

N E W S R E L E A S E

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Judge Upholds Cal/OSHA Enforcement of Worker Protection Laws for Adult Film Performers

San Francisco – An administrative law judge’s appeal decision made last month upheld serious citations issued by Cal/OSHA to adult film employer Treasure Island Media, Inc. for inadequate protection of employees during production of adult film videos. These are the first Cal/OSHA citations issued to an adult media company that have been adjudicated through the appeals process. Treasure Island Media videos feature performers having sex with multiple partners without mandated controls to prevent exposure to bloodborne pathogens including HIV, and Hepatitis B and C.

The January 6 decision by Administrative Law Judge Mary Dryovage of the Occupational Safety & Health Appeals Board (OSHAB) upholds citations issued in 2010. The previous year, the Cal/OSHA High Hazard Unit investigated a complaint and cited San Francisco-based Treasure Island Media for numerous general violations as well as the two serious citations for failure to protect employees against sexual transmission of bloodborne pathogens. Serious violations are cited where there is a realistic possibility that death or serious physical harm could occur in the workplace.

“This decision highlights California’s commitment to worker safety in adult entertainment, as in all industries,” said Department of Industrial Relations (DIR) Director Christine Baker. Cal/OSHA, also known as the Division of Occupational Safety and Health, is a division of DIR.

The first serious violation found that Treasure Island lacked an exposure control plan to limit employee contact with semen and other infectious bodily materials during filming and set cleaning. The second cited the failure to observe universal precautions during film production and failure to institute engineering and work practice controls including the use of barrier protection such as condoms.

The judge’s decision upheld workplace protection laws including the bloodborne pathogens [standard](#) which was adopted to prevent occupational exposure to blood or other potentially infectious materials. Judge Dryovage also ruled that adult film

performers are employees, rather than independent contractors. The judge lowered the final penalty assessment to \$8,670; Cal/OSHA had proposed \$20,485.

“This case sends a message to the adult film industry that Cal/OSHA will continue to enforce the bloodborne pathogens standard and other regulations in this industry, and that those citations are likely to be upheld,” said Acting Cal/OSHA Chief Juliann Sum.

Cal/OSHA helps protect workers from health and safety hazards on the job in almost every workplace in California. Employers who want to learn more about California workplace health and safety standards can get information on Cal/OSHA’s [website](#).

Additional information on specific issues and work-related topics are available on the [DIR website](#) as well as on [Facebook](#) and [Twitter](#).

Employees with work-related questions may call the California Workers’ Information Hotline at (866) 924-9757 for recorded information on a variety of work-related topics. Complaints can be filed by phone, email or by mail with the local [Cal/OSHA district office](#).

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