

**California Occupational Safety and Health Program
FY 2014 Annual Performance Plan (Cal/OSHA)**

INTRODUCTION

This Annual Performance Plan is submitted by the California Occupational Safety and Health Program under the Government Performance and Results Act of 1993 (GPRA). Pursuant to an agreement between Federal OSHA and the State Plan States, the Cal/OSHA Program has developed this Annual Performance Plan designed to meet GPRA requirements and to reflect California's own experience and concerns.

Per grant instructions, Cal/OSHA is submitting separate 23(g) and 21(d) grant applications for FFY 2014 funding. However, the FY 2013-2017 five-year Strategic Plan and the 2014 Annual Performance Plan are intended to reflect the integrated nature of both the compliance and consultation programs. The Cal/OSHA Enforcement and the Cal/OSHA Consultation Program both support the DOSH Strategic Plan. The Annual Performance Plan is designed to integrate various program activities so that there is a unified purpose and direction for all of the programmatic elements within the Division.

The overall mission of the Cal/OSHA Enforcement Program is to protect workers from occupational safety and health hazards that can cause injury, illness, or death by enforcing California's occupational safety and health regulations. The Cal/OSHA Enforcement Program strives to achieve its mission by responding to complaints of unsafe or unhealthy working conditions, including imminent hazards, and conducting accident investigations to identify and correct conditions that contribute to the occurrence of the accident so that the conditions relating to the accident will not recur. In addition, the Cal/OSHA Enforcement Unit conducts programmed inspections in places of employment in specific high-hazard industries, such as chemical and refinery operations, as well as in other high-hazard workplaces identified as such by their elevated injury and illness rates, or by other relevant criteria.

➤ **23(g) Enforcement Grant**

Grant Funding - 23(g)

	FFY 2012-13 (As initially submitted, less Federal sequestration)	FFY 2013-14	DIFFERENCES
TOTAL	\$70,159,837	\$71,170,374	\$1,010,537
Program Administration	15,912,280	14,383,308	-1,533,022
Enforcement	40,665,691	44,220,809	3,555,116
High Hazard Unit	4,599,860	3,808,697	-791,163
Anti-Discrimination	880,348	810,090	-70,258
Occupational Disease Statistic	103,470	37,074	-66,396
Cal/OSHA Standards Board	1,963,520	1,972,484	13,016
Cal/OSHA Appeals Board	3,817,482	3,845,996	28,514
Consultation 23(g)	2,217,186	2,091,916	-125,270

APPENDIX B

Total funding under 23(g) for the fiscal year October 1, 2013 through September 30, 2014 is requested at the level of \$71,170,374. Federal share will be \$26,274,837. The State's matching share will be \$44,895,537.

CAL/OSHA OVERALL STRATEGY AND RATIONALE

The basic goal of the Cal/OSHA program is to reduce the threat of occupational injury and illness to California workers by creating a safe and healthful work environment and an informed workforce.

Cal/OSHA seeks to achieve this goal through an interdependent mix of program elements. Foremost among these elements is the effective enforcement of standards with an emphasis on the rapid abatement of hazards. The enforcement effort is supported by partnership programs, information services, employee education, and consultation services. Standards-setting procedures provide opportunity for public participation and ensure that both federally-initiated and State-initiated standards will be appropriate to California industry.

The California program has been tailored to meet the State's needs and incorporates a number of innovative approaches to problems. This performance agreement continues to reflect this basic philosophy.

Activities Initiated by the Labor and Workforce Development Agency

The Labor and Workforce Development Agency (the Agency) established in July 2002 contains the Department of Industrial Relations (DIR), the Employment Development Department (EDD) - along with their boards and commissions -- the Workforce Investment Board and the Agricultural Labor Relations Board.

The Agency is committed to increasing coordination and effectiveness of labor, employment development, tax, and safety and health enforcement programs. Inter-Divisional/Departmental cross-training and referral systems have been introduced to enhance enforcement actions against employers who violate labor, tax and safety and health laws.

The initiative undertaken by the Agency having most impact within the Cal/OSHA Program has been the creation and running of the Labor Enforcement Task Force (LETF), in which Cal/OSHA is one of the primary partners, providing enforcement of workplace health and safety regulations.

Rulemaking Initiatives

Safe Patient Handling

In 2011, the California Legislature passed AB 1136, which requires general acute care hospitals to adopt a safe patient handling policy into their Injury and Illness Prevention Program. The policy requires the replacement of manual lifting and transferring with powered and non-powered devices and lift teams. The Legislation took effect on January 1, 2012. Cal/OSHA has engaged in an advisory process that has included approximately 200 people representing labor, safe patient handling professionals, representatives of professional organizations, hospitals, and other groups. Two advisory meetings were held, from which a draft regulation emerged and

APPENDIX B

was submitted to the Standards Board, and, pending Agency's review and approval, it is expected to be noticed for a public hearing in September 2013.

Hotel Housekeeping

In response to a petition from representatives of hotel employees in California, the Standards Board requested Cal/OSHA to convene an advisory committee to evaluate the need for a new occupational safety and health standard to prevent musculoskeletal injuries in the hotel industry, and to develop a proposal for a new standard as appropriate. Cal/OSHA held two advisory meetings, and has been working with labor and industry representatives, as well as health and safety professionals and researchers, to discuss these issues and evaluate any proposals.

