



California Labor Federation

AFL-CIO

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Cal/OSHA Research and Standards Occupational Health Unit
2424 Arden Way, Suite 495
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RE: Draft for Proposed Regulatory Package 2/23/2016

Dear Ms. Neidhardt:

The California Labor Federation strongly supports a proposed hotel housekeeper musculoskeletal injury standard. The February 23rd version reflects a few of our central concerns with the previous draft and is a significant step towards language we could actively support. We also continue to applaud Cal/OSHA's commitment to submit language to the Standards Board by June of 2016.

First, we appreciate DOSH's decision to reword sections (d)(2)(A) and (d)(2)(E) as stated in the December 3rd version. This language will reduce both the frequency and severity of musculoskeletal injuries, as will the decision to insert the phrase "forceful exertion" and preserve the phrase "excessive work-rate" in section (c)(4)(E). All of these amendments improve the strength of – and ease compliance with – the standard, we believe, for both workers and employers.

However, we would continue to point out that both workers and employers would benefit from a definition of the phrase "control measures" used in sections (c)(5)(A) and (c)(5)(B). Our history with the issue of hotel housekeeper safety would suggest that employers often resist using control measures identified by workers as most helpful; adding a list of such measures to this section would help employers to comply and workers to stay safe.

UNITE HERE has recommended – and we also support – the following definition: "...control measures to be considered include, but are not limited to: fitted bed sheets; mops; long-handled and adjustable length tools for dusting and scrubbing walls, showers, tubs, and other surfaces; and light-weight or motorized carts and those identified in the Cal/OSHA 2005 publication, *Working Safer and Easier for Janitors, Housekeepers and Custodians*."

Also, we would agree that the definition of “union representative” should be expanded to include representatives of non-union workers. The definition listed in the September 15th draft provides a helpful starting point:

“‘Representative’ means a recognized or certified collective bargaining agent representing housekeepers...”

We would recommend further clarifying this definition with language suggested by the recent Worksafe letter as follows:

“...and where appropriate, an occupational health expert identified by said representative who can provide expertise in housekeeper injury prevention in addition to that of the representative. Where there is no recognized or certified collective bargaining agent, employees may designate a qualified third party individual, such as a physician, occupational health expert, or labor advocate, as a representative.”

Finally, we would also add that the standard should guarantee workers access to the appendices of the MIPP. The most helpful and informative details could very likely wind up in these documents, and workers would often benefit from clearly protected access to such research. Also, given that workers will be involved in the worksite evaluation, and the appendices are to be used in conducting worksite evaluations, this information is necessary for employees to adequately perform their role in the worksite evaluation component of this standard.

We applaud Cal/OSHA’s work in producing this proposal and look forward to continued collaborative efforts on this landmark standard.

Signature:



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