

BASICS OF CAL/OSHA



Cal/OSHA is the California state program that is responsible for protecting the health and safety of workers.

Cal/OSHA, housed in the Department of Industrial Relations, has several parts:

- The Division of Occupational Safety and Health (DOSH) is the agency that enforces regulations and provides consultation services.
 - The Cal/OSHA Enforcement Unit enforces occupational safety and health standards by responding to complaints and reports of accidents, and by conducting scheduled (programmed) inspections of certain workplaces. In some cases, it issues citations and fines.
 - The Cal/OSHA Consultation Service provides free technical assistance on health and safety problems to employers and employees to help employers comply with Cal/OSHA standards. The Consultation Service is separate from the Enforcement Unit and consultants do not participate in Cal/OSHA enforcement activities.
- The California Occupational Safety and Health Standards Board establishes health and safety standards that protect workers from injury and illness on the job.
- The California Occupational Safety and Health Appeals Board hears appeals from employers who receive a citation from an inspector in the Enforcement Unit.

Almost all workers in California are protected by Cal/OSHA regulations (called “standards”). This includes public employees and immigrant workers who are not legally authorized to work in California. However, some workers are not covered:

- People who are self-employed.
- Family members of farm owners who work on the family farm.
- These workers are covered by their own agencies which have to follow federal OSHA requirements.

Cal/OSHA protects California workers by making sure that employers comply with occupational safety and health regulations, and keep the workplace safe.

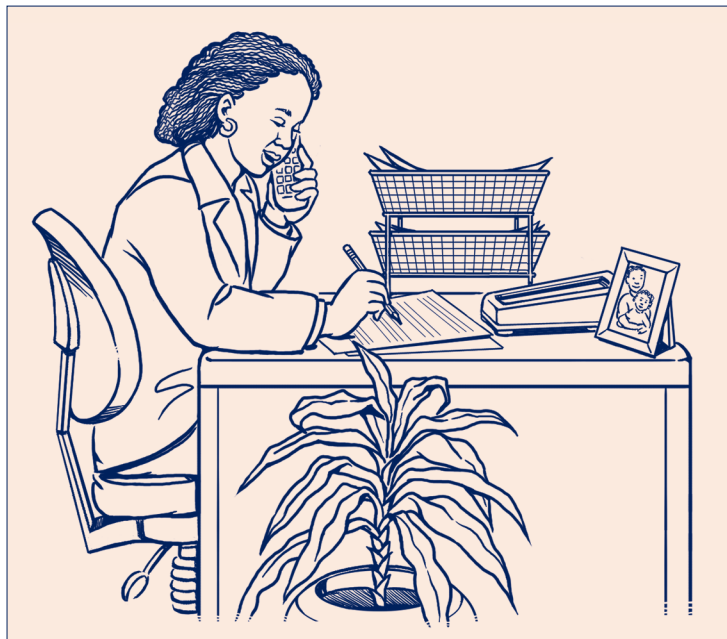
What Are Employer Responsibilities Under Cal/OSHA?

Employers must:

- Provide their employees with work and workplaces that are safe and healthy.
- Correct any hazardous conditions that they know may result in serious injury to their employees. Failure to do so could result in criminal charges, monetary penalties, and even jail time.
- Comply with all applicable Cal/OSHA standards, including any training requirements. For example, provide information and training on any chemicals used or stored at the workplace in a language and manner that are understandable to employees.
- Notify the nearest Cal/OSHA office of any serious injury or fatality that occurs on the job, or any serious illness caused by the job. Any in-patient hospitalization of 3 or more employees as a result of a work-related incident must also be reported right away.
- Display Cal/OSHA's Safety and Health Protection on the Job poster so that workers are aware of basic rights and responsibilities. This poster is also available in Spanish. Workers also have rights and responsibilities under Cal/OSHA.

What Are Employee Responsibilities?

- Follow all safety rules and instructions.
- Use safety equipment and protective clothing when needed.
- Look out for the health and safety of co-workers.
- Keep work areas clean and neat.
- Know what to do in an emergency.
- Report any health and safety hazards to the employer.





How Does Cal/OSHA Help Employers?

The Cal/OSHA Consultation Service provides technical assistance to employers on health and safety problems. Consulting services include free on-site visits, assistance in complying with Cal/OSHA standards, educational seminars, and publications. Although primarily a service for employers, the Consultation Service is also available to workers.

The Consultation Service can give employers information on how to improve workplace injury and illness prevention programs and how to participate in Cal/OSHA's Voluntary Protection Program (VPP). The VPP is a certification program that recognizes employers whose occupational safety and health efforts are especially effective and meet certain guidelines.

