

UNITE HERE Revised Draft Hotel Housekeeper Musculoskeletal Injury Prevention Program Standard

(a) Scope and Application. This Section shall apply in all hotels, motels and other lodging establishments when employees are performing housekeeping activities.

NOTE to subsection (a): This section does not preclude the application of other sections of Title 8, including but not limited to Sections 3203 and 5110, to housekeeping activities in lodging establishments.

(b) Definitions.

Housekeeping means the performance of tasks related to the cleaning and supplying of guest rooms in a lodging establishment, and includes making beds, stripping beds; bathroom cleaning including mirrors, floors, tubs, showers, walls and other surfaces; changing bathroom linens; moving furniture; dusting, sweeping, scrubbing, polishing and vacuuming; using tools designed for cleaning (e.g. mops, scrubbing tools); stocking and handling linen, supplies and carts; disposing of trash; and transporting clean and used linen and other supplies between pertinent areas of the lodging establishment (e.g., supply room, linen room, linen closet, laundry room) and areas where guest rooms are located.

Housekeepers refer to employees who perform housekeeping tasks, and may include, without limitation, employees referred to as housekeepers, guest room attendants, room cleaners, maids, guest services runners, and/or housepersons.

Lodging establishment means an establishment that contains sleeping room accommodations that are rented or otherwise provided to the public, such as hotels, motels, resorts, and bed and breakfast inns. Lodging for the purposes of this regulation does not include long term and licensed accommodations such as hospitals, nursing homes, prisons, jails, homeless shelters, boarding schools, worker housing and single family dwellings.

Musculoskeletal injury means acute injury or cumulative trauma of the muscles, tendons, ligaments, bursa, peripheral nerves, joints, bones or blood vessels.

(c) Housekeeping musculoskeletal injury prevention program. In accordance with Section 3203, each employer covered by this section shall establish, implement and maintain an effective, written, musculoskeletal injury prevention program (Program) that addresses hazards specific to guest room cleaning and related tasks as specified in 1(b). The Program may be incorporated into an existing Injury and Illness Prevention Program or may be maintained as a separate program. The Program shall include, at a minimum, all of the following:

(1) The names and/or job titles of the persons with authority and responsibility for implementing the Program at each individual worksite.

(2) The performance of a job hazard analysis (hereafter, "JHA") in accordance with effective procedures for the purpose of identifying and evaluating housekeeping hazards in order to prevent and reduce the occurrence of musculoskeletal injuries. The JHA will be performed within 90 days of the promulgation of this standard, or within 90 days of the opening of a new lodging establishment subject to this standard. It will be repeated per the timeframe listed in subsection (2)(E).

(A) The procedures shall include an effective means of involving housekeepers and/or their representatives in the JHA. A mandatory labor/management safety and health committee shall be used for this purpose that meets the requirements of Section 3203(c) and that includes the involvement, without fear of retaliation, of housekeepers who have been elected by other housekeepers and that further includes, at a minimum, equal numbers of said employees and management.

(B) The JHA shall address, at a minimum, hazards related to the design, material

handling and performance of tasks related to the following housekeeping activities:

1. Bed making
2. Cleaning, scrubbing and polishing of floors, bathroom and bedroom fixtures and surfaces
3. Supplying rooms, including handling linen and supplies and loading and unloading linen carts
4. Vacuuming
5. Cart handling and movement in and out of rooms, hallways and elevators.
6. Removing items from rooms, including used towels, linen and trash
7. Moving furniture within guest rooms in order to perform cleaning tasks.

(C) At a minimum, the analysis shall assess musculoskeletal injury risk related to the following factors: slips, trips, and falls on same level; falls; contact with items such as being struck-by, struck-against or caught in-between; forceful exertions; prolonged or static postures; awkward postures; contact pressure; twisting; extreme reaches and repetitive reaches above shoulder height; torso bending; lifting; excessive tucking; kneeling or squatting; forceful pushing and pulling; over-exertion or fatigue related to workload pace and/or intensity, workload imbalance, travel between floors, or inadequate rest breaks and recovery periods between tasks. Provisions concerning meal and rest are set forth in in California Labor Code section 512 and relevant orders of the Industrial Welfare Commission.

(D) Housekeeping employees shall be notified of the results of the JHA in writing by posting it in a location readily accessible to them. Posting will occur within 14 days of when management completes the JHA, or any updated JHA. The joint labor-management health and safety committee will receive a copy at the same time as the posting. The analysis shall be translated into the language(s) spoken by affected employees.

(E) After the JHA has initially been performed per subsection (c)(2)(A), the JHA shall be reviewed annually, and updated as necessary. The analysis shall also be reviewed and updated:

1. Whenever the employer becomes aware of a new or previously unrecognized hazard.
2. Whenever new processes, practices, procedures, renovations of guest rooms, or equipment are introduced that may increase the hazards identified in subsection (c)(2)(B).
3. Based on an evaluation of the activities, tasks or other workplace factors that have contributed to workplace injuries and illnesses.

NOTE to subsection (c)(2): Additional information regarding job hazard analysis can be found in publications listed in Appendices A and B.

(3) Procedures to investigate musculoskeletal injuries to housekeepers, including all of the following:

(A) The procedures or tasks that were involved in the injury and whether any identified control measures were available and in use.

(B) If required tools or other control measures were not used, a determination of why those measures were not used, or were not used appropriately, and how to resolve the situation.

(C) The injured employee's and supervisor's opinions regarding whether any other control measure, procedure, or tool would have prevented the injury.

