Chapter 28

ENFORCEMENT SUPPORT FOR VPP GOLDEN STATE, AND GOLDEN EAGLE

Policy Statement: It is the policy of the Division of Occupational Safety and Health (DOSH), also known as Cal/OSHA or the Division, to provide (1) recognition of employers by the Cal/OSHA Consultation Service who have demonstrated that they implement and maintain an exemplary safety and health program for their employees through participation in the California Voluntary Protection Program (VPP) and Golden Eagle exemption program for establishments at a fixed worksite and the Golden State exemption program for employers at non-fixed worksites, and to provide (2) enforcement coordination and support for the VPP, Golden State, and Golden Eagle exemption worksites.

Authority: DOSH will administer this policy in compliance with all applicable laws, rules, and guidance:

- California Labor Code, Sections 6300, 6309, 6313 through 6314, 6317, 6320, 6325, 6354, 6355 and 6400 through 6401.

PROCEDURES:

A. RECOGNITION AND EXEMPTION PROGRAMS
   1. Voluntary Protection Program, Golden Eagle, and Golden State Exemption Programs
      a. Voluntary Protection Program

         The California Voluntary Protection Program (VPP) is a DOSH partnership program administered by the Consultation Service. This program provides recognition and programmed inspection exemptions to qualified fixed

worksites. VPP participants are expected to have the most advanced safety and health programs and therefore, the lowest risk of injuries and illnesses compared to other employers/worksites within the same industry.

VPP employers are considered to be workplace safety and health leaders within their industry.

A construction site may be considered a fixed worksite for VPP if the site will be in operation for at least one year and the general or prime contractor on-site has overall responsibility for worker safety and health at the site. However, once the construction is complete, the VPP status is removed from the site and the contractor.

The length of VPP participation is subject to the employer maintaining eligibility and successful re-evaluations every three (3) years.

b. Golden Eagle Exemption Program

The Golden Eagle exemption program is a DOSH partnership program administered by the Consultation Service. This program provides recognition and programmed inspection exemptions to qualified fixed site, high-hazard, small employers. This program is similar to the Federal Safety and Health Achievement Recognition Program (SHARP). Golden Eagle participants are expected to maintain advanced safety and health management systems, but not necessarily at the same level of VPP. Golden Eagle employer worksites are recognized as worksites expected to have a significantly lower risk for serious accidents than other employer's worksites within the same industry.

The length of Golden Eagle participation is subject to the employer maintaining eligibility and successful re-evaluations every one (1) to two (2) years.

c. Golden State Exemption Program

The Golden State exemption program is a DOSH partnership program administered by the Consultation Service. This program provides recognition and programmed inspection exemptions to qualified high-

hazard non-fixed worksites, such as construction operations. Golden State participants have all of their worksites, and all contractors working at the worksites, exempt from programmed inspections as long as the Golden State participate is a member in good standing and has overall worker safety and health responsibility at the worksite. Worksites where the Golden State employer does not have overall safety and health responsibility is not an exempt worksite. Golden State worksites are recognized as worksites expected to have a significantly lower risk for injuries and illnesses than other worksites within the same industry.

The length of Golden State participation is subject to the employer maintaining eligibility and successful re-evaluations every two (2) years.

2. Golden Gate Recognition

The Golden Gate Recognition program is not an exemption program and does not require enforcement support or coordination. Golden Gate recognizes employers who, as a result of on-site consultation evaluation, were found to have an effective IIP Program on the day of the evaluation. These employers receive a letter of commendation from the local Consultation area office and are encouraged to improve their IIP Program and overall safety and health systems in order to be eligible for one of the above exemption programs.

B. REQUEST FOR ENFORCEMENT SUPPORT

1. VPP and Golden Eagle Fixed Worksites

Any request for enforcement support for a VPP or Golden Eagle worksite shall be sent in writing to the District Manager (of the district in which the employer's fixed establishment is located) by the Consultation Service through the Chief, Deputy Chief for Cal/OSHA Enforcement and appropriate Regional Manager.

2. Golden State Non-fixed Worksites

Because of the statewide scope of the Golden State program, it is not practical to identify one compliance officer for enforcement support. An updated Programmed Inspection Exemption (PIE) list will be provided to each enforcement office. This list will alert enforcement personnel about the status

of VPP, Golden Eagle, and Golden State exempt employers/worksites. Inspections at Golden State exempt worksites shall be treated like inspections at VPP sites. See Chapter 7.

C. RESPONSIBILITIES

1. Consultation Services

The Consultation Service shall maintain and distribute an updated Programmed Inspection Exemption (PIE) list to each Enforcement, High Hazard, and PSM office. The PIE list shall contain the names of each participating VPP and Golden Eagle employers, the location of their worksite, contact name, starting and ending dates of their exemptions, and current status. The PIE list shall also contain the names of each participating Golden State employer, the location of the California headquarters for the employer (not every site), contact name, starting and ending dates for their worksite(s) exemptions, and current status.

2. Enforcement, High Hazard, and PSM
    a. VPP and Golden Eagle
        1. The designated enforcement support person should be assigned to any investigation at a VPP and Golden Eagle exempt worksites
        2. As soon as possible, without providing advanced notice, information about an investigation at a VPP or Golden Eagle exempt worksite shall be sent to the VPP Manager or Consultation Regional Manager, respectively
        3. To the extent feasible, there will be collaboration with the VPP Coordinator or Consultation Regional Manager in resolving issues arising from any programmed or unprogrammed investigation
    b. Golden State
        1. As soon as possible, without providing advanced notice, information about an investigation at a Golden State exempt worksite shall be sent to the Consultation Regional Manager
        2. To the extent feasible, there will be collaboration with the Consultation Regional Manager in resolving issues arising from any programmed or nonprogrammed investigation at a Golden State exempt worksite.
    c. Inspections and Investigations at VPP, Golden State,

and Golden Eagle worksites. See Chapter 7.

D. DISCRETIONARY RESPONSIBILITIES FOR ENFORCEMENT AT VPP SITES

1. Accompany the VPP evaluation team as an observer for the initial introductions at the VPP opening conference;

   NOTE: The enforcement support person may accompany the VPP evaluation team at the opening conference of a new VPP site and during the opening conference of VPP renewals

2. Serve as a resource for the VPP site by responding to general questions or other issues involving enforcement or regulatory activities;
3. Review, with the VPP Manager, the VPP employer's annual report of program improvements and injury and illness rates; and
4. Attend the VPP employer's induction/renewal ceremony.