

# Occupational Safety and Health Standards Board

Calendar Year 2012  
Year in Review

# Occupational Safety and Health Standards Board

## Mission Statement:

The mission of the Occupational Safety and Health Standards Board is to promote, adopt, and maintain reasonable and enforceable standards that will ensure a safe and healthful workplace for California workers.

# Statutory Requirements

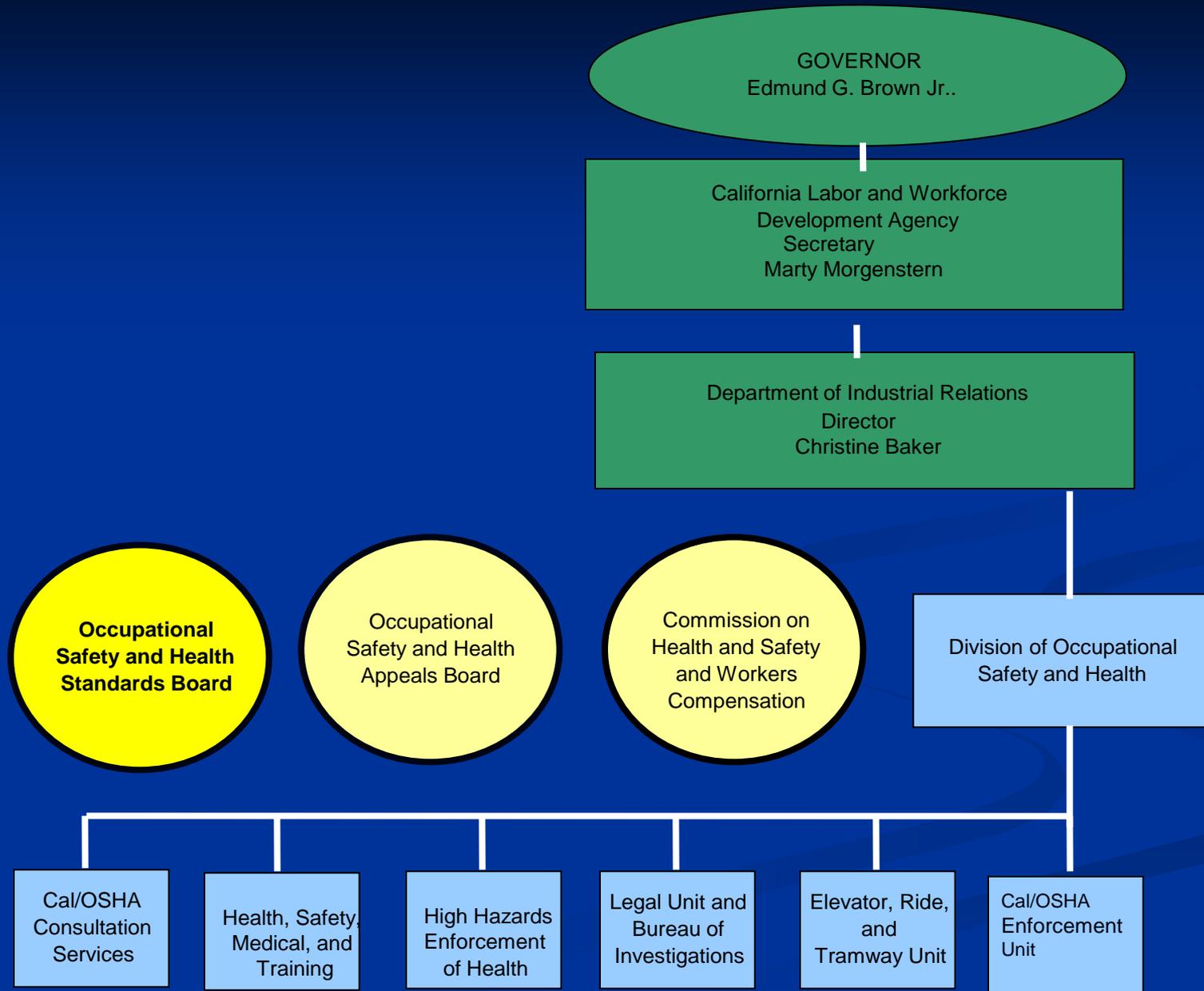
## Occupational Safety & Health Standards Board

- LC 142.1- Meet monthly, rotated throughout the state.
- LC 142.2 – Consider petition requests and report decision no later than 6 months following receipt.
- LC 142.3 – Exclusively authorized to adopt, amend or repeal OSH standards; adopt standards ALAEA federal standards within 6 months of Final Rule.
- LC 143 – Grant permanent variances for proposals that provide equal or superior safety as the existing standard.

