California law provides workplace safety and health protections for workers through regulations enforced by the Division of Occupational Safety and Health (Cal/OSHA). This poster contains some of these requirements and procedures to comply with the state's workplace safety and health standards. The law requires that this poster be displayed. Failure to do so could result in a substantial penalty. Cal/OSHA standards can be found at www.dir.ca.gov/safety/search/query.htm.

WHAT AN EMPLOYER MUST DO:
All employers must provide work and workplaces that are safe and healthful. In other words, as an employer, you must follow state laws governing job safety and health. Failure to do so may result in a threat to the life or health of workers, and substantial monetary penalties.

You must display this poster in a conspicuous place where notices to employees are customarily posted so everyone on the job can be aware of basic rights and responsibilities.

You must have a written and effective Injury and Illness Prevention Program (IIPP) meeting the requirements found in California Code of Regulations, title 8, section 3203 (www.dir.ca.gov/title8/3203.html).

You must be aware of hazards your employees face on the job and keep records showing that each employee has been trained in the hazards unique to each job assignment.

You must correct any hazardous condition that you know may result in injury to employees. Failure to do so could result in criminal charges, monetary penalties, and even incarceration.

You must notify a local Cal/OSHA district office of any serious injury or illness, or death, occurring on the job. Be sure to do this immediately after calling for emergency help to assist your injured employee. Failure to report a serious injury, illness, or death, within 8 hours can result in a minimum civil penalty of $5,000.

WHAT AN EMPLOYER MUST NEVER DO:

Never permit an employee to do work that violates Cal/OSHA workplace safety and health regulations.

Never permit an employee to be exposed to hazardous substances without providing adequate protection.

Never allow an untrained employee to perform hazardous work.

EMPLOYEES HAVE CERTAIN WORKPLACE SAFETY & HEALTH RIGHTS:

As an employee, you (or someone acting for you) have the right to file a confidential complaint and request an inspection of your workplace if you believe conditions there are unsafe or unhealthful. This does not require contacting the local Cal/OSHA district office (see list of offices). Your name is not revealed by Cal/OSHA, unless you request otherwise.

You also have the right to bring unsafe or unhealthful conditions to the attention of the Cal/OSHA invest of Labor and Work Conditions. You may report a violation to the Division of Occupational Safety and Health or the San Francisco office of the U.S. Department of Labor, Occupational Safety and Health Standards Enforcement (Labor Commissioner’s Office) or the San Francisco office of the California Department of Industrial Relations, Division of Labor Standards Enforcement (Labor Commissioner’s Office) or the San Francisco office of the California Department of Industrial Relations, Division of Labor Standards Enforcement (Labor Commissioner’s Office). Consult your local telephone directory for the office nearest you.

You also have the right to bring unsafe or unhealthful conditions to the attention of the California Department of Industrial Relations, Division of Labor Standards Enforcement (Labor Commissioner’s Office) or the San Francisco office of the U.S. Department of Labor, Occupational Safety and Health Standards Enforcement (Labor Commissioner’s Office). Consult your local telephone directory for the office nearest you.

EMPLOYERS ALSO HAVE RESPONSIBILITIES:

To keep the workplace and your coworkers safe, you should tell your employer about any hazard that could result in an injury or illness to a worker. While you must always obey state workplace safety and health laws.

HELP IS AVAILABLE:

To learn more about workplace safety rules, you may contact Cal/OSHA Consultation Services for free information, required forms, and publications. You can also contact a local district office of Cal/OSHA. If you prefer, you may retain a competent private consultant, or ask your workers’ compensation insurance carrier for guidance in obtaining information.

District Offices -

American Canyon 3419 Broadway St., Ste. H8, American Canyon 94503 (707) 468-3700
Balboa/ San Jose 7718 Main St., Balboa/ San Jose 94010 (661) 988-6400
Foster City 1065 East Hillsdale Blvd., Ste. 110, Foster City 94404 (650) 573-3812
Fremont 39141 Civic Center Dr., Ste. 310, Fremont 94538 (510) 974-2521
Fresno 455 Golden Gate Ave., Rm 9516, Fresno 93721 (559) 432-4000
Los Angeles 3933 Arkansas Ave., Ste. 212, Long Beach 90807 (310) 526-0810
Long Beach 320 West 2nd St., Rm. 820, Long Beach 90013 (310) 802-4440
North Hollywood 39141 Civic Center Dr., Ste. 160, San Ramon 94585 (925) 253-6900
Sacramento 1515 Clay St., Ste. 1003, Box 94612 (916) 263-2803
San Bernardino 464 West Fourth St., Ste. 332, San Bernardino 92401 (909) 383-4321
San Diego 7757 Metropolitan Dr., Ste. 207, San Diego 92108 (619) 677-2280
San Francisco 455 Golden Gate Ave., Rm 9516, San Francisco 94101 (415) 557-0300
Santa Ana 2000 E. McDavenrd Ave., Ste. 122, Santa Ana 92705 (714) 592-7000
Van Nuys 6150 Van Nuys Blvd., Ste. 405, Van Nuys 91401 (818) 901-5403