Permissible Exposure Limits (PEL) Updates

As part of the ongoing advisory committee process used to review and update the levels of airborne contaminants to which workers can be exposed, amendments to the existing standard were proposed for ethyl benzene, n-methyl pyrrolidone (NMP), naphthalene, and hydrogen chloride. Public hearings were held, and adoption of these amendments by the standards Board is anticipated, resulting in new or lower PELs for these substances.

Legislation

During the FFY 2013, the California Legislature did not pass any legislation that would impact the Cal/OSHA Program.

APPENDIX B

Cal/OSHA ORGANIZATION AND OVERVIEW

The following overview of the Cal/OSHA Program discusses both Administrative and Program functions.

Administration

The California Department of Industrial Relations (**DIR**) is designated to administer the California Occupational Safety and Health Plan (**Cal/OSHA**). The Department is an agency within the Labor and Workforce Development Agency. The Division of Occupational Safety and Health (**DOSH**) provides the enforcement and consultative branches of the Cal/OSHA program, and is responsible for workplace inspections to enforce safety and health standards, education and outreach to employees and employers, and on-site consultative assistance. DOSH is headed by a Chief, who is supported by a Deputy Chief for Enforcement, a Deputy Chief for Health and Engineering Services, and a Program Manager for Consultation Services.

Cal/OSHA Enforcement

The Division's field enforcement activities are administered through six regions; each headed by a Regional Manager or Principal Engineer who reports directly to the Deputy Chief for Enforcement. Compliance staff is assigned to 26 district offices, each administered by a District Manager or equivalent that may be of either the safety or health discipline. A Deputy Chief for Enforcement and Deputy Chief for Health and Engineering Services co-direct compliance activities. Two senior safety engineers are assigned to each regional office in order to provide technical inspection support for field staff. Two pressure vessel safety engineers are included in this application. These positions are used in accident investigations such as refinery and other explosions which require pressure vessel expertise.

Cal/OSHA Consultation Program

The mission of the Cal/OSHA Consultation Program is to eliminate worker injuries and illnesses by providing pro-active and effective workplace safety and health assistance to California's employer and employee communities.

The objectives of the Cal/OSHA Consultation Program are to 1) Identify and promote occupational safety and health services to primarily small, high hazard employers; 2) Educate employers and employees about the benefits of effective occupational safety and health programs; and 3) Encourage employers and employees to implement and maintain good safety and health practices. The primary mechanism to achieve these objectives is through the provision of one-on-one, on-site consultative visits to employers who are unlikely to have access to professional occupational safety and health resources.

Consulting services are designed to reduce or eliminate workplace injuries and illnesses through voluntary compliance with occupational safety and health regulations and "best practice" improvements. The Program also conducts training and outreach to employer and employee organizations and maintains a publicly-accessible database of educational materials.

The Cal/OSHA Consultation Program also administers several recognition and exemption programs. These programs are offered as incentives for employers and their employees to develop exemplary safety and health programs for their respective workplace. The Cal/OSHA

APPENDIX B

Consultation Program offer two partnership programs under the 23g grant, namely the Voluntary Protection Program and the Voluntary Protection Program – Construction. Under the 21d Cooperative Agreement, the Cal/OSHA Consultation Program also offers a recognition and exemption program known as the Safety and Health Achievement Recognition Program (SHARP) and a recognition program known as Golden Gate.

The Cal/OSHA Consultation Program receives federal funding through the 21d Cooperative Agreement with Federal OSHA, as well as the federal 23g grant.

Targeted Inspection and Consultation

Workers' Compensation insurance reform legislation in California, signed by the Governor in 1993, required DOSH to establish a new compliance program for targeting employers in high hazard industries with the highest incidence of preventable occupational injuries and illnesses and workers' compensation losses.

Cal/OSHA's High Hazard Enforcement Unit resides in Region 6 and is headed by a Regional Manager. The Regional Manager also supervises the Labor Enforcement Task Force (LETF) and Process Safety Management Units.

This legislation specifically required DOSH to:

"Identify employers in high hazard industries with the highest incidence of preventable occupational injuries and illnesses and workers' compensation losses;"

"Establish procedures for ensuring that the highest hazardous employers in the most hazardous industries are inspected on a priority basis;" and

"Coordinate the inspections conducted in accordance with Section 6314.1 with the Division's consultation service."

Activities related to Targeted Inspections and Targeted Consultations established as a result of this legislation are included in this performance agreement.

As part of Cal/OSHA's high-hazard consultative and high-hazard enforcement program, various pre-intervention and post-intervention efficacy outcome measures have been developed based on data obtained from employers in order to measure the effectiveness of both enforcement actions and consultations conducted under the high hazard program.

In reviewing data from a sample of high-hazard employers, it has been determined that both the high-hazard consultation program and the high-hazard enforcement program have been effective interventions in reducing injuries, illnesses and worker's compensation claims for employers who were targeted for consultation or enforcement interventions.

A recently published study, conducted by Harvard Business School and U C Berkley's Business School concluded that Cal/OSHA activities produced positive results for the employers that experienced a programmed inspection. The study examined inspections of high hazard industry employers between 1996 and 2006. It demonstrated that these companies experienced fewer injuries and less costly claims which resulted in reduced workers' compensation insurance costs.

