

DEPARTMENT OF INDUSTRIAL RELATIONS  
Occupational Safety and Health Standards Board  
2520 Venture Oaks Way, Suite 350  
Sacramento, CA 95833  
Tel: (916) 274-5721 Fax: (916) 274-5743  
Website address [www.dir.ca.gov/oshsb](http://www.dir.ca.gov/oshsb)



## **FINAL STATEMENT OF REASONS**

### CALIFORNIA CODE OF REGULATIONS

#### Construction Safety Orders

Sections 1504 and 1526

#### General Industry Safety Orders

Sections 3361, 3364, 3437, 3457 and 5192

#### **Single-User Toilet Facilities**

### **MODIFICATIONS AND RESPONSE TO COMMENTS RESULTING FROM THE 45-DAY PUBLIC COMMENT PERIOD**

There are no modifications to the information contained in the Initial Statement of Reasons.

#### **Summary of and Responses to Written and Oral Comments:**

##### I. Written Comment

Ms. Amber Rose, CIH, Area Director, United States Department of Labor, Occupational Safety and Health Administration, Region IX, by letter dated March 5, 2019.

##### Comment:

Ms. Rose stated the proposal appears to be commensurate with federal standards.

##### Response:

The Board thanks Ms. Rose for her comments and participation in the rulemaking process.

##### II. Oral Comment

Oral comments received at the April 18, 2019, Public Hearing in Sacramento, California.

Michael Musser, representing CA Teachers Association.

##### Comment:

Mr. Musser expressed support for the proposed regulation. The Ventura County school district in which he works has implemented single-user toilet facilities for the past few years and they have proven to be quite effective.

Response:

The Board thanks Mr. Musser for his comments and participation in the rulemaking process.

**ADDITIONAL DOCUMENTS RELIED UPON**

None.

**ADDITIONAL DOCUMENTS INCORPORATED BY REFERENCE**

None.

**DETERMINATION OF MANDATE**

This standard does not impose a mandate on local agencies or school districts.

**ALTERNATIVES CONSIDERED**

The Board invited interested persons to present statements or arguments with respect to alternatives to the proposed standard. No alternative considered by the Board would be (1) more effective in carrying out the purpose for which the action is proposed; or (2) would be as effective as and less burdensome to affected private persons than the adopted action, or (3) would be more cost-effective to affected private persons and equally effective in implementing the statutory policy or other provision of law. Board staff were unable to come up with any alternatives or no alternatives were proposed by the public that would have the same desired regulatory effect.