The Consultation Service is separate from the Cal/OSHA Enforcement Unit, and consultants are not involved with enforcement activities such as inspections, citations, and fines.

All communications between the employer and the Consultation Service are confidential and are not shared with enforcement staff. In exchange for this free consultation, however, employers must agree to correct in a timely manner any serious hazards that are identified.

To get help from Cal/OSHA's Consultation Service, go to www.dir.ca.gov/dosh/consultation.html or call 1-800-963-9424. Contact information for Cal/OSHA Consultation's area offices can be found at the end of this factsheet.

Cal/OSHA publications provide information about Cal/OSHA programs, standards, and general health and safety topics. You can obtain copies of Cal/OSHA publications by going to: www.dir.ca.gov/dosh/PubOrder.asp.

What Are Cal/OSHA Standards?

Standards (technically called “regulations”) describe what employers must do to protect workers from various workplace hazards. Some standards are general and apply to nearly all workplaces, such as the Hazard Communication standard. Other standards are about specific hazards found only in some workplaces, such as the Lead, Asbestos, and Fall Protection standards. Specific standards set out detailed rules that must be followed or minimum levels of protection that must be achieved for a particular hazard.

Cal/OSHA’s specific standards cover a wide variety of workplace safety issues, including:

- Tripping and falling hazards
- Toxic substances
- Harmful physical agents
- Ergonomics
- Hazardous equipment
- Electrical hazards
- Hazardous waste
- Infectious diseases
- Fire and explosion hazards
- Machine hazards
- Confined spaces
- Use of respirators
- Specific operations

Finding Cal/OSHA Standards

You can find out about standards that may apply to your workplace by visiting the Cal/OSHA website at www.dir.ca.gov. To find standards on the Cal/OSHA website (in English):

1. Go to www.dir.ca.gov
2. Click on the link that says “Laws and Regulations.”
3. Click on “Regulations - CCR Title 8.”
4. Then click on “Cal/OSHA.”
5. Scroll down until you see the “Table of Contents.”





6. Look for the topic you are interested in by finding the relevant chapter, then clicking on the appropriate subchapter and/or appropriate article or group.
7. At the top of the “Table of Contents” page, you may also use the “query” box to search for a specific hazard or topic. You can also type a standard number if you already know it. The full text of all Cal/OSHA standards is online.

How Are Cal/OSHA Standards Enforced?

Cal/OSHA enforces job safety and health standards by conducting inspections and, in some cases, issuing citations and fines. Cal/OSHA inspects workplaces when it receives a report of a death or serious injury, or when there is a complaint by an employee or employee representative.

Cal/OSHA may also inspect workplaces that are on its list of “high hazard” industries. In this case, Cal/OSHA randomly selects a workplace for inspection. Cal/OSHA may also inspect an employer because it has been identified as having a higher injury rate than other employers in its industry.





How Are Cal/OSHA Complaints Handled?

A complaint about a workplace hazard can be filed with Cal/OSHA by phone, fax, mail, or online.

A “formal” complaint is one where the employee or employee representative gives Cal/OSHA his/her name. If the person gives a name, Cal/OSHA is required to keep it confidential.

If a worker wants to remain anonymous and does not give a name, the complaint is considered a “non-formal” complaint. Complaints from the public, including former employees of a company, are also considered non-formal.

Each complaint is classified by the Cal/OSHA Enforcement district office to determine what inspection priority the complaint should be given. Complaints about an “imminent” hazard that puts a worker in immediate danger of being killed or seriously injured are given immediate priority for investigation. Work-related deaths are also investigated immediately. Cal/OSHA gives non-formal complaints lower priority.

What Happens During a Cal/OSHA Inspection?

Cal/OSHA inspectors first request permission from an employer to conduct an inspection. If permission is refused, Cal/OSHA can obtain an inspection warrant. Cal/OSHA inspectors will request that a worker representative be contacted and invited to accompany the employer and inspector on the inspection. If a worker representative is not available, the inspector must interview workers in private during the inspection. The inspection process begins with an opening conference between the Cal/OSHA inspector and the employer to gather preliminary information, discuss the reason for the inspection, describe what areas it will cover, explain the procedure, and obtain the employer’s consent to the inspection. The Cal/OSHA inspector then conducts a “walkaround” inspection. This may include looking at written records and/or conducting air monitoring. After the inspection is complete, the Cal/OSHA inspector holds a closing conference with the employer to discuss any alleged violations that were found and any requirements for correcting the hazardous conditions. The inspector will also explain any citations or fines that will be proposed.



What Happens After a Cal/OSHA Inspection?

