

**OCCUPATIONAL SAFETY
AND HEALTH STANDARDS BOARD**

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SUMMARY
PUBLIC MEETING AND BUSINESS MEETING
August 15, 2019
Walnut Creek, California

I. PUBLIC MEETING**A. CALL TO ORDER AND INTRODUCTIONS**

Chairman Dave Thomas called the Public Meeting of the Occupational Safety and Health Standards Board (Board) to order at 10:00 a.m., August 15, 2019, in the Council Chambers of the Walnut Creek City Hall, Walnut Creek, California.

ATTENDANCE**Board Members Present**

Dave Thomas
Barbara Burgel
Nola Kennedy
Chris Laszcz-Davis

Board Members Absent

Dave Harrison
Laura Stock

Board Staff

Christina Shupe, Executive Officer
Mike Manieri, Principal Safety Engineer
Peter Healy, Legal Counsel
Lara Paskins, Staff Services Manager
David Kernazitskas, Senior Safety Engineer
Sarah Money, Executive Assistant

Division of Occupational Safety and Health

Eric Berg, Deputy Chief of Health

Others Present

Pamela Murcell, CIHC
Dan Leacox, Leacox & Associates
Bill Benham, Bill Benham Consulting
Kevin Bland, Ogletree Deakins
Peter McDonald
Gail Blanchard-Saiger, CHA
Richard Blasca, RCB Elevator Consulting
Jane Thomason, CNA/NUU
Wolter Geesink, Otis
Kim Hudson, AGC of California
Nicole Marquez, Worksafe
Mark Stone, Alliant Insurance Services
Mike Shields, DOSH Elevator Unit
David Holleman, retired from Otis Elevator

Bruce Smith, Waymo
Elizabeth Treanor, PRR
Tom Franco, ThyssenKrupp Elevator
Michael Strunk, IUOE Local No. 3
Carl Paganelli, DOSH
Justin Lemon, Student
Cindy Dakin, ThyssenKrupp Elevator
Twinky Chai, Otis
James Meyer, James Meyer Consulting
Peter Wilsey, Federal OSHA
Cassie Hilaski, Nibbi
Steve Johnson, Walters & Wolf
Amy Blankenbiller, NEII
Dan Barker, DOSH

B. PRESENTATION BY NATIONAL ELEVATOR INDUSTRY, INC. (NEII)

*Handouts from this presentation are available from the Board staff upon public records request.

Amy Blankenbiller, National Elevator Industry, Inc. (NEII), and David Holleman, retired from Otis Elevator, gave a presentation to the Board explaining what NEII does for the elevator industry, and how NEII feels upcoming Group V elevator safety orders will impact the elevator industry in California. **Dan Leacox, Leacox & Associates**, also spoke briefly during the presentation about model codes.

C. PUBLIC COMMENT ON NEII'S PRESENTATION

- **Dan Barker, State of California DOSH Elevator Unit**

D. PUBLIC MEETING COMMENTS

Mr. Thomas indicated that this portion of the Board's meeting is open to any person who is interested in addressing the Board on any matter concerning occupational safety and health or to propose new or revised standards or the repeal of standards as permitted by Labor Code Section 142.2.

There were no public meeting comments.

E. ADJOURNMENT

Mr. Thomas adjourned the public meeting at 10:54 a.m.

II. BUSINESS MEETING

Mr. Thomas called the Business Meeting of the Board to order at 10:54 a.m., August 15, 2019, in the Council Chambers of the Walnut Creek City Hall, Walnut Creek, California.

A. PROPOSED VARIANCE DECISIONS FOR ADOPTION

1. Consent Calendar

Mr. Healy stated he is aware of no unresolved procedural issues regarding items A-O on the consent calendar, and he believes that those items are ready for the Board's decision on the question of adoption.

MOTION

A motion was made by Ms. Laszcz-Davis and seconded by Ms. Burgel to adopt the consent calendar.

A roll call was taken, and all members present voted "aye." The motion passed.

B. OTHER

1. Discussion (as needed) of NEII presentation.

There was no discussion of the NEII presentation by the Board during the Business Meeting.

2. Executive Officer's Report

Ms. Shupe reported that proposals for Firefighter PPE, Construction Personnel Hoists, and Commercial Diving Operations have been submitted to the Labor Secretary for fiscal review, and proposed decisions for Petitions 575 and 576 are expected at the September meeting.

3. Future Agenda Items

Ms. Burgel asked for an update on the expedited proposal pertaining to Section 1630(a), and **Ms. Shupe** stated that the 36-foot height requirement has been brought into subsection (a) of Section 1630 to alleviate a technical issue. The proposal is currently with the Labor Secretary, and upon being returned with the Secretary Action Request, it will go to the Office of Administrative Law (for public notice). **Ms. Burgel** also asked for an update on the permanent regulation pertaining to protection from wildfire smoke exposure. **Mr. Berg** stated that there is an advisory committee meeting scheduled for August 27. **Ms. Burgel** asked Mr. Berg to provide an update at the September meeting on what happens at that advisory committee meeting.

4. Legislative Update

Mr. Healy provided an update on legislative activities.

C. CLOSED SESSION

Mr. Healy stated that the need did not develop for the Board to hold a closed session at this time.

D. ADJOURNMENT

Mr. Thomas adjourned the Business Meeting at 11:09 a.m.