



# Memorandum

**Date:** April 21, 2026

**To:** Millicent Barajas, Executive Officer  
Occupational Safety and Health Standards Board

**From:** Steven Honjio, Senior Safety Engineer  
Kevin Graulich, Principal Safety Engineer  
Eric Berg, Deputy Chief of Health  
Division of Occupational Safety and Health

**Subject:** Evaluation of Petition No. 610 to amend title 8 section 5144(a) regarding required signage at construction sites

## 1.0 INTRODUCTION

On December 29, 2025 and January 5, 2026, the Division of Occupational Safety and Health (Cal/OSHA) received Petition No. 610 from Shourish Mukherjee (petitioner). The petitioner seeks two distinct actions:

1. Amend section 5144(a) to mandate multilingual signage and "infographics" at construction entry points where respiratory hazards exist.
2. Revise the Cal/OSHA publication "Working Safer and Easier for Janitors, Custodians, and Housekeepers" (referenced by section 3345 Appendix A) to include chronic respiratory risks.

Labor Code section 142.2 permits interested persons to propose new or revised standards concerning occupational safety and health and requires the Standards Board to consider such proposals. California Labor Code section 147 requires the Standards Board to refer to Cal/OSHA for evaluation of any proposed occupational safety and health standard.

## 2.0 PETITIONER'S REQUEST AND BASIS FOR AMENDMENT OF TITLE 8 REGULATIONS

### 2.1 PETITION TO AMEND SECTION 5144 Respiratory Protection

The petitioner proposes the addition of a new subsection 5144(a)(3), to read as follows:

§5144. Respiratory Protection.

(a) Permissible practice.

\* \* \* \*

(3) In construction operations where respiratory protection is required under this section, the employer shall post clearly visible and conspicuous signage (including infographics) at all points of entry to the affected work area. Signs shall meet the visibility requirements of

section 3340. Such signs shall notify employees and entrants of the respiratory hazard. Signs shall be in English and the dominant language(s) of the workforce.

\* \* \* \*

The petitioner reasons that the proposed amendment would enhance a specific requirement for a point-of-hazard notification in the dynamic environment of construction sites regarding respiratory hazards and is necessary to address critical safety gaps in the construction industry.

The petitioner identifies four factors that form the basis for the petition.

- Preventing Systemic, Chronic, and Accidental Exposure: Construction sites are dynamic, often involving transient workers and multiple subcontractors. This amendment would require "hazard zone" signage where general respiratory hazards exist. This signage would warn workers and bystanders of the potential exposure to dust, respirable crystalline silica, fumes, vapors, asbestos fibers, and gases.
- Consistency with Other Standards: Specific regulations (e.g., Lead section 1532.1, Asbestos section 1529) already require signage. Amending subsection 5144(a) will provide a uniform safety standard for all respiratory hazards, ensuring "clarity and consistency" as required by the Office of Administrative Law (OAL).
- Language Accessibility, Including Infographics: With a diverse workforce, requiring multilingual signage with infographics ensures all employees understand where PPE is mandatory, reducing the risk of non-compliance due to communication barriers or lack of situational awareness.
- Clarity: This amendment provides a clear, enforceable standard for Cal/OSHA inspectors to ensure employers are communicating active hazards effectively.

The petitioner listed the following as supporting documentation and references:

- OSHA recognition of wood dust as a hazard and possible solutions  
[www.osha.gov/wood-dust/hazards](http://www.osha.gov/wood-dust/hazards)
- OSHA recognition of silica dust as a hazard of construction and related infographics:  
[www.dir.ca.gov/dosh/etools/08-019/hazards.htm](http://www.dir.ca.gov/dosh/etools/08-019/hazards.htm)
- Effectiveness of posting signs in the workplace  
[www.researchgate.net/publication/304396217\\_Evaluation\\_of\\_the\\_Perception\\_of\\_Workplace\\_Safety\\_Signs\\_and\\_Effective\\_Factors](http://www.researchgate.net/publication/304396217_Evaluation_of_the_Perception_of_Workplace_Safety_Signs_and_Effective_Factors)
- Cal/OSHA 2025 Wildfire Smoke updates (showing the Board's commitment to visual warnings for air quality)  
[www.dir.ca.gov/DIRNews/2025/2025-03.html](http://www.dir.ca.gov/DIRNews/2025/2025-03.html)
- California silica standard (title 8 section 5204)  
[www.dir.ca.gov/title8/5204.html](http://www.dir.ca.gov/title8/5204.html)
- How comprehension affects safety sign interpretation in construction work  
[www.sciencedirect.com/science/article/pii/S2405844023039518](http://www.sciencedirect.com/science/article/pii/S2405844023039518)