(4) Methods and/or procedures for correcting hazards identified in the job hazard Analysis so as to prevent musculoskeletal injury. This shall also include procedures for assessing whether identified corrective measures are used appropriately. These procedures shall include:

(A) An effective means of involving housekeepers and/or their representatives in identifying and evaluating possible corrective measures. A mandatory labor/management safety and health committee shall be used for this purposes that meets the requirements of Section

3203(c) and that includes the involvement, without fear of retaliation, of housekeepers who have been elected by other housekeepers and that further includes, at a minimum, equal numbers of said employees and management.

(B) The means by which housekeeping tools or other appropriate equipment will be identified, piloted, implemented, and evaluated. Such means shall include, at a minimum:

1. Fitted bed sheets
2. Mops
3. Long-handled and adjustable length tools for dusting and scrubbing walls, showers, tubs, and other surfaces
4. Light-weight or motorized carts.

[ALTERNATIVE (B)] The means by which housekeeping tools or other appropriate equipment will be identified, piloted, implemented, and evaluated. Consideration shall be given, at a minimum, to the following means to prevent injuries by addressing housekeeping hazards:

1. *Fitted bed sheets*
2. *Mops*
3. *Long-handled and adjustable length tools for dusting and scrubbing walls, showers, tubs, and other surfaces*
4. *Light-weight or motorized carts.*

(C) How sufficient and appropriate housekeeping equipment and tools will be made available to each housekeeper. This shall include procedures for procurement, inspection, maintenance, repair, and replacement.

(5) Procedures to ensure that supervisory employees comply with the Program, can correctly demonstrate to employees safe room cleaning practices, and housekeeping tools or equipment deemed appropriate for each cleaning task, and can assist employees having difficulties putting into practice the aforementioned interventions.

(6) A system for communicating with employees in a form readily understandable by all affected employees on matters relating to occupational safety and health, including provisions designed to encourage employees to inform the employer of hazards at the worksite without fear of retaliation. A mandatory labor/management safety and health committee shall be used for this purpose that meets the requirements of Section 3203(c) and that includes the involvement, without fear of retaliation, of housekeepers who have been elected by other housekeepers and that further includes, at a minimum, equal numbers of said employees and management.

(7) Procedures for reviewing, at least annually, the program at each worksite, to determine its effectiveness and make any corrections when necessary. The program shall include an effective procedure for obtaining the active involvement of employees in reviewing and updating the program. A mandatory labor/management safety and health committee shall be used for this purpose that meets the requirements of Section 3203(c) and that includes the involvement, without fear of retaliation, of housekeepers who have been elected by other housekeepers and that further includes, at a minimum, equal numbers of said employees and management. The committee will:

- (A) review OSHA 300 logs on a regular basis to identify patterns of injury; and
- (B) review relevant OSHA 301 incident forms to assess use of tools, work practices, and equipment at time of incident.

(d) Training. The employer shall provide training to housekeeping employees and their supervisors, in a language easily understood by employees.

(1) Frequency of training. Housekeeping employees and their supervisors shall be trained

on the topics covered in subsection (d) (2) as follows:

(A) Initial training shall be provided when the program is first established to all existing affected employees; to all new employees and supervisors, and to all employees given new job assignments for which training has not been previously received;

(B) At least annually thereafter.

(C) Employers shall provide additional training when new equipment or work practices are introduced. The additional training may be limited to addressing the new equipment or work practices.

(2) Training shall include at least the following elements as applicable to the employee's assignment:

(A) The elements of the employer's program and how the written program will be made available to employees.

(B) The process for reporting concerns regarding equipment availability, condition, storage, and maintenance.

(C) An explanation of the role of the joint labor-management health and safety committee.

(D) Body mechanics and safe practices including: identified hazards at the work place, how those hazards are controlled during each task, the appropriate use of cleaning tools and equipment, the importance of using these practices in order to prevent injuries, and the importance of reporting symptoms and injuries to the employer.

(E) Housekeepers' right to refuse to perform housekeeping activities when the tools and other appropriate equipment found necessary under the Program are not available. Supervisors shall be trained not to retaliate against housekeepers who exercise this right.

(F) How housekeepers may report concerns about the hazards of assigned housekeeping duties to supervisors without retaliation.

(G) How housekeepers may request additional training.

(H) Sufficient time for:

1. Interactive questions and answers between supervisor(s) and housekeepers.

2. In-room demonstration to housekeepers by supervisor(s) knowledgeable about the use of tools, equipment and work practices identified for musculoskeletal injury prevention.

3. Practice by housekeepers in using the tools, equipment and work practices that she or he will be expected to use.

(E) In addition to the training described above, managers and supervisors shall be trained on how to identify hazards, the employer's hazard correction procedures, how defective equipment can be identified and replaced, how to obtain additional equipment, how to evaluate housekeepers' performance of safe practices, use of tools and equipment; and how to effectively communicate with housekeepers regarding any problems needing correction.

(e) Records. The lodging establishment shall develop and maintain the following records in accordance with pertinent regulations:

(1) All JHAs including any and all measurements made in the course of performing the analysis shall be maintained and made available as employee exposure records in accordance with Section 3204.

(2) Records of the steps taken to implement and maintain the Program including hazard identification; tool and equipment procurement, usage and evaluation; injury investigations and workplace inspections; and trainings shall be created, maintained and made available in accordance with Section 3203(b).

(3) Records required by Division 1, Chapter 7, Subchapter 1, Occupational Injury or Illness Reports and Records, of these orders shall be created and maintained in accordance with those orders.

(4) A copy of the Program shall be posted in a location readily accessible to affected employees in their work area and available at the worksite for review and/or copying by employees and their representatives in accordance with Section 3204(e)(1)(A).

(5) All records shall be made available to the Chief of the Division of Occupational Safety and Health or designee within 72 hours of request.