

**STANDARDS PRESENTATION  
TO  
CALIFORNIA OCCUPATIONAL SAFETY AND HEALTH STANDARDS BOARD**

PROPOSED STATE STANDARD,  
TITLE 8, CHAPTER 4

Amend Section 5110 to read:

§5110. Repetitive Motion Injury (RMI) and other Ergonomic Hazards

~~(a) Scope and application. This section shall apply to a job, process, operation where a repetitive motion injury (RMI) has occurred to more than one employee under the following conditions:~~

~~(1) Work related causation. The repetitive motion injuries (RMIs) were predominantly caused (i.e. 50% or more) by a repetitive job, process, or operation;~~

~~(2) Relationship between RMIs at the workplace. The employees incurring the RMIs were performing a job process, or operation of identical work activity. Identical work activity means that the employees were performing the same repetitive motion task, such as but not limited to word processing, assembly or, loading;~~

~~(3) Medical requirements. The RMIs were musculoskeletal injuries that a licensed physician objectively identified and diagnosed; and~~

~~(4) Time requirements. The RMIs were reported by the employees to the employer in the last 12 months but not before July 3, 1997.~~

~~(b) Program designed to minimize RMIs. Every employer subject to this section shall establish and implement a program designed to minimize RMIs. The program shall include a worksite evaluation, control of exposures which have caused RMIs and training of employees.~~

~~(1) Worksite evaluation. Each job, process, or operation of identical work activity covered by this section or a representative number of such jobs, processes, or operations of identical work activities shall be evaluated for exposures which have caused RMIs.~~

~~(2) Control of exposures which have caused RMIs. Any exposures that have caused RMIs shall, in a timely manner, be corrected or if not capable of being corrected have the exposures minimized to the extent feasible. The employer shall consider engineering controls, such as work station redesign, adjustable fixtures or tool redesign, and administrative controls, such as job rotation, work pacing or work breaks.~~

~~(3) Training. Employees shall be provided training that includes an explanation of:~~

~~(A) The employer's program;~~

~~(B) The exposures which have been associated with RMIs;~~

~~(C) The symptoms and consequences of injuries caused by repetitive motion;~~

~~(D) The importance of reporting symptoms and injuries to the employer; and~~

~~(E) Methods used by the employer to minimize RMIs.~~

~~(c) Satisfaction of an employer's obligation. Measures implemented by an employer under subsection (b)(1), (b)(2), or (b)(3) shall satisfy the employer's obligations under that respective subsection, unless it is shown that a measure known to but not taken by the employer is substantially certain to cause a greater~~

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~~reduction in such injuries and that this alternative measure would not impose additional unreasonable costs.~~

(a) Scope and application. RMI and other ergonomic hazards shall be addressed through the employer's Injury and Illness Prevention Program required by section 3203. The following are additional requirements specifically applicable to RMI hazards.

Note: The Cal/OSHA Consultation Service makes it a priority to provide assistance to small employers in complying with this and other occupational safety and health standards. This service is offered free of charge.

(b) Investigation of an injury pursuant to section 3203(a)(5) shall include a worksite evaluation if the injury reasonably appears to be a work-related RMI. The worksite evaluation shall include the following:

(1) An interview of the employee and observation of the employee's workstations or work locations.

(2) Observation of the employee's work and work processes.

(3) A record of the findings of the evaluation.

(c) In controlling RMI hazards pursuant to section 3203(a)(6) the employer shall consider engineering controls, such as work station redesign, adjustable fixtures or tool redesign, and administrative controls, such as job rotation, work pacing or work breaks.

(d) Training. Employees exposed to RMI hazards as determined pursuant to section 3203(a)(3), (a)(4), (a)(5), or (a)(7) shall be provided training that includes an explanation of the following:

(1) The manner in which the employer's Injury and Illness Prevention Program addresses RMI hazards.

(2) The RMI hazards that the employer has determined are to be addressed by the Injury and Illness Prevention Program.

(3) The symptoms and consequences of injuries caused by repetitive motion.

(4) The importance of reporting symptoms and injuries to the employer.

(5) Methods used by the employer to minimize RMIs.

Note: Authority cited: Sections 142.3 and 6357. Labor Code. Reference: Sections 142.3 and 6357. Pulaski v. Occupational Safety & Health Stds. Bd. (1999) 75 Cal.App.4th 1315 [90 Cal. Rptr. 2d 54].

HISTORY

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1. New article 106 (section 5110) and section filed 6-3-97; operative 7-3-97 (Register 97, No. 23).
2. Editorial correction of subsection (b)(1) (Register 97, No. 29).
3. Change without regulatory effect repealing subsection (a)(4) Exemption and amending Note filed 4-28-2000 pursuant to section 100, title 1, California Code of Regulations (Register 2000, No. 17).