APPENDIX B

Targeted Inspections – High Hazard Enforcement Unit

The High Hazard Enforcement Unit staff is responsible for high hazard targeted inspections throughout the State. Established as part of a separate Cal/OSHA enforcement region, the High Hazard Enforcement Unit is mandated by AB 110, with district offices in Oakland and Santa Ana. High Hazard Enforcement offices are co-located with the Cal/OSHA compliance offices, and are each administered by a District Manager. The High Hazard Enforcement Unit is headed by the Regional Manager for the Targeted Inspection Unit, who reports to the Deputy Chief for Enforcement.

Targeted Consultations

Targeted consultation activities were integrated into the 21(d) consultation process in FY 2001. The 21(d) consultation program is headed by a Regional Manager who reports to the Program Manager for the Consultation Service.

Mining and Tunneling

Tunneling activities are charged to the 23(g) grant and mining activities are entirely State-funded. A Principal Engineer supervises mining and tunneling inspections throughout the State. District offices are located in Sacramento, Van Nuys and San Bernardino, each headed by a Senior Engineer. The Senior Engineer coordinates with the District Manager in the closest geographical area if assistance of an industrial hygienist is needed.

Process Safety Management

The Cal/OSHA process safety management standard provides requirements for managing the danger associated with use of highly hazardous substances in chemical plants, refineries and other facilities. The key is process analysis: careful review and analysis ahead of what could go wrong and what safeguards must be in place to prevent releases of dangerous substances and the fires and explosions that could result from such releases. At the present time, two Process Safety Management offices located in Southern California and Northern California are supervised by a District Manager, and focus on inspecting facilities covered under the Process Safety Management standard, such as refineries, chemical plants, and oil and gas field services. Significant changes in the structure, staffing and inspection paradigm of the petroleum refineries are being considered, which will greatly enhance enforcement activities at this type of facilities. The Process Safety Management Unit is headed by the Regional Manager for the Targeted Inspection Unit.

Labor Enforcement Task Force (LETF)

The Labor Enforcement Task Force (LETF) is a partnership of enforcement agencies that addresses Labor laws and other abuses by employers operating in California's underground economy to create an environment where legitimate businesses can thrive. In this joint effort between state agencies, information and resources are shared to ensure hard-working, compliant business owners who protect their employees can compete and thrive. California has continued aggressive enforcement activities with cooperative efforts by the Department of Industrial Relations' divisions, including the Labor Commissioner's office, Cal/OSHA, Workers' Compensation, and Apprenticeship Standards, the Employment

APPENDIX B

Development Department, the Contractors State Licensing Board, California Department of Insurance, Board of Equalization, Bureau of Automotive Repair, and State and local prosecutors. A multi-agency inspection protocol and cross-training between agencies created a team of enforcement staff with better targeting information and access, than previous efforts have produced.

Cal/OSHA has two offices for the LETF program – in Northern and Southern California. LETF operations are supervised by two District Managers under the direction of the Regional Manager for the Targeted Inspection Unit.

Cal/OSHA Research and Standards Development Unit

The Research and Standards Unit's primary responsibilities include both safety and health input on development of Cal/OSHA standards. The unit fulfills Cal/OSHA's responsibilities under the Labor Code to review Federal occupational health standards and ensure that California's standards are at least as effective as the federal ones, to maintain surveillance of occupational health issues, determine the necessity for a standard, and develop and present proposed standards to the Occupational Safety and Health Standards Board. A major portion of the unit's activities have been directed toward either the revision of existing standards or promulgation of new standards. Regulatory materials associated with health standards are provided to the Standards Board by the Divisions' health staff. This unit also evaluates variance applications by employers who propose alternate means of protecting workers.

The mining and tunneling staff develops regulations for the Board where the Division has special expertise not otherwise available to the Board.

The Research and Standards Development Unit provides Headquarters coordination and outreach on new standards, such as Aerosol Transmissible Diseases, and on subjects of special concern such as repetitive motion injuries, safe patient handling in acute care hospitals, and occupational exposures to the arthroconidia (spores) of *Coccidioides immitis*, a fungus that lives in the soils of southwestern United States and that may result in *Coccidioidomycosis* (Valley Fever).

As part of its standards development work, personnel of the unit conduct research on hazards identified with accident investigations and compliance experience that are not now covered by existing Cal/OSHA standards. Staff also develops safety standards on specific subjects, as agreed by the Standards Board.

The Occupational Carcinogen Control Unit conducts activities pertinent to the Reporting of Use of Carcinogens requirements of the Labor Code.

Medical Unit

The Medical Unit provides technical support to health compliance and consultative staff, serves as expert witnesses on appeals, conducts research and presents seminars on medical subjects. The unit provides input where appropriate in standards development and hazard evaluation.

The Medical Unit also provides medical expertise by its evaluation of potential heat illness cases and heat-related deaths.

APPENDIX B

Legal Unit

A central function of the Legal Unit is to provide litigation support to the enforcement staff in the context of contested citations, orders, and civil penalties, which are heard before the Occupational Safety and Health Appeals Board.

