS reports. <table border="1" data-bbox="968 1195 1409 1438"> <thead> <tr> <th colspan="3">High Hazard Targeted Inspections/ Safety and Health combined</th> </tr> <tr> <th>FY 2015</th> <th>FY 2015 Goal (increase by 5%)</th> <th>FY 2016</th> </tr> </thead> <tbody> <tr> <td align="center">58.11</td> <td align="center">61.02</td> <td align="center">62.2</td> </tr> </tbody> </table> <p>FY15 IMIS SAMMs run date: 11/16/15 & OIS Scan Summary Rpt run date: 11/24/15 FY16 OIS Scan Summary Rpt dated: 12/19/16</p>	High Hazard Targeted Inspections/ Safety and Health combined			FY 2015	FY 2015 Goal (increase by 5%)	FY 2016	58.11	61.02	62.2	<ul style="list-style-type: none"> This goal was surpassed. This goal was surpassed.
High Hazard Targeted Inspections/ Safety and Health combined												
FY 2015	FY 2015 Goal (increase by 5%)	FY 2016										
58.11	61.02	62.2										

GOAL 1.3

Process Safety Management and Covered Industries (PSM)

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 fatalities and occupational injuries and illnesses in refineries and other industries which fall under the requirement of the PSM standard.

Performance Indicator Type	Indicator	Results	Comments
Activity Measures	<ul style="list-style-type: none"> • The Cal/OSHA Process Safety Management Unit (PSM) will conduct a total of 40 programmed inspections at facilities, other than petroleum refineries, that meet the trigger threshold quantities for the PSM standard. • Participate in five outreach/ compliance assistance activities provided to industry/professional groups. • Conduct four comprehensive inspections of petroleum refineries, conducted by the PSM Unit. • The PSM Unit will conduct four turn around inspections of petroleum refineries. 	<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 OIS on December 6, 2016. • The PSM Unit staff participated in 12 outreach/ compliance assistance activities provided to industry/professional groups. • The PSM Unit staff conducted four comprehensive programmed inspections of petroleum refineries (NAICS 324110) during FY 2016. • The PSM Unit conducted four turn around inspections of petroleum refineries (NAICS 324110). 	<ul style="list-style-type: none"> • This goal was achieved. • This goal was achieved. • This goal was achieved. • This goal was achieved.

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

Performance Indicator Type	Indicator	Results	Comments
<p>Activity Measures Cont.</p>	<ul style="list-style-type: none"> The PSM Unit will 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"> 5 follow-up inspections were conducted during FY 2016. 	<ul style="list-style-type: none"> This goal was achieved (five out of 48 non-refinery, non-follow-up inspections not currently under contest).
<p>Outcome Measures</p>	<ul style="list-style-type: none"> Abatement of non-contested serious hazards found in these industries will be achieved in 98% of cases. The number of fatalities and serious injuries/illnesses attributable to violations of the PSM standard at these 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 2016 were verified abated, as reflected OIS as of December 5, 2016. There were two fatalities or serious injuries/illness attributable to violations of the PSM standard (T8 CCR 5189) at covered facilities during CY 2015, as reflected by OIS reports dated December 9, 2016 (using accident investigations conducted by the dedicated Cal/OSHA PSM Unit). 	<ul style="list-style-type: none"> This goal was surpassed. This goal was not 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 (2013 - 2015)¹³ was 1.

¹³ The number of fatalities and serious injuries/illnesses attributable to violation of the PSM standard for calendar years 2013, 2014 and 2015 were respectively 1, 0 and 2.

Goal 2.1

Heat Illness Prevention Enforcement and 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 2,400 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 80 seminars where heat illness prevention will be 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"> • 2,611 combined inspections where heat hazards were evaluated (coded S 18 HEAT) were conducted during FY 2016: 2,087 in construction and 524 in agriculture NAICS Codes, as reflected by OIS on December 9, 2016 • Over 100 seminars were conducted where heat illness was emphasized during FY 2016. In all, Cal/OSHA Enforcement staff participated in over 225 outreach events where heat illness prevention was addressed and/or publications were distributed, including TV and radio interviews. • Staff distributed over 38,000 units of heat illness prevention materials during outreach events alone. 	<ul style="list-style-type: none"> • The goal to conduct a combined total of 2,400 construction and agricultural inspections where heat was addressed was surpassed. • 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 94% of cases. 	<ul style="list-style-type: none"> • 90% of non-contested inspections with heat violations cited during FY 2016 were abated, as reflected by OIS as of December 5, 2016. 	<ul style="list-style-type: none"> • This goal was not reached. Cal/OSHA will continue to work with employers to obtain abatement.

