

INTRODUCTION

This five-year Strategic Plan is being submitted as required by Federal OSHA to meet requirements of the Government Performance Results Act (GPRA). State plan states are not required to operate programs identical to those of Federal OSHA, but have the flexibility to operate programs that reflect their own state-specific issues and concerns, provided their programs are "at least as effective" as the Federal OSHA program.

The FY 2013-2017 five-year Strategic Plan for the Cal/OSHA program incorporates the successful performance initiatives included in the previous five-year plan and introduces new performance initiatives that focus on priority safety and health issues in California. The new Cal/OSHA Strategic Plan includes outcome-oriented objectives which are designed to produce measurable progress toward realization of the following three goals:

- Goal 1. Secure safe and healthy workplaces, particularly in high-risk industries, and improve workplace safety and health through enforcement and consultative assistance.
- Goal 2. Promote workplace cultures that increase employer and employee awareness of, commitment to, and involvement in safety and health.
- Goal 3. Maximize Cal/OSHA's effectiveness and enhance public confidence

Cal/OSHA will then develop Annual Performance Plans as required by Federal OSHA to identify specific performance goals for each fiscal year. These Annual Performance Plans will be based on the strategic, outcome, and performance objectives outlined in the FY2013-2017 Strategic Plan.

VISION STATEMENT

The Cal/OSHA Program will be a model agency that promotes workplace safety and health by motivating employers and employees to be actively involved in preventing hazards that may lead to injuries and illnesses on the job.

ORGANIZATION AND OVERVIEW

Administration

In August 2002, the California Labor and Workforce Development Agency (LWDA) was created to maximize enforcement and outreach efficiencies of California Labor Laws. The LWDA consists of the Department of Industrial Relations (**DIR**), the Employment Development Department (**EDD**), Agricultural Labor Relations Board (**ALRB**), and the California Workforce Investment Board (**CWIB**).

The California Department of Industrial Relations (DIR) is the department designated to administer the California Occupational Safety and Health Plan (Cal/OSHA).

The Division of Occupational Safety and Health (DOSH) is the regulatory arm of the Cal/OSHA program and is responsible for enforcing workplace safety and health standards. 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 the Consultation Services.

DOSH Program Functions

Enforcement - Compliance staff are assigned to 26 district offices, each headed by a district manager or equivalent who 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 level professionals (one of each discipline) are assigned to each regional office in order to provide technical support for field staff. Two pressure vessel engineers are used in accident investigations such as refinery and other explosions that involve pressure vessel expertise.

Legal Unit - A central function of the Legal Unit is to provide litigation support in the context of contested citations, orders, and civil penalties, which are heard before the Occupational Safety and Health Appeals Board, and is headed by an Industrial Relations Counsel III. Legal provides representation before the Appeals Board in the more factually or legally complex cases. Staff represents the Division in the context of mandamus action in judicial fora, in which judicial enforcement actions are challenged. In addition, Legal Unit staff have been successful in preserving initial favorable rulings of the vast majority of reconsideration cases arising out of Appeals Board decisions.

Bureau of Investigations (BOI) - The BOI attorney along with the assistance of BOI investigators are responsible for preparing cases for County District Attorney and City Attorney offices to consider for possible criminal 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.

Targeted Inspection and Consultation Units - Workers' Compensation Insurance Reform Legislation (Assembly Bill 110) in California, which was signed by the Governor in 1993, required DOSH to establish a new compliance and assistance program for targeting employers in high hazard industries with the highest incidence of preventable occupational injuries and illnesses and workers' compensation losses. Assembly Bill 110 (AB110) also 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 hazard employers in the most hazardous industries are inspected on a priority basis";

- "Coordinate the inspections conducted in accordance with Section 6314.1 with the Division's consultation service"; and
- "Develop procedures for offering consultation services to high hazard employers who are identified pursuant to this section. The services may include the development of educational material and procedures for reducing or eliminating safety and health hazards, conducting workplace surveys to identify health and safety problems, and development of plans to improve employer health and safety loss records. The program shall include a component for reducing the number of work-related, repetitive motion injuries, including, but not limited to, back injuries."

The Targeted Inspection and Consultation Units are established as follows:

- High Hazard Unit (Enforcement) - Staff is responsible for high hazard targeted inspections throughout the State. This Unit is established as part of separate Enforcement Region, namely Region VI, and is headed by a Regional Manager, under the direction of the Deputy Chief for Enforcement.
- High Hazard Consultation Program - Incorporated into the Consultation Service's program, the High Hazard Consultation Program consists of a coordinator who identifies California high-hazard employers and offers them assistance through the Consultation Services program, and field staff who provide the service upon employer request.