The caseload of the Legal Unit has increased substantially in recent years because of increased civil penalties as a result of legislation which raised the maximum civil penalties for specified violations substantially in excess of comparable Fed-OSHA statutory provisions. In addition, the Appeals Board has recently increased the number of Administrative Law Judges (ALJs) operating in both Northern and Southern California, thus further increasing the number of appeals that can be heard in any given week. For these reasons, the number of appeals increased by approximately 100% in recent years. The Legal Unit is responsible for representing the Division in the more factually or legally complex cases heard before the Appeals Board. In addition, legal staff represent the Division when enforcement actions are challenged in courts of law, usually as a result of writs of mandate following decisions of the Appeals Board.

In an effort to provide greater support to the Division districts, Legal Unit staff attorneys schedule periodic visits to Division district offices for the purpose of meeting with management and compliance staff to discuss enforcement strategies in the context of emerging legal issues. Legal staff also provide training throughout the Division as well as to outside groups and stakeholders.

DOSH Legal Unit Staff have been successful in preserving initial favorable rulings in the vast majority of cases challenged before the Appeals Board in the context of petitions for reconsideration or in courts of law in the context of writs of mandate.

The DOSH Legal Unit also plays a central role with reference to other Division initiatives. Division attorneys are responsible for assisting in the finalization of regulations and at present are engaged in several rule-making projects.

Finally, the Chief Counsel and Special Counsel work under the direction of the Chief of the Division by assisting in the development and implementation of policy for the Division; reviewing and analyzing pending or proposed legislation; assisting with the review, development and amendment of proposed regulations; advising on complex litigation; representing and acting for the Chief, as assigned, in meetings with federal and state agency officials, the Governor's office, and state legislators; and by advising and assisting the Chief with budgetary, programmatic and other matters in the Division as assigned.

Bureau of Investigations (BOI)

The Bureau of Investigations (BOI) attorneys along with the assistance of BOI investigators are responsible for preparing cases for prosecution. In performing this statutory function, the BOI conducts investigations and makes referrals to the appropriate prosecuting authority. BOI continues to maintain a close working relationship with district and city attorneys with reference to its investigations and referral of cases.

APPENDIX B

Division Program Support

Administration and Program Office

The Administration and Program Office functions as staff to the Chief of DOSH and provides liaison between the State and Federal programs, prepares and coordinates reports dealing with program activities and prepares the DOSH budget. Staff responds to numerous requests for information from the public and from other governmental agencies. Staff also prepares statistical reports to assist the Chief in evaluating the effectiveness of enforcement actions, special emphases programs, high hazard targeting. The program office is involved with both the 23(g) and 21(d) grant applications.

Professional Development and Training Unit

DOSH completed the process of re-creating a formal, in-house training unit, which, at this time, consists of a Senior Safety Engineer with health background, who serves as training officer within DOSH, assisted by high level support staff. The unit plans, coordinates and conducts in-service training on a variety of topics to address the needs of all DOSH staff. Senior level staff as well as selected field staff, in addition to external trainers, participate in the training of CAL/OSHA personnel in technical and non-technical areas. In addition, the training officer reviews and approves requests for out-service training by all staff.

Other Agencies Participating in the Cal/OSHA Program

California Occupational Safety and Health Standards Board

The OSH Standards Board is the sole agency in California authorized to adopt, amend, or repeal occupational safety and health regulations. The Cal/OSHA Standards Board is comprised of seven members who are appointed by the Governor.

The Board also has authority to grant or deny employer requests for permanent and interim variances from regulations. It also hears appeals from DOSH actions on temporary variance applications. In addition, the Board acts on petitions for new regulations or changes to existing regulations.

Two segments of the Cal/OSHA program have standards-related responsibilities—the California Occupational Safety and Health Standards Board (Standards Board) and the Cal/OSHA's Research and Standards Development Unit.

The Standards Board has responsibility for the development and/or modification of State regulations resulting from various sources including Federal OSHA safety standards activity. In addition, the Board chairs some advisory committees on proposed regulations. Pursuant to Labor Code Section 142.3, the Board is the only agency in the State authorized to adopt occupational safety and health regulations. DOSH is mandated by Labor Code Section 147.1 to develop proposed occupational health standards for consideration by the Standards Board, and by mutual agreement is more efficient in the development of proposed standards in several other areas, i.e., elevators, tramways and amusement rides; pressure vessels; petroleum; and mining and tunneling.

APPENDIX B

The Standards Board members serve on a part-time basis, and are supported by a full-time staff. The Board Members represent the fields of management, labor, occupational safety, occupational health, and the general public. Some of the Standards Board positions are shown at less than 100% participation to reflect time expended on elevator standards and variance activities.

California Occupational Safety and Health Appeals Board

The OSH Appeals Board is a quasi-judicial body which hears appeals arising from citations, special orders and civil penalties issued to California's private and public sector employers in the enforcement of its occupational safety and health laws.

The Appeals Board is a three member full-time body appointed by the Governor and confirmed by the Senate. The Labor Code specifies that one member shall be from the field of management, one from the field of labor, and one from the general public. Staff includes an executive officer, a presiding administrative law judge and a complement of judges, a chief counsel and various administrative, legal and clerical support positions.

The Occupational Injury and Illness Statistics Unit

The Occupational Injury and Illness Statistics Unit provides information on occupational illness in California, based upon Doctor's Reports of Occupational Injury or Illnesses filed with the Department for every occupational illness.

Census of Fatal Occupational Injuries (CFOI)

DOSH has a Cooperative Agreement with the Federal Bureau of Labor Statistics' Occupational Safety and Health Program, to provide information on occupational deaths in California, based upon various source documents such as Employer's Reports of Occupational Injury or Illness, fatal accident reports filed with the Division, news clippings, and other. This federal-state cooperative program has been implemented in 50 states and the District of Columbia since 1992.

