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05/10/2019

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My comments on the proposed regulation - Protection of Workers from Wildfire Smoke

Thank you for the opportunity to participate in the 05/08/2019 Advisory Committee meeting where we discussed the draft regulation - Protection of Workers from Wildfire Smoke.

As a California worker who was affected by the recent Thomas fires in Ventura County and an employee of a public-school district, the proposed regulation must protect education employees who regularly work outside during emergency wildfire incidents. This would include Maintenance workers and Grounds workers. Others that could be called into service during an emergency and involved in the evacuation of students and staff, are bus drivers, school site management, facilities management and district main office administrators. There also are school district employees who work inside buildings that do not have ventilation (filter) systems that could be affected by wildfire smoke. These are custodians, teachers and other school site workers. All workers that could be affected by wildfire smoke during their daily work shift must be protected from wildfire smoke. If students were evacuated from our campuses, teachers would likely be excused also.

We discussed the voluntary, and in extreme smoke conditions, mandatory use of N95 respirators. One of the problems brought forth was that the majority of workers have some form of facial hair which will challenge the protective aspects of the respirator. How will we address this (fit testing) issue? How do we regulate the sensitive worker who has medical issues that would be provoked by the use of a N95 respirator?

We stated that this emergency regulation will address outdoor workers, not workers in buildings with ventilation systems. How will we address workers in buildings without ventilation systems? When we begin the work on the permanent regulation, how about buildings with ventilation systems that use filters that are not MERV 13 or equivalent rated? I have witnessed school districts using inadequate filters as a method of cost savings.

We also want to protect the worker from the threat of retaliation from management for the reporting of an emergency wildfire smoke situation.