Consultation Services - The Consultation Services within DOSH emphasize educational outreach programs aimed at specific high hazard industrial or occupational groups. This program offers free confidential assistance to employers and their employees on preventing workplace injuries and illnesses and complying with occupational safety and health standards. Most importantly, this program assists employers in becoming self-sufficient in preventing occupational injuries and illness and reducing workers' compensation losses.

The Consultation Services provide outreach and educational services to employers, their employees, and labor and industry groups through the development of workplace safety and health publications and information that are available primarily via electronic copy and downloadable Internet versions. The Consultation Service also assists in seminars, presentations, and safety and health training.

Recognition and incentive programs compliment Cal/OSHA's enforcement efforts. These programs are Division programs, but are administered by the Consultation Service. Recognition and incentive programs are labor, management, and Cal/OSHA partnerships designed to encourage employers and their employees to develop and implement highly effective safety and health programs for their workplaces. Workplaces that meet the high standards of these programs receive rewards including exemption from programmed inspections.

Medical Unit - The Medical Unit provides technical support to health compliance 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.

Research and Standards Unit - The Research and Standards Unit's primary responsibilities include both safety and health input on development of Cal/OSHA standards. The unit has statutory responsibilities for reviewing Federal occupational health standards, and development of proposed California health standards. A major portion of the unit's activities has been directed toward either the revision of existing standards or promulgation of new standards, including chairing of advisory committees. Regulatory materials associated with health standards are provided to the Standards Board by the health staff.

As part of its standards development work, personnel of the unit conduct research on hazards identified as result of accident investigations and compliance experience that are not now covered by existing standards. Safety staff also develop safety standards on specific standards, as agreed by the Standards Board.

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

Professional Development and Training Unit - Senior level staff as well as selected field staff carry out responsibilities for training CAL/OSHA personnel in technical and non-technical areas. A Senior Safety Engineer who acts in the capacity of training officer within DOSH plans, coordinates and conducts in-service training for all DOSH personnel. In addition, the training officer reviews and approves requests for out-service training by all staff.

Mining and Tunneling - Tunneling activities are charged to the 23(g) grant. Mining enforcement activities are entirely State-funded. A Principal Engineer supervises mining and tunneling inspections throughout the State. There is a southern and a northern California office. Mining activities are not included in the strategic plan.

Process Safety Management - The Cal/OSHA process safety management standard provides requirements for managing the dangers associated with use of highly hazardous substances in chemical plants, refineries and other facilities. The key is process analysis: careful review of what could go wrong and what safeguards must be in place to prevent releases of dangerous substances and the fires that could result from such releases. Two Process Safety Management offices, one located in Northern California and the other one in Southern California, focus on inspecting industries covered by the Process Safety Management standard, including refineries and chemical plants.

Labor Enforcement Task Force (LETF) - The Labor Enforcement Task Force is a partnership of enforcement agencies that combats the "underground economy" in California to create an environment where legitimate businesses can thrive. In this joint effort between state agencies and affected communities, information and resources are shared to ensure hard-working, compliant business owners and their employees have an opportunity for healthy competition.

Cal/OSHA committed to this task force the 13 positions that had been obtained through the State budget process for participation in the previous underground economy enforcement coalition, EEEEC, maintaining the two offices, in southern and northern California.

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. Statistical reports are prepared and the program office is involved with both the 23(g) and 21(d) grant applications.

Division of Labor Standards Enforcement (DLSE)

DLSE is responsible for the enforcement of the statutes that prohibit retaliation against employees who file complaints concerning unsafe or unhealthful working conditions, 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.

Public Sector

CAL/OSHA will continue to conduct inspections and consultations in the public sector.

Appropriations Riders

For some years, California has chosen not to receive Federal funds for certain inspections so as to avoid mandatory adoption of several of the appropriations riders. Instead of conforming the CAL/OSHA program to these riders, the State has chosen to assume the full costs of these "exempt" inspections.

Any exempt inspections will be identified by computer, their costs calculated, and appropriate adjustments made in the financial status report at the time the grant is closed out.

Mandated Activities

As in the past, Cal/OSHA will continue to perform all mandated activities including the following:

- Unannounced inspections, as per the prohibition against advance notice to employers
- First instance sanctions
- Ensuring abatement of potentially hazardous conditions
- Prompt and effective standards setting
- Allocation of sufficient resources
- Prompt response to imminent danger notifications
- Responses to complaints
- Fatality/Catastrophe and serious accident investigations
- Ensuring employees:

- Protection against discrimination and retaliation, although actual investigations are performed by DLSE
- Access to health and safety information
- Information on their rights and obligations under the Act
- Access to information on their exposure to toxic or harmful agents
- OSHA coverage of public employees
- Enforcement of recordkeeping and reporting requirements
- Voluntary compliance activities

CHALLENGES AND OVERALL STRATEGY

The basic goal of the CAL/OSHA program is to reduce the threat of occupational injury and illness to California workers by promoting a culture in which knowledgeable employees and management work together to systematically identify and control workplace hazards.