Annual information is provided on rate and number of work-related fatal injuries, and how these statistics vary by incident, industry, occupation, and other characteristics.

Division of Labor Standards Enforcement (DLSE)

DLSE, another Division of the Department of Industrial Relations, is responsible for the enforcement of the statutes that prohibit retaliation against employees who file complaints concerning unsafe or unhealthful working conditions, who reasonably refuse to work in unsafe conditions, or otherwise exercise their rights under Cal/OSHA. These and a number of anti-discrimination statutes are among many labor laws administered by DLSE through its 21 offices located throughout the state.

The Labor Commissioner heads the Division, and Deputy Labor Commissioners are assigned to the subordinate offices. The Deputy Labor Commissioners (DLC's) act as hearing officers on a wide variety of labor laws, including those related to claims of safety and health discrimination.

APPENDIX B

STATE DEMOGRAPHIC PROFILE

COVERED ISSUES

Cal/OSHA jurisdiction encompasses virtually every type of industry in California, covering employers who employ one or more workers. The only exceptions are Federal government agencies, offshore maritime workers, Native American Trusts and domestic service workers in private households.

Incidence rates for total recordable occupational injury and illness cases per 100 full-time employees are shown below. Also shown for each major industry group are the number of employees covered by the Cal/OSHA plan and the number of reporting units.

	INCIDENCE REPORTING RATE (2011)	EMPLOYEES (2011)	NUMBER OF UNITS (2011)
TOTAL	4.0	14,638,658	1,320,034
Agriculture, Forestry, Fishing, Hunting	4.7	449,614	16,756
Mineral Extraction	1.7	27,016	744
Construction	3.8	580,550	65,008
Manufacturing	3.4	1,257,097	40,241
Transportation and Warehousing	5.1	404,582	18,082
Utilities	--	58,199	1,126
Information	2.3	425,193	18,444
Wholesale Trade	3.0	661,757	57,622
Retail Trade	4.6	1,522,619	95,879
Finance and Insurance	1.5	512,160	43,444
Real Estate and Rental and Leasing	3.4	247,476	40,479
Services	2.1	6,216,242	888,001
State and Local Government	7.0	2,276,153*	34,208*

* Includes Federal Government

As indicated by the overall incidence rates shown above, the most hazardous industry divisions in California are State and Local Government, Transportation and Warehousing, Agriculture, Forestry, Fishing and Hunting, and Retail Trade.

PERFORMANCE GOALS – 23 (g)

A statement of goals, strategic tools for achieving those goals and performance measures for evaluating progress toward goals are given on the following pages.

GOAL 1.1

Targeting the Mobile Workforce

5-Year Strategic Goal	Secure safe and healthy workplaces, particularly in high-risk industries, and improve workplace safety and health through enforcement and consultative assistance.
FY 2014 Performance Goal	Target the mobile workforce to reduce fatalities and occupational injuries and illnesses in construction and agriculture by reducing and eliminating hazards in these industries.
Strategy	<p>Identify and prioritize for inspections the complaints, accidents and referrals received for these industries.</p> <p>Conduct more comprehensive inspections for these industry groups in order to have a more direct impact on the leading causes of injuries/illnesses and fatalities.</p> <p>Construction inspections will focus on preventing leading causes of injuries and fatalities due to falls, electrocution, struck-by, or crushed by/caught between.</p> <p>Agriculture inspections will focus on preventing leading causes of injuries, illnesses, and fatalities from: heat illness, contact with objects/equipment, and crushed by/caught between.</p>
FY 2014 Performance Indicators	<p><u>Activity Measures</u> The Cal/OSHA Enforcement Unit will conduct approximately 2,600 inspections combined for both construction and agriculture.</p> <p>Cal/OSHA will attempt to sustain a higher percentage of the serious classification of citations issued as result of these inspections.</p> <p><u>Outcome Measures</u> Abatement of non-contested serious hazards found in these industries will be achieved in 95% of cases.</p> <p>Fatal injuries in construction and agriculture will be reduced by 2% compared to the average for the past three years.</p> <p>Incidence rates for total recordable occupational injury and illness cases per 100 full time employees for Agriculture and Construction will be reduced by 0.2 compared to the average for the past three years.</p>
Data Sources	<p>All Enforcement activity data will be tracked by IMIS.</p> <p>Census of Fatal Occupational Injuries and Illnesses will be used for fatality data.</p> <p>Occupational Injury and Illness Statistics Unit will be used for injury and illness data.</p>

GOAL 1.1

Targeting the Mobile Workforce (continued)

Baseline	Prior FY measures for Enforcement activity. Average for the past three years for fatalities and injury/illness.
Comment	It is reasonable to infer that sustained efforts by Cal/OSHA for the past five years in these industries have resulted in overall reduction in fatalities and occupational injuries and illnesses.