After an inspection, if Cal/OSHA believes that an employer has violated any standards or regulations, the agency issues a citation. Citations describe the alleged violations, list any proposed penalties (fines), and give a deadline for correcting the hazards.

There are several categories of violations: serious, willful, repeat, failure to abate, or other-than-serious. Penalties are based on the category as well as the severity and extent of the violation. For a “serious” violation, the penalty can be up to \$25,000. Penalties can be adjusted based on the size, good faith, and history of the employer. Cal/OSHA has specific criteria it uses to evaluate an employer’s good faith.

The citation must be posted by the employer at or near each place where a serious violation occurred. For other violations, the citation must be posted in a place readily seen by all employees. It must be posted for a period of three working days or until the problem is corrected, whichever is longer.

Can Employers Appeal Cal/OSHA Citations?

Yes. Employers who receive a citation may appeal to the Occupational Safety and Health Appeals Board to try to change the violations cited, the penalties proposed, the deadline for correcting hazards, or the solutions required. The appeal must be made in writing within 15 working days of receiving the citation.

Unions and/or affected workers can apply to have “party status” during the employer’s appeal. They can speak at hearings and file written comments. Also, unions and/or affected workers can file their own appeals on certain issues, such as the deadline for correcting the hazards and the particular solutions Cal/OSHA has required for abatement.



Cal/OSHA Consultation - Area Offices

Cal/OSHA Consultation Toll-Free Number
1-800-963-9424

Northern California 2424 Arden Way Suite 410 Sacramento, CA 95825 916-263-0704	San Francisco Bay Area 1515 Clay Street Suite 1103 Oakland, CA 94612 510-622-2891	Central Valley 2550 Mariposa Mall Room 2005 Fresno, CA 93721 559-445-6800
San Fernando Valley 6150 Van Nuys Blvd. Suite 307 Van Nuys, CA 91401 818-901-5754	Los Angeles, Orange 1 Centerpointe Drive, Suite 150 La Palma, CA 90623 714-562-5525	San Bernardino 464 W. 4th Street Suite 339 San Bernardino, CA 92401 909-383-4567
San Diego 7575 Metropolitan Drive Suite 204 San Diego, CA 92108 619-767-2060		



Cal/OSHA District Offices

American Canyon 3419 Broadway Street, Suite H8 American Canyon, 94503 707-649-3700 Fax 707-649-3712	Modesto 4206 Technology Drive, Suite 3 Modesto, CA 95356 209-545-7310 Fax 209-545-7313	San Bernardino 464 W. 4th Street Suite 332 San Bernardino, 92401 909-383-4321 Fax 909-383-6789	Long Beach 3939 Atlantic Avenue, Suite 212 Long Beach, 90807 562-506-0810 Fax 562-426-8340
Foster City 1065 E. Hillsdale Blvd. Suite 110 Foster City, 94404 650-573-3812 Fax 650-573-3817	Monrovia 800 Royal Oaks Drive Suite 105 Monrovia, 91016 626-239-0369 Fax 626-239-0387	San Diego 7575 Metropolitan Dr. Suite 207 San Diego, 92108 619-767-2280 Fax 619-767-2299	Van Nuys 6150 Van Nuys Blvd. Suite 405 Van Nuys, 91401 818-901-5403 Fax 818-901-5578
Fremont 39141 Civic Center Dr. Suite 310 Fremont, 94538 510-794-2521 Fax 510-794-3889	Oakland 1515 Clay Street Suite 1303 Oakland, 94612 510-622-2916 Fax 510-622-2908	San Francisco 455 Golden Gate Avenue Room 9516 San Francisco, 94102 415-557-0100 Fax 415-557-0123	Fresno 2550 Mariposa Street Suite 4000 Fresno, 93721 559-445-5302 Fax 559-445-5786
Redding 381 Hemsted Drive Redding, 96002 530-224-4743 Fax 530-224-4747	Santa Ana 2000 E. McFadden Av. Suite 122 Santa Ana, 92705 714-558-4451 Fax 714-558-2035	Los Angeles 320 W. 4th St. Suite 820 Los Angeles, 90013 213-576-7451 Fax 213-576-7461	Sacramento 2424 Arden Way Suite 165 Sacramento, 95825 916-263-2800 Fax 916-263-2798
Bakersfield 7718 Meany Ave Bakersfield, 93308 661-588-6400 Fax 661-588-6428			

This factsheet was adapted in part from the Division of Occupational Safety and Health's "User's Guide to Cal/OSHA" and "Peterson and Cohen's Cal/OSHA Sourcebook 2004". Some material is from "Know Your Rights Under OSHA" by the National Committees for Occupational Safety and Health Network. The content and language were reviewed by Cal/OSHA staff.