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 complemented by incentive and education programs that encourage voluntary compliance with Cal/OSHA standards, and by penalty-free workplace assistance programs. The design and implementation of the California OSHA program is tailored to meet the State's needs, yet it is flexible enough to allow for innovative solutions to challenges.

Cal/OSHA has continued to emphasize increased awareness on the part of both employers and employees of the importance of a safety and health culture. The OSHA Act of 1970 required employers to provide a safe and healthful workplace for employees, but increased emphasis has been placed on the importance of a prepared workforce. The role of Cal/OSHA is to enforce safety and health regulations for employers who do not chose to comply with the law through targeted enforcement efforts and to provide compliance assistance through targeted outreach, education and training.

Cal/OSHA strives to provide as many employers as possible with assistance in achieving voluntary compliance with Cal/OSHA standards before enforcement measures become necessary—and, more importantly, before an employee is injured or killed. Traditional enforcement methods are supplemented by incentive and education programs and targeted outreach that encourage voluntary compliance. Partnership and cooperative programs leverage Cal/OSHA resources.

Cal/OSHA has seen a continuing decline in the number of occupational fatalities and on-the-job injury and illness rates. This downward trend continued throughout the past five years covered by the FY 2008-2012 Strategic Plan.

Challenges

Challenge 1: To identify California workplaces with the highest probability of injury and illness to workers.

Cal/OSHA oversees a large and diverse population of employers and workers. Safety and health hazards exist in varying degrees and forms throughout the population. Some occupations and industries, such as construction, agriculture, and manufacturing are inherently more hazardous than others. At the same time, less obvious hazards, such as injuries caused by ergonomic factors and exposure to dangerous substances, or hazardous environmental factors pose subtle but serious threats in a wide cross-section of occupations and industries.

Challenge 2: Trends in the demographic characteristics of the California workforce and the changing nature of work create special safety and health challenges.

The U.S. population is becoming increasingly diverse. The labor force is constantly evolving and being affected by new technology, services, and types of work and work organization. These changes in the labor force and the nature of work present new challenges to assuring the safety and health of California workers.

The labor force is more diverse in terms of age, gender, race and nationality. The products of labor are increasingly services rather than

goods. A smaller percentage of workers are employed in large fixed industries, and higher proportions are employed in small firms, temporary jobs or at home. More work is now contracted, outsourced and part time. These trends are expected to continue over the next several decades and will require different strategies to address developing issues.

We can expect to see a greater percentage of youth and older workers in the workforce. According to the National Institute of Occupational Safety and Health (NIOSH), by 2010 the baby boom generation has reached the ages of 45-64, and middle and older age groups in the labor force outnumber younger workers. In the next decade, the youth population, ages 16 to 24, is expected to increase as a share of the workforce.

According to NIOSH, 80 percent of young people are employed at some point before they leave school. In addition, as the demand for skilled, experienced workers grows in the next two decades, older workers will become an increasingly vital labor resource. These demographic shifts influence occupational injury rates and, therefore, raise issues for OSHA's program strategies. For example, despite child labor laws that prohibit teens from engaging in the most dangerous occupations, they have a higher rate of injury per hour than adults. Older workers, on the other hand, have lower injury and illness rates than the labor force as a whole, although injured older workers generally take longer to return to work.

Immigrant and "hard-to-reach" workers and employers are also becoming more prevalent. Many immigrants are less literate, unable to read English instructions, and work in some of the most inherently dangerous jobs. Hard-to-reach workers and employers include youth workers, employees who work at a single location for only a few days before moving to a new location, temporary workers, and small business owners. These demographic and workplace trends complicate the implementation of occupational safety and health programs and argue for enforcement, training, and delivery systems that are different from those that have been relied upon to date.

Globalization – the reach of globalization continues to expand, affecting industries and segments of the workforce previously insulated from global competition. The new era of globalization is partly the result of new, less expensive modes of communication, and information transmission enabled by the information revolution. The nature of competition in the global

marketplace is also changing, with workers, technology, capital and means of production more able to move easily among nations.

An example of the challenge that is created by increasing globalization has been seen in equipment that does not meet safety and health standards being imported from other countries. It has come to Cal/OSHA's attention that electrical equipment is being imported to this country without the proper safety approvals for electrical components. The unapproved electrical equipment has been involved in several fatal accidents

Challenge 3: Measuring the effectiveness of the Cal/OSHA program.

Information gathering and analyzing on how well each component of the Cal/OSHA program is performing is resource intensive and provides only indicators relating to the performance of the Cal/OSHA program. Calculating how