GOAL 1.2

High Hazard Employer Programs

<p>5-Year Strategic Goal</p>	<p>Secure safe and healthy workplaces, particularly in high-risk industries, and improve workplace safety and health through enforcement and consultative assistance.</p>
<p>FY 2014 Performance Goal</p>	<p>To reduce injuries, illnesses and fatalities in selected high hazard industries, with a goal of removing the industry from the High Hazard List due to decreased injury and illness rates.</p>
<p>Strategy</p>	<p>Target for inspections High Hazard establishments that are representative of industries defined as those that have been determined by California (designated by SIC or NAICS codes) to be of a high hazardous nature to workers; and/or establishments that have experience modification rates at or exceeding 125%; and/or establishments with Work Class Codes that have higher industry losses as reflected in the Pure Premium Rates. Additionally, target for inspections establishments from the High Hazard list of industries where amputations occurred.</p> <p>Conduct comprehensive inspections of these sites.</p> <p>Evaluate and assist in the development and implementation of effective injury and illness prevention programs at these sites.</p>
<p>FY 2014 Performance Indicators</p>	<p>Activity Measures The High Hazard Enforcement Unit will conduct 300 inspections of high hazard industries from highest priority NAICS codes.</p> <p>The High Hazard Enforcement Unit will conduct the required number of inspections under the NEP for Primary Metals.</p> <p>Outcome Measures Abatement of non-contested serious hazards found in these industries will be achieved in 97% of cases.</p> <p>Percentage of Programmed inspections conducted in High Hazard establishments, with Serious/Willful/Repeat violations will increase by 10%.</p>
<p>Data Sources</p>	<p>All Enforcement activity data will be tracked by IMIS. Occupational Injury and Illness Statistics Unit data will be used for identifying industries. WCIRB and WCIS will be used for identifying establishments.</p>
<p>Baseline</p>	<p>Prior FY measures for Enforcement activity.</p>
<p>Comment</p>	<p>It is reasonable to infer that comprehensive inspections conducted by the High Hazard Enforcement Unit at establishments on the High Hazard list for the past five years resulted in decreased injury and illness rates, and consequently, removal of these industries from the High Hazard list.</p>

GOAL 1.3

Process Safety Management and Related Industries (PSM)

<p>5-Year Strategic Goal</p>	<p>Secure safe and healthy workplaces, particularly in high-risk industries, and improve workplace safety and health through enforcement and consultative assistance.</p>
<p>FY 2014 Performance Goal</p>	<p>To reduce fatalities and occupational injuries and illnesses in refineries and other industries which fall under the requirements of the PSM standard.</p>
<p>Strategy</p>	<p>Efficiently target PSM facilities for Program Quality Verification (PQV) inspections by using a number of databases to determine which PSM facility to inspect each year. These databases include, but are not limited to, IMIS, RTKNET.org, OSHA.gov. Also identify PSM facilities for inspections through the PSM Unit's outreach programs, complaints from statewide CUPA representatives, and other local, county, and federal agencies.</p> <p>Perform comprehensive petroleum refinery inspections both during the turnarounds, and during normal operating conditions.</p> <p>Conduct PSM inspections in response to all accidents, incidents and near misses that come to the attention of the PSM Unit, occurring at facilities covered by the PSM standard.</p>
<p>FY 2014 Performance Indicators</p>	<p>Activity Measures The Cal/OSHA Process Safety Management Unit (PSM) will conduct a total of 20 Program Quality Verification (PQV) inspections at facilities other than petroleum refineries that meet the trigger threshold quantities for the PSM standard.</p> <p>The PSM Unit will participate in 8 outreach/compliance assistance activities provided to industry/ professional groups.</p> <p>The PSM Unit will conduct 4 comprehensive inspections of petroleum refineries.</p> <p>The PSM Unit will conduct follow-up inspections at establishments other than petroleum refineries for 10% of all inspection types, whether programmed, complaint, accident or referral.</p> <p>Outcome Measures Abatement of non-contested serious hazards found in these industries will be achieved in 98% of cases.</p> <p>The number of fatalities and serious injuries/illnesses attributable to violations of the PSM standard at these facilities will be maintained at the average level for the past three years.</p>
<p>Data Sources</p>	<p>All Enforcement activity data will be tracked by IMIS. Census of Fatal Occupational Injuries and Illnesses will be used for fatality data. Occupational Injury and Illness Statistics Unit will be used for injury and illness data.</p>
<p>Baseline</p>	<p>Prior FY measures for Enforcement activity. Average for the past three years for fatalities and injury/illness.</p>
<p>Comment</p>	<p>Compliance rates in PSM-covered industries increased steadily over the past 7 years.</p>