Regional Offices

San Francisco 455 Golden Gate Ave., Rm 9516, San Francisco 94101 (415) 557-0300
San Jose 2454 Arden Way Ste., Santa Clara 95051 (408) 202-2400
Santa Ana 2000 E. McDavenrd Ave., Ste. 119, Santa Ana 92705 (714) 592-7000
Monrovia 750 Royal Oaks Dr., Ste. 105, Monrovia 91016 (626) 470-9122

SPECIAL RULES APPLY FOR WORK AROUND HAZARDOUS SUBSTANCES:

Employers who use any substance that is listed as a hazardous substance in California Code of Regulations, title 8, section 338 (www.dir.ca.gov/title8/338.html), or is covered by the Hazard Communication Standard (www.dir.ca.gov/title8/3514.html) must provide employees information on the hazardous chemicals in their work areas, access to safety data sheets, and training on how to use hazardous chemicals safely.

Employers shall make available on a timely and reasonable basis a safety data sheet on each hazardous substance in the workplace upon request of an employee, an employee’s collective bargaining representative, or an employee’s physician.

Employees have the right to see and copy their medical records and records of exposure to potentially toxic materials or harmful physical agents.

Employers must allow access by employees or their representatives to accurate records of employee exposure to potentially toxic materials or harmful physical agents, and notify employees of any exposure in concentrations or levels exceeding the exposure limits allowed by Cal/OSHA standards.

Any employee or their representative has the right to observe monitoring or measuring of employee exposure to hazardous substances conducted to comply with Cal/OSHA regulations.

WHEN CAL/OSHA COMES TO THE WORKPLACE:

A trained Cal/OSHA safety engineer or industrial hygienist may visit the workplace to make sure you are observing workplace safety and health laws.

Inspections are also conducted when an employee files a valid complaint with Cal/OSHA.

Cal/OSHA also goes on-site to the workplace to investigate a serious injury or illness, or fatalities.

When an inspection begins, the Cal/OSHA investigator will give you initial identification. The employer, or someone the employer chooses, will be given an opportunity to accompany the investigator during the inspection. An authorized representative of the employees will be given the same opportunity. Where there is a willful violation, the employee representative, the investigator will talk to a reasonable number of employees about safety and health conditions at the workplace.

VIOLATIONS, CITATIONS, AND PENALTIES:

If the investigation shows that the employer has violated a safety and health standard or order, Cal/OSHA may issue a citation and a penalty, or both. Each citation carries a monetary penalty and specifies a date by which the violation must be abated. A notice, which carries no penalty, may be issued in lieu of a citation for certain non-serious violations.

Penalty amounts depend in part on the classification of the violation as regulatory, general, serious, repeat, or willful, and whether the employer failed to abate a previous violation involving the same hazardous condition. Base penalty amounts, penalty adjustment factors, and maximum statutory amounts are set forth in California Code of Regulations, title 8, section 338 (www.dir.ca.gov/title8/338.html).

In addition, a willful violation that causes death or permanent impairment of the body of any employee can result, upon conviction, in a fine of up to $250,000 or imprisonment up to three years, or both, and if the employer is a corporation or limited liability company, the fine may be up to $5 million.

The law provides that employers may appeal citations within 15 working days of receipt to the Occupational Safety and Health Appeals Board.

An employer who receives a citation, Order to Take Special Action, or Special Order must post it prominently at or near the place of the violation for three working days, or until the unsafe condition is corrected, whichever is longer, to warn employees of danger that may exist. Any employer may protest the time allowed for correction of the violation to the Division of Occupational Safety and Health or the Occupational Safety and Health Appeals Board.

If a willful violation of a standard is committed by an employer, a fine of $5,000 per violation day can be imposed in lieu of a citation. A notice, which carries no penalty, may be issued in lieu of a citation for certain non-serious violations.