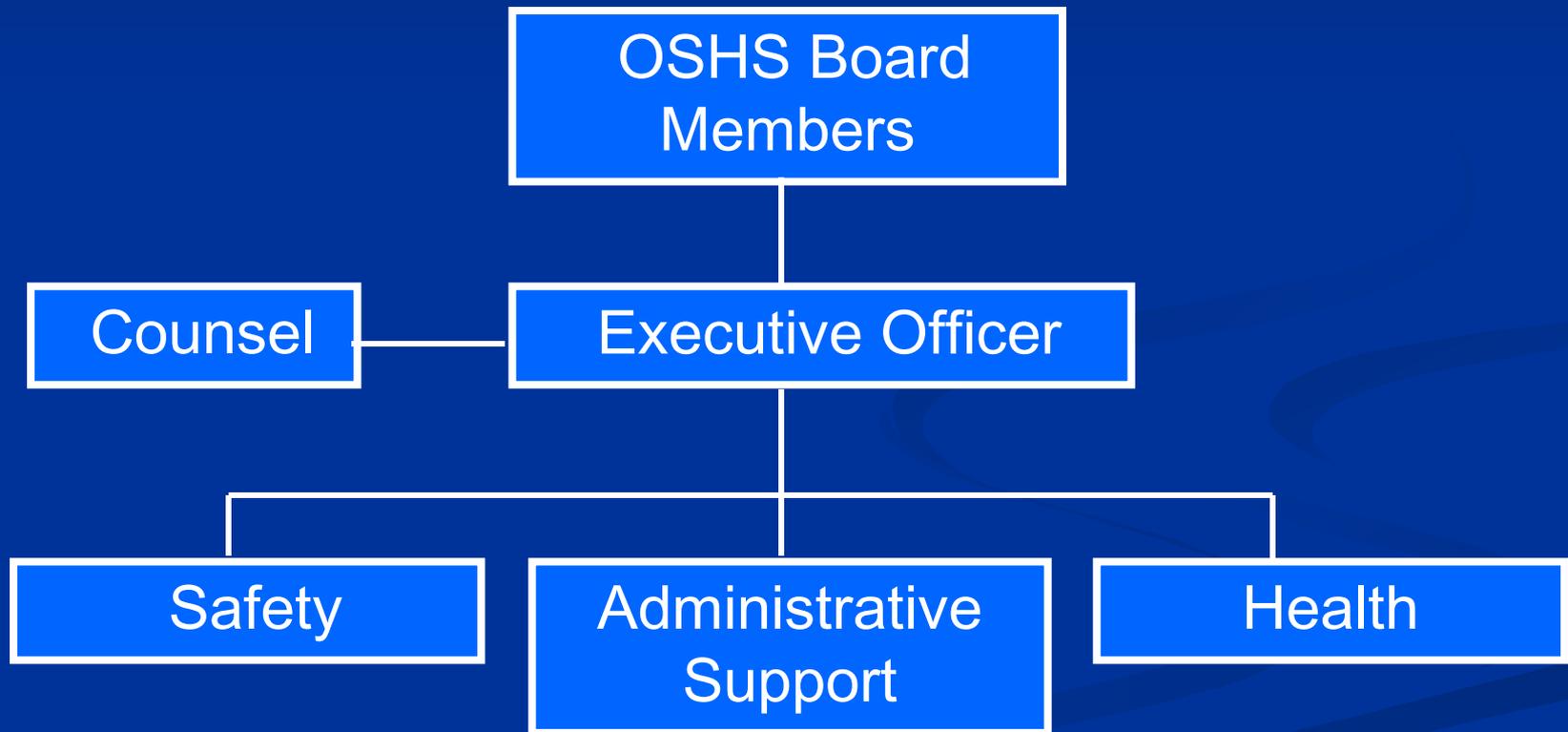
# Statutory Requirements

## Division of Occupational Safety and Health

- LC 147 – Evaluate requests for petitions and variances within 60 days of receipt.
- LC 147.1 – Develop and present proposed health standards to the Board.
- LC 6450 et. seq. – Grant temporary/experimental variances.
- LC 7323 – Propose elevator, escalator, and other conveyance standards to the Board for adoption.



# Occupational Safety and Health Standards Board



# Summary of Activities

	2012	2011	2010
Petitions Docketed	7	5	7
Advisory Committees Convened	3	4	4
Rulemaking Adopted	15	15	21
Rulemaking Noticed	17	17	21
Emergency Standards	0	0	0
Variances Docketed	268	198	125

# Petitions

	2012	2011	2010
Docketed	7	5	7
Granted	1	5	5
Denied	5	1	3
Withdrawn	0	1	0
Carry-over	2	1	3

The Board shall make time available to interested persons to propose new or revised orders or standards appropriate for adoption. The Board shall report its decision no later than six months following receipt of such proposals. *Labor Code 142.2.*

# Advisory Committees

	2012	2011	2010
Convened	3	4	4
Resulting in Rulemaking	2	3	2

Advisory committees are often used to assist OSHSB staff in developing rulemaking proposals that may significantly impact California employers and employees. The practice is most common in the development of highly sensitive, controversial, or complex standards.

# Sources of Rulemaking

- Federal Changes
- Statutory Changes
- Petition Decisions
- Court or Appeals Board Decisions
- Variance Decisions
- Standards Board and Staff
- Division of Occupational Safety and Health (Form 9)
- Complaint About State Program Administration (CASPA)
- Office of Administrative Law – Order of Repeal

# Variations

	2012	2011	2010
Docketed	268	198	125
Heard	219	162	158
With multiple hearings	5	0	0
Granted	232	176	162
Denied	0	8	1
Withdrawn	9	23	3

Any employer may apply to the Board for a permanent variance, upon showing an alternate program, method, practice, means, device, or process which will provide equal or superior safety for employees. *Labor Code 143(a)*.

# 2012 Elevator Safety Order Variance Applications by Manufacturer

	No. of Variances
KONE Inc.	102
Otis Elevator Company	103
ThyssenKrupp	35
Schindler Elevator	1
Lift-U/Hogan Mfg., Inc.	1
Other	11
<b>Total:</b>	<b>253</b>