

# BUTTONWILLOW LAND AND CATTLE COMPANY

A Family Tradition Since 1862

7540 Tracy Avenue  
Buttonwillow, California 93206-9742  
www.buttonwillow.com

Office (661) 764-5865  
(661) 589-3697  
FAX (661) 764-6403

July 2, 2013

**RECEIVED**

**JUL 08 2013**

David Thomas, Board Chair  
Occupational Safety and Health Standards Board  
2520 Venture Oaks Way, Suite 350  
Sacramento, CA 95833

**OCCUPATIONAL SAFETY AND HEALTH  
STANDARDS BOARD**

Re: Tractor Mounted Transportation Unit, Cal/OSHA Regulatory Standards and Enforcement, GISO 3441

Dear Mr. Thomas:

It has come to our attention that the California Division of Occupational Safety and Health (Cal/OSHA) has recently indicated that the use of Tractor Mounted Transportation Units contravenes regulations and that the agency will begin citing farm employers for the use of these personnel carrier units. We write to you today to urge you to set a standard and/or guidelines for the entire farming community to follow. Until a workable alternative is provided, we find the enforcement of this interpreted order to be unreasonable.

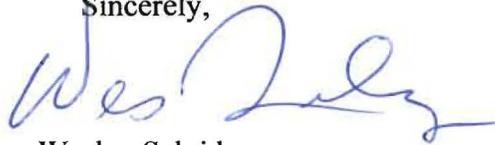
These personnel carrier units have been widely used for more than 25 years to transport irrigation workers in the field; without a single recorded accident associated with their use. Despite their record, Cal/OSHA has recently indicated that the use of these personnel carriers contravenes regulations and that the agency will cite employers using them (GISO 3441). This development occurred to the great dismay of our employees: the inability to use these personnel carriers obliges our employees to walk long distances in soft footings, often in very hot weather. This needlessly exposes our employees to greater risk of heat illness, tripping and falling, and lower-body strains and sprains. All these hazards can be alleviated by allowing the use these units.

The benefits of the tractor-mounted personnel carriers being used are many. Besides enhancing the safety of workers, the units represent a "combined operation" with benefits that include a significantly diminished carbon footprint and its associated reduction in the environmental impact of farming in general. Utilizing one tractor to transport materials and personnel to the field, as well as to perform the installation and removal of irrigation pipe, eliminates the need for multiple vehicles on farm roads. As such, it represents a significant reduction in dust, fuel usage, and the multiple safety issues associated with increased traffic on farm roads.

Only one farming entity has successfully applied for and received an experimental variance for the temporary use of their units in their operations. However, their application for a permanent variance has stalled in the Occupational Safety and Health Standards Board process and they won't know more on a decision until August. Regardless, their potential approval would not apply to our farming operation. Furthermore, we find this revised interpretation of this long-used safe practice to be contrary to the mission of Cal/OSHA as it will come at the expense of our employees' health and safety.

Since no guidance or alternatives to these units have been given by Cal/OSHA and in the spirit of cooperation, we urge you to set a standard and/or guidelines for the entire farming community to follow. Until a workable alternative is provided, we find the enforcement of this interpreted order to be unreasonable.

Sincerely,

A handwritten signature in blue ink, appearing to read "Wes Selvidge". The signature is fluid and cursive, with a long horizontal stroke at the end.

Wesley Selvidge  
Partner