## **2.2 PETITION TO AMEND CAL/OSHA PUBLICATION**

The petitioner proposes to expand the Cal/OSHA educational publication titled “Working Safer and Easier for Janitors, Custodians, and Housekeepers” to explicitly include 'diseases of the respiratory tract' as a serious chronic health risk for janitorial workers, as well as other amendments regarding respiratory protection for janitors.

## **3.0 APPLICABLE TITLE 8 REGULATIONS**

### **3.1 SECTION 5144 RESPIRATORY PROTECTION**

Respiratory protection in construction is regulated by California Code of Regulations (CCR) Title 8, Section 5144. There is no specific requirement for signage on construction sites regarding respiratory hazards under Section 5144. However, section 5144 requires employers to provide and ensure use of appropriate respiratory protection when needed to protect employees from harmful air contaminants. Section 5144 also requires employers to establish and implement a written respiratory protection program that includes employee training, medical evaluation, fit testing, and appropriate selection, use, and maintenance of respirators.

Sections 3203 and 1509 (Injury and Illness Prevention Program; IIPP) require employers to identify, evaluate, and correct workplace hazards. Employers are also required to have a system for communicating with employees in a form readily understandable by all affected employees (i.e., in a language and literacy level understood by employees) on matters relating to occupational safety and health. Such required communication would include respiratory protection needed at the jobsite.

Section 5194 (Hazard Communication) requires employers on multiemployer worksites to develop methods to communicate with any other employers sharing the same work area regarding the hazardous chemicals to which their employees may be exposed while performing their work. In addition, Section 5194 requires that warnings be legible, in English, and prominently displayed. Information in other languages may also be used, but is not required, for employees who speak those languages.

Employers are required to demarcate regulated areas where respiratory hazards exist or could reasonably be expected to exist in the following sections: 1532.1 (Lead), 5200 (Ethylenediamine), 5201 (1,3-Butadiene), 5202 (Methylene Chloride), 5204 (Crystalline Silica), 5205 (Beryllium), 5207 and 1532 (Cadmium), 5208 and 1529 (Asbestos), 5208.1 (Non-asbestiform [tremolite, anthophyllite, actinolite]), 5209 (Carcinogens), 5210 (Vinyl Chloride), 5211 (Coke Oven Emissions), 5212 (1,2-Dibromo-3-Chloropropane), 5213 (Acrylonitrile), 5214 (Inorganic Arsenic), 5215 (4,4'-Methylenebis(2-chloroaniline)), 5217 (Formaldehyde), 5218 (Benzene), and 5220 (Ethylene Oxide).

Employers are required to post signs requiring respirators in regulated areas in the following sections: 5190 (Cotton Dust), 5200 (Ethylenediamine), 5204 (Crystalline Silica), 5205 (Beryllium), 5207 and 1532 (Cadmium), 5208 and 1529 (Asbestos), 5208.1 (Non-asbestiform [tremolite, anthophyllite, actinolite]), 5209 (Carcinogens), 5210 (Vinyl Chloride), 5212 (1,2-Dibromo-3-Chloropropane), 5213 (Acrylonitrile), 5214 (Inorganic Arsenic), 5215 (4,4'-Methylenebis(2-chloroaniline)), 5218 (Benzene), and 5220 (Ethylene Oxide).

### **3.2 REQUEST TO REVISE CAL/OSHA PUBLICATION**

There is no applicable title 8 regulation for the Cal/OSHA Publication “Working Safer and Easier for Janitors, Custodians, and Housekeepers.” Although listed as a publication that may be useful to employers in section 3345 Appendix A (Non-Mandatory), the publication is not part of section 3345 or any other regulation. Employers have no obligation to use the publication.