GOAL 2.1 Heat Illness Prevention Enforcement and 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 calendar years 2011-2013. 	<ul style="list-style-type: none"> There was one confirmed outdoor heat related fatality and 63 confirmed heat illnesses in CY 2015, based on Cal/OSHA internal tracking. 	<ul style="list-style-type: none"> This goal was partially achieved. The baseline average number of heat fatalities for CY 2011 - 2013)¹⁴ was 3. The baseline average number of heat-related illnesses for CY 2011 – 2013¹⁵ was 52.

¹⁴ The number of worker fatalities due to outdoor heat exposure for calendar years 2011, 2012 and 2013 based on Cal/OSHA internal tracking were respectively 2, 3, and 4.

¹⁵ The number of heat-related illness for calendar years 2011, 2012 and 2013 based on Cal/OSHA internal tracking were respectively 54, 48 and 54.

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	<ul style="list-style-type: none"> • Cal/OSHA Enforcement Branch will continue to distribute publications and flyers to employers, supervisors, foremen and workers in English and other languages that detail the requirements of Cal/OSHA regulations including worker rights. Publication distribution will exceed 12,000 in total. • The Division will conduct 100 events in FY 2016 by the BOT and regular DOSH staff at events with vulnerable workers organized by worker and community organizations, the UC programs, and consulates. 	<ul style="list-style-type: none"> • Staff distributed significantly over 60,000 publications and flyers while at outreach activities during FY 2016. • Cal/OSHA Enforcement staff participated in approx. 100 outreach events which were attended by and/or reached to approx. 30,000 vulnerable workers. 	<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"> At least 1,000 event participants will come away with increased 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 has been revised, and is currently undergoing editorial review. The guide will be translated into Spanish following review and approval. 	<ul style="list-style-type: none"> Over 1,000 event participants came away with increased knowledge of workplace safety and health hazards, in both English and Spanish. Additionally, over 18,000 workers gained health and safety knowledge from the workshops, training and other events. The English-language FLC Guide has been completed and is in final review status. Upon completion of review, the Guide, now called Safety and Health in Agricultural Field Operations, will be translated into Spanish. 	<ul style="list-style-type: none"> This goal was surpassed. This goal was partly 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 2016 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"> Three new establishments will be added into the Division's leadership level for fixed site establishments (Cal/VPP) and 18 will be renewed. Ten new establishments will be added into the Division's leadership level partnership program for construction VPP worksites and 16 will be renewed. 	<ul style="list-style-type: none"> Four new VPP sites were added into the Divisions leadership level for fixed establishments and 21 were renewed, during FY 2016. Three new establishments were added into the Division's leadership level partnership program for construction VPP worksites and seven were renewed during FY 2016. 	<ul style="list-style-type: none"> This goal was surpassed. This goal was not met. However, it should be noted that The Cal/VPP Construction Unit is currently working on 10 projects, which have taken longer than anticipated. Six other projects were dropped off due to enforcement activity, project cancellations or postponements.

Goal 3.1

Timeliness of Inspections Opening and Citations Issuance

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
Activity Measures	<ul style="list-style-type: none"> • Cal/OSHA district offices will run on a weekly basis the “UPA Tracking” report to monitor the unsatisfied complaints, and will run monthly the “UPA One Liner Detail” report to track complaint response time. • Cal/OSHA district offices will run monthly the “Open Inspection” report and work with CSHOs to expedite citation issuance. • All Cal/OSHA offices will monitor SAMMs and other management reports to track progress of citations lapse time. 	<ul style="list-style-type: none"> • Cal/OSHA staff ran the OIS “UPA Tracking” report on a weekly basis to monitor the unsatisfied complaints, and ran the “UPA One Liner Detail” report monthly to track complaint response time. • Cal/OSHA staff ran the OIS Open Inspections report 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 • Cal/OSHA staff ran the OIS SAMMs, and Open Inspection reports to track citation lapse time and other measures. 	<ul style="list-style-type: none"> • This goal was achieved. • This goal was achieved. • This goal was achieved.
Outcome Measures	<ul style="list-style-type: none"> • Respond to formal serious complaints on average within 3 working days and to formal non-serious complaints on average within 14 calendar days of receipt of the complaint. 	<ul style="list-style-type: none"> • To be determined 	<ul style="list-style-type: none"> • To be determined

