

## OCCUPATIONAL SAFETY AND HEALTH STANDARDS BOARD

2520 Venture Oaks Way, Suite 350  
Sacramento, CA 95833  
(916) 274-5721  
FAX (916) 274-5743  
Website address [www.dir.ca.gov/oshsb](http://www.dir.ca.gov/oshsb)



### SUMMARY PUBLIC MEETING AND BUSINESS MEETING October 17, 2019 San Diego, 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 10:03 a.m., October 17, 2019, in Room 358 of the County Administration Center, San Diego, California.

##### ATTENDANCE

##### Board Members Present

Dave Thomas  
Barbara Burgel  
Dave Harrison  
Nola Kennedy  
Chris Laszcz-Davis  
Laura Stock

##### Board Members Absent

##### 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

Frank A. Belio, IUEC Local 18  
Alana Evans, Adult Performer Actors Guild  
James Mackenzie, Southern CA Edison  
Tim Woodman, APAC  
Eric McClaskey, EIWPF  
Mark Schechter, ATMLA  
Amanda Gullesserian, IEAU Secretary  
Gloria Chan, CA Industrial Hygiene  
Council  
David Morris, DOSH Elevator Unit

Grace Delizo, DOSH  
Kevin Thompson, Cal/OSHA Reporter  
Ian O'Brien, FSC  
Elda Brueggemann, Western Ag Producers  
Association  
Mark Stone, Alliant Insurance Services  
Jamie Carlile, SCE  
Roger Isom, CCGGA  
Mark Wickens, DOSH Elevator Unit  
Kevin Bland, Ogletree Deakins

Jora Trang, Worksafe  
Steve Johnson, Walters and Wolf  
Kathi Finnerty, ThyssenKrupp

Augustin E. Romero, Worksafe  
Edward Persico, ThyssenKrupp  
Del Garner, IUEC Local 8

B. PUBLIC MEETING

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.

**Elizabeth Treanor, Phylmar Regulatory Roundtable** commented on the Division's advisory committee process.

The following individuals commented in opposition of Petition 576:

- **Ian O'Brien, Free Speech Coalition**
- **Mark Schechter, ATMLA**
- **Alana Evans, Adult Performers Actors Guild**
- **Tim Woodman, APAC**
- **Kevin Bland**
- **Steve Derman, MediShare Environmental Health and Safety Services**

**Kevin Bland, representing the CA Framing Contractors Association, the Residential Contractors Association, and the Western Steel Council,** asked for an update regarding the rulemaking pertaining to construction personnel hoists.

**Gloria Chan, California Industrial Hygiene Council,** commented on the proposal pertaining to protection from wildfire smoke.

C. ADJOURNMENT

Mr. Thomas adjourned the public meeting at 10:35 a.m.

II. **BUSINESS MEETING**

Mr. Thomas called the Business Meeting of the Board to order at 10:35 a.m., October 17, 2019, in Room 358 of the County Administration Center, San Diego, California.

A. PROPOSED PETITION DECISIONS FOR ADOPTION

1. **Petition File No. 575**

Petitioner requests adult film regulations to supplement Title 8, General Industry Safety Orders, Section 5193, Bloodborne Pathogens.

Ms. Shupe summarized the history and purpose of the petition and stated that the proposed decision is to grant the petition to the limited extent that the Division shall convene an

advisory committee meeting to discuss potential development of a proposal for safety order protections specific to the adult film industry.

MOTION

A motion was made by Ms. Stock and seconded by Ms. Laszcz-Davis that the Board adopt the proposed petition decision.

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

B. PROPOSED VARIANCE DECISIONS FOR ADOPTION

1. Consent Calendar

Mr. Healy stated that item O on the consent calendar, OSHSB File No. 18-V-364, should be removed from the consent calendar at this time so that the hearing panel may consider some recently-received submissions from the parties involved in the matter. For the remaining items on the consent calendar, items A-N, he is aware of no other unresolved procedural issues regarding these items, and he believes that items A-N are ready for the Board’s decision on the question of adoption.

MOTION

A motion was made by Mr. Harrison and seconded by Ms. Stock to adopt the consent calendar.

A roll call was taken and all members present voted “aye.” The motion passed.

C. OTHER

1. Rulemaking Progress Update

Ms. Shupe provided updates on the following rulemakings:

- Protection from Wildfire Smoke
- Fall Protection in Telecommunications
- Construction Personnel Hoists
- Employee Access to IIPP

**Ms. Stock** asked for an update on the proposals pertaining to workplace violence prevention in general industry and indoor heat. **Mr. Berg** provided a brief update on both of those items.

2. Legislative Update

Mr. Healy provided an update on legislative activities.

3. Executive Officer’s Report

Ms. Shupe had nothing to report.

4. Future Agenda Items

No future agenda items were requested.

D. CLOSED SESSION

Pursuant to Government Code Sections 11125.4(a)(1), the Board conferred with counsel regarding pending litigation. Closed Session began at 11:00 a.m.

E. RETURN TO OPEN SESSION

1. Report on any Closed Session action

Closed session ended at 11:13 a.m. No action was taken during the Closed Session.

F. ADJOURNMENT

Mr. Thomas adjourned the Business Meeting at 11:15 a.m.