GOAL 2.1

Heat Illness Prevention Educational Outreach to Employees and Employer Groups

<p>5-Year Strategic Goal</p>	<p>Promote workplace cultures that increase employee and employer awareness of, commitment to, and involvement in safety and health.</p>
<p>FY 2014 Performance Goal</p>	<p>To raise awareness of heat illness prevention among employees and employer groups in outdoor places of employment.</p>
<p>Strategy</p>	<p>Focus heat illness prevention efforts in the construction, agriculture and landscaping industries.</p> <p>Work collaboratively with agricultural, construction, landscaping, and other related stakeholders to increase compliance at these worksites through education, outreach, and by conducting enforcement inspections.</p> <p>Distribute heat illness prevention outreach material for employers and employees.</p>
<p>FY 2014 Performance Indicators</p>	<p>Activity Measures Cal/OSHA will conduct 2,300 inspections of outdoor places of employment where heat hazards will be evaluated. Note: landscaping is considered an agricultural service and will be counted as part of the agriculture inspections.</p> <p>Cal/OSHA staff will work with employers, labor groups, community and faith based organizations, and local governments to distribute information and answer questions regarding heat illness prevention. A minimum of 75 seminars will be conducted where heat illness prevention will be emphasized.</p> <p>Cal/OSHA will distribute a minimum of 4,000 units of heat illness prevention outreach materials during inspections and outreach events.</p> <p>Outcome measures Abatement of non-contested heat hazards found in outdoor places of employment will be achieved in 90% of cases.</p> <p>The number of heat-related serious illnesses and fatalities occurring in outdoor places of employment, based on Cal/OSHA internal tracking, will be maintained at the average level for the past three years.</p>
<p>Data Sources</p>	<p>All Enforcement activity data will be tracked by IMIS. Numbers of outreach events, outreach materials distributed will be internally tracked. Number of heat-related serious illnesses and fatalities will also be tracked internally.</p>
<p>Baseline</p>	<p>Prior FY measures for Enforcement activity. Average for the past three years for fatalities.</p>
<p>Comment</p>	<p>Compliance rates with the Heat Illness Prevention standard (California is the only state in the nation having such regulation) for inspections in Agricultural establishments increased steadily over the past five years.</p>

GOAL 2.2

Educational Outreach to Vulnerable Employee Populations

<p align="center">5-Year Strategic Goal</p>	<p>Promote workplace cultures that increase employer and employee awareness of, commitment to, and involvement in safety and health.</p>
<p align="center">FY 2014 Performance Goal</p>	<p>To promote and interact with high-risk worker organizations about workplace safety and health.</p>
<p align="center">Strategy</p>	<p>Non-English speaking workers traditionally are employed in high risk industries such as agriculture, construction, and manufacturing. In addition, Non-English speaking employees are considered "high risk" by virtue of the number of serious accidents and deaths they experience annually when compared to English speakers. To improve communication and education to high-risk vulnerable employee populations regarding workplace safety and health rights, responsibilities, and hazard, the Division's Compliance Assistance unit will continue to provide training and outreach to vulnerable populations through employer- and employee-group partners. Services will be provided in English, Spanish, Mixteco, Zapoteco, Triqui, Hmong, Punjabi, Vietnamese and Chinese (Cantonese and Mandarin).</p> <p>The Division will continue the outreach and training activities of the three-member Bilingual Outreach Team (BOT), which began in the summer of 2012, to provide information and training in English and Spanish on various safety and health topics to a wide variety of events attended by vulnerable worker populations. These events are organized by worker centers, community-based and faith-based organizations, advocacy groups, and consulates of Latin American countries.</p> <p>The Division will work with worker education programs at the University of California (Labor Occupational Health Program at UC Berkeley and Labor Occupational Safety and Health Program at UCLA) to conduct a series of outreach and training events with high-risk workers and their organizations on both health and safety topics and on how to work effectively with the Division.</p> <p>In addition, the 23(g) Consultation Program staff will update and translate publications.</p>
<p align="center">FY 2014 Performance Indicators</p>	<p><u>Activity Measures</u> Cal/OSHA Enforcement Unit will continue to distribute publications and flyers to employers, supervisors, foremen and workers in English and other languages that detail the requirements of Cal/OSHA regulations including worker rights. Publication distribution will exceed 12,000 in total.</p> <p>The Division will conduct 100 events in FY 2014 by the BOT and regular DOSH staff at events with vulnerable workers organized by worker and community organizations, the UC programs, and consulates.</p> <p><u>Outcome Measures</u> At least 750 event participants will come away with increased knowledge of workplace health and safety hazards, workers' rights under the law and how to exercise these. An additional 15,000 workers will gain this information from trainings conducted by participants in the DOSH events.</p> <p>The Farm Labor Contractor Safety and Health Guide will be re-titled and revised, and translated into Spanish;</p>

GOAL 2.2

Educational Outreach to Vulnerable Employee Populations (continued)

Sources	The number of English and Spanish publications distributed will be measured by tracking downloads for each language from web hits, and by counting handouts in each language provided to attendees at trainings and onsites. The number of activities will be measured by the roster of completed events and the roster of participants will indicate the number of people directly trained by the Division. A post-event survey of participants in Division activities will be used to determine the number of people indirectly trained via events conducted by participants who attended Division activities.
Baseline	Compliance Assistance will measure current year against previous year for publication distribution. The activity level of the BOT during FY 2013 will be used as the baseline for training and outreach activities of this type.
Comment	It is reasonable to infer additional employees in vulnerable populations will receive workplace safety and health training and information that weren't previously available.