Goal 3.1 Timeliness of Inspections Opening and Citations Issuance (cont.)

Performance Indicator Type	Indicator	Results	Comments												
<p>Outcome Measures</p>	<ul style="list-style-type: none"> Average number of days for citations issuance will decrease for both safety and health inspections. Percentage of serious violations abated during inspection will increase by 3% compared to previous year. 	<ul style="list-style-type: none"> Citation lapse time as reported by IMIS and OIS SAMMs reports as follows: <table border="1" data-bbox="972 397 1402 602"> <thead> <tr> <th></th> <th>FY 2015 (IMIS & OIS)</th> <th>FY 2015 Goal</th> <th>FY 2016 (OIS)</th> </tr> </thead> <tbody> <tr> <td>Safety</td> <td>77.26</td> <td>74.94</td> <td>68.45</td> </tr> <tr> <td>Health</td> <td>85.60</td> <td>83.03</td> <td>73.87</td> </tr> </tbody> </table> <p>FY 2015 Combined MIS SAMMs #23 dated: 11/18/15 & OIS SAMMs #11 dated 11/23/15 FY 2016 OIS SAMMs #11 dated 12/2/16</p> 69% of serious, willful, repeat (SWR) violations cited during FY 2016 were abated on site, as reflected by OIS as of December 5, 2016. 		FY 2015 (IMIS & OIS)	FY 2015 Goal	FY 2016 (OIS)	Safety	77.26	74.94	68.45	Health	85.60	83.03	73.87	<ul style="list-style-type: none"> This goal was met. This goal was achieved. The SWR violations abated during inspections increased from 55% in FY 2015, as reflected by IMIS as of November 18, 2015 & OIS as of November 19, 2015.
	FY 2015 (IMIS & OIS)	FY 2015 Goal	FY 2016 (OIS)												
Safety	77.26	74.94	68.45												
Health	85.60	83.03	73.87												

Goal 3.2

Imminent Hazards and Fatalities 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 imminent hazards and to work related fatality reports.

Performance Indicator Type	Indicator	Results	Comments
Activity Measures	<ul style="list-style-type: none"> Use the SAMMs report to monitor, on a monthly basis, response times to imminent hazard complaints/referrals, as well as fatality investigations and correct data entry errors that occur. 	<ul style="list-style-type: none"> Cal/OSHA staff ran the OIS SAMMs report on a monthly basis and monitored response times to imminent hazard complaints/referrals, as well as fatality investigations and corrected any data entry errors identified. 	<ul style="list-style-type: none"> This goal was achieved.
Outcome Measures	<ul style="list-style-type: none"> Respond to all (100%) of imminent hazard complaints/referrals within one day of receipt. Cal/OSHA will also respond to all (100%) work related fatality reports within one day of receipt. 	<ul style="list-style-type: none"> 100% of all imminent hazard complaints/referrals were responded to within one day of receipt. 96% of work related fatalities (136 out of 141) were opened within one workday in FY 2016. 	<ul style="list-style-type: none"> This goal was achieved. According to SAMMs #10 dated December 2, 2016, 132 out of 141 (or 93.62%) fatalities were responded to within one work day. Nine inspections were identified as having a response time greater than one day. After close review of these nine fatalities, it was found that: <ul style="list-style-type: none"> 3 – were initially reported as non-fatal accidents and opened before becoming a fatality or day after being notified that it became a fatality; 1 – heart attack – changed to self-referral (no longer appears as outlier); 1 – penal code violation (stabbing); 2 – jurisdiction had to be resolved and/or additional information required. therefore were opened late; and 2 – were opened late