### **4.0 APPLICABLE FEDERAL OSHA REGULATIONS**

The federal Occupational Safety and Health Administration (OSHA) has no current standard in the Code of Federal Regulations (CFR), title 29, section 1910.134 (Respiratory Protection), that specifically requires construction sites to post signs where respiratory protection is required. As with title 8 CCR, the CFR does require demarcation of regulated areas where specific substances can exceed the permissible exposure limit (PEL).

### **5.0 ANALYSIS**

#### **5.1 ANALYSIS OF PETITION TO AMEND 5144**

##### **5.1.1 Existing General Regulations Provide Adequate Protection**

As discussed in part 3.1 of this evaluation, employers are already required to:

- Effectively communicate with and train employees on workplace hazards and corrective measures (Sections 3203 and 1509 IIPP).
- Train employees on proper use of respirators and ensure respirators are used when needed (Section 5144 Respiratory Protection).
- Communicate with employees and other employers on chemical hazards (Section 5194 Hazard Communication).

Taken together, these regulations already establish a comprehensive framework requiring employers to evaluate airborne hazards, communicate those hazards to employees, train employees regarding respirator use, and ensure respirators are used when necessary.

##### **5.1.2 Existing Substance-Specific Regulations provide more specific warning**

Substance-specific regulations, such as those addressing lead, asbestos, cadmium, crystalline silica, and other listed substances described in part 3.1, provide specific warning signage requirements at the entrance to regulated areas that the employer must establish. On construction sites, where work areas and exposure conditions may change frequently, generic respiratory hazard signs posted at “all points of entry” would result in warning messages that are less specific and that do not correspond to the boundaries of regulated areas required under the substance-specific regulations. Generic signage posted more broadly than required regulated areas may result in employees and other employers misunderstanding the extent of the restricted area and the conditions under which respirator use is mandatory. This could reduce the clarity of respiratory protection requirements and undermine the purpose of the more precise regulated area provisions already contained in title 8.

## 5.2 ANALYSIS OF REQUEST TO REVISE CAL/OSHA PUBLICATION

The petitioner requests to amend the Cal/OSHA document titled “Working Safer and Easier for Janitors, Custodians, and Housekeepers”<sup>1</sup>. This is a Cal/OSHA Consultation Service guidance document published in 2005. The guidance publication emphasizes physical/ergonomic hazards but gives limited attention to chemical or airborne exposures. The existing guidance mentions respiratory protection only briefly (e.g., "For some tasks you may need respiratory protection, which requires specialized [training/fit-testing/etc.]"), without detailed recommendations or emphasis. Respiratory issues (e.g., asthma, chronic bronchitis, irritation, or other tract diseases) can arise from janitorial work due to inhalation of cleaning product fumes, aerosols, dust, mold, or other irritants. Janitorial workers face documented respiratory risks from exposure to volatile organic compounds (VOCs), disinfectants (e.g., bleach, quaternary ammonium compounds), fragrances, and particulates—especially in poorly ventilated spaces or during tasks like floor stripping or using spray cleaners. Adding explicit recognition of chronic respiratory diseases aligns with growing evidence (e.g., from NIOSH, OSHA, and studies on cleaning workers showing elevated rates of asthma and respiratory symptoms). Enhancing respiratory protection guidance could encourage better hazard controls (engineering, substitution with safer products, administrative controls) before relying on PPE, consistent with the hierarchy of controls. Overall, the petition addresses a legitimate gap in the current guidance, which prioritizes ergonomic hazards but under-emphasizes chemical/respiratory ones despite their prevalence in janitorial work.

The document is non-mandatory (advisory only) and is not subject to review and approval by the Standards Board. Cal/OSHA will refer the petitioner’s request to the Cal/OSHA Consultation Unit and Publication Unit for review and future update.

## 6.0 CONCLUSION

Cal/OSHA recommends that Petition No. 610 be DENIED. Existing regulations are sufficient, and the proposal could result in confusion for employers and employees.

Cc: Debra Lee, Chief

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<sup>1</sup> [https://www.dir.ca.gov/dosh/dosh\\_publications/Janitors.pdf](https://www.dir.ca.gov/dosh/dosh_publications/Janitors.pdf)