GOAL 2.3

Partnership Programs

<p>5-Year Strategic Goal</p>	<p>Promote workplace cultures that increase employer and employee awareness of, commitment to, and involvement in safety and health.</p>
<p>FY 2014 Performance Goal</p>	<p>To promote voluntary compliance by offering employers a variety of partnerships including recognition and exemption programs.</p>
<p>Strategy</p>	<p>Identify employers who have the potential to successfully participate in and/or renew their status in the California Voluntary Protection Program (Cal/VPP) and/or Cal/VPP for Construction.</p>
<p>FY 2014 Performance Indicators</p>	<p><u>Activity Measures</u> The Cal/VPP and Cal/VPP Construction units will hold one workshop each to promote Cal/VPP and Cal/VPP Construction.</p> <p><u>Outcome Measures</u></p> <p><u>Cal/VPP:</u></p> <ul style="list-style-type: none"> 1 New establishment into the Division's leadership level for fixed site establishments 26 Cal/VPP renewals <p><u>Cal/VPP Construction:</u></p> <ul style="list-style-type: none"> 1 New establishment into the Division's leadership level partnership program for construction VPP worksites. 4 Renewals
<p>Data Sources</p>	<p>All Consultation activity data will be tracked by IMIS.</p>
<p>Baseline</p>	<p>Measure current year against previous year.</p>
<p>Comment</p>	<p>It is reasonable to infer that participation in one of Consultation's partnership programs can provide the following benefits:</p> <ul style="list-style-type: none"> • Reduction in injuries and illnesses • Lower worker's compensation costs • Improvement in employee motivation • Higher quality and productivity • Community recognition as a leader • Statewide recognition from their industry and government as a quality employer • Increased job referrals and bid acceptance

Goal 3.1

Citation Lapse Time

<p>5-Year Strategic Goal</p>	<p>Maximize Cal/OSHA's effectiveness and enhance public confidence.</p>
<p>FY 2014 Performance Goal</p>	<p>To respond effectively to mandates so that workers are provided full protection under Cal/OSHA by timely issuance of citations, so that hazards could be timely corrected.</p>
<p>Strategy</p>	<p>Reduce the time from opening conference to issuance of a citation on a Statewide basis.</p> <p>Work cooperatively with employers during inspections to effect correction of the most significant hazards before the issuance of citations.</p>
<p>FY 2014 Performance Indicators</p>	<p>Activity Measures Cal/OSHA Offices will run monthly the "Open Inspections with Citations Pending" report and work with CSHOs to expedite citations issuance.</p> <p>Cal/OSHA will monitor SAMMs and other management reports to track progress of citations lapse time.</p> <p>Outcome Measures Average number of days for safety citations issuance for all types of inspection will decrease by 5% as compared with FY 2013, and for health citations will decrease by 3% .</p> <p>Percentage of serious violations abated during inspection will increase by 5%.</p>
<p>Data Sources</p>	<p>All Enforcement activity data will be tracked by IMIS. Progress toward achieving the outcome measures will be tracked by SAMMS and customized Micro-To-Host reports</p>
<p>Baseline</p>	<p>Prior FY measures for Enforcement activity.</p>
<p>Comment</p>	<p>AB 2774, which became effective on January 1, 2011, and which changed the definition of the serious violations in a manner expected to increase the number of serious citations issued, also introduced the mandate for Cal/OSHA to notify employers in writing of its intent at least 15 days prior to issuance. This has had a significant impact on the case lapse time, increasing it accordingly.</p>

Goal 3.2

Fatality Investigation Response Time

5-Year Strategic Goal	Maximize Cal/OSHA's effectiveness and enhance public confidence.
FY 2014 Performance Goal	Respond effectively to mandates so that workers are provided full protection under Cal/OSHA by timely response to work related fatality/catastrophe reports.
Strategy	Reduce statewide fatality investigation response time.
FY 2014 Performance Indicators	<p><u>Activity Measures</u> Fatality investigation response time is measured from the time the district office receives notification of the fatality to the date of attempted entry.</p> <p>Cal/OSHA will use internal tracking to monitor on a monthly basis the fatality investigation response time, and correct data entry errors that occur.</p> <p><u>Outcome Measures</u> Cal/OSHA will respond within one day to 99% of the reported fatalities.</p>
Data Sources	All Enforcement activity data will be tracked by IMIS.
Baseline	Prior FY measures for Enforcement activity.
Comment	Cal/OSHA will also try to reduce the non-fatal accident investigations response time.

APPENDIX D

23(g) State Plan Projected Program Activities

23(g) Compliance and Consultation

23(g) Compliance & Consultation	Actual FY 2012		Estimated FY 2013		Projected FY 2014	
	Safety	Health	Safety	Health	Safety	Health
Private Sector Inspections – Non Construction	3,721	1,320	3,725	1,050	3,800	1,000
Private Sector Inspections – Construction	1,852	203	1,775	175	1,750	150
Public Sector Inspections – Total	304	218	200	150	250	150
Total Inspections	5,877	1,731	5,700	1,375	5,800	1,300
Public Sector Consultation Visits	20	14	18	10	16	8
Private Sector Consultation Visits – 23(g) (KY, PR, and WA Only)	n/a	n/a	n/a	n/a	n/a	n/a
Total Consultation Visits	20	14	18	10	16	8

23(g) Compliance Assistance

23(g) Compliance Assistance	Actual FY 2012		Estimated FY 2013		Projected FY 2014	
	New	Total	New	Total	New	Total
VPP Participants – General Industry	1	77	5	76	1	77
VPP Participants – Construction	1	17	6	23	1	24
VPP Participants – Public Sector	0	0	0	0	0	0
Participants in Cooperative Programs with Enforcement Incentives (i.e., Strategic Partnerships)	0	0	0	0	0	0
Participants in Cooperative Programs without Enforcement Incentives (i.e., Alliances)	0	0	0	0	0	0
SHARP Participants – 23(g) (KY, PR, and WA Only)	n/a	n/a	n/a	n/a	n/a	n/a
Outreach Participants		40,700		20,000		10,000