Chapter 32

ESTABLISHING HIGH HAZARD INDUSTRIES, NON-HIGH HAZARD INDUSTRIES, AND LOW HAZARD INDUSTRIES

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Chapter 32

ESTABLISHING HIGH HAZARD INDUSTRIES, NON-HIGH HAZARD INDUSTRIES, AND LOW HAZARD INDUSTRIES

Policy Statement: It is the policy of the Division of Occupational Safety and Health (DOSH), also known as Cal/OSHA or the Division, to identify and establish lists of High Hazard, Non-High Hazard, and Low Hazard industries to maximize use of Division resources by prioritizing targeted high hazard inspections.

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

- California Labor Code, Sections 6314.1 and 6401.7, Title 8 California Code of Regulations, Section 3203.

PROCEDURES:

A. ESTABLISHING THE HIGH HAZARD INDUSTRIES LIST

1. Defining a High Hazard Industry within California

   DOSH defines a High Hazard Industry as a North American Industry Classification System (NAICS) industry group that collectively has a California-based "Days Away, Restricted and Transferred" (DART) case rate of more than two times (200%) the California private sector average DART rate.

2. Methodology for Developing the High Hazard Industries List

   Each year, DOSH develops its list of High Hazard Industries based on the most recent nonfatal injury and illness data contained in the Summary of Occupational Injury and Illness (SOII), (Table 6 http://www.dir.ca.gov/oprl/nonfatal.htm). Injury and Illness rates for California establishments are published by Department of Industrial Relations, Office of Policy, Research and Legislation (OPRL).

   NAICS industry groups are excluded from the High Hazard Industries list when they are identified for exemption from programmed inspections in a current Federal Enforcement Exemptions and Limitations under the

Appropriations Act (CPL 02-00-051).

The listing of industries covers the Federal Fiscal Performance year (October 1st through September 31st). To view the current High Hazard Industries list, visit: https://www.dir.ca.gov/dosh/high-hazard-unit.html

NOTE (1): The list of High Hazard Industries is established pursuant to Labor Code Section 6401.7(e)(3)(A).

NOTE (2): Employers with fewer than 20 employees in industries that are not on the High Hazard Industries List, with a workers' compensation experience modification rate of 1.1 or less, are exempt from certain IIPP recordkeeping requirements.

B. ESTABLISHING THE NON-HIGH HAZARD INDUSTRIES LIST

DOSH establishes a list of non-high hazard industries based on their NAICS codes [formerly Standard Industrial Classification (SIC) codes]. The list is reviewed biennially and is revised, as needed.

To view the current Non-High Hazard Industries list, visit: http://www.dir.ca.gov/doshpol/non-high-hazard-industries.pdf

NOTE (1): The list of Non-High Hazard Industries is established pursuant to Labor Code Section 6401.7(j)(2).

NOTE (2): Employers in non-high hazard industries may utilize the Model Injury and Illness Prevention Program (IIPP) for Non-High Hazard Employment prepared by DOSH to comply with the requirements of Title 8 CCR Section 3203.

NOTE (3): Employers in non-high hazard industries are not exempt from programmed inspections.

C. ESTABLISHING THE LOW HAZARD INDUSTRIES LIST

From the Non-High Hazard Industries list, DOSH establishes a list of low hazard industries and periodically reviews and revises the list.

To view the current Low Hazard Industries list, visit:
http://www.dir.ca.gov/doshpol/low-hazard-industries.pdf

NOTE (1): The list of Low Hazard Industries is established pursuant to Labor Code Section 6401.7(e)(4).

NOTE (2): Employers with fewer than 20 employees in industries that are on the Low Hazard Industries list are exempt from certain IIPP recordkeeping requirements.

NOTE (3): Employers in low hazard industries are not exempt from programmed inspections.

D. RESOURCES USED TO ESTABLISH THE NON-HIGH HAZARD AND LOW HAZARD INDUSTRIES LISTS

To further identify industries that may be included on the Non-High Hazard Industries list, in addition to the NAICS codes, and for the creation of the Low Hazard Industries list, DOSH considers data from one or more of the following resources:

1. Summary of Occupational Injury and Illness (SOII), Table 6 – Non-fatal injury and illness data http://www.dir.ca.gov/oprl/nonfatal.htm). Injury and Illness rates for California establishments are published by Department of Industrial Relations, Office of Policy, Research and Legislation (OPRL). If a NAICS industry group has less than 75% of Private Industry average, that group may be listed on the Non-High Hazard Industries List.

2. Partial Exemption (Recordkeeping) for Establishments in Certain Industries are identified in Table 1 at 8CCR 14300.2. California Code of Regulations, Title 8, Section 14300.2. Partial Exemption for Establishments in Certain Industries.

3. Rating Organization as defined in Section 11750.1 of the Insurance Code.

4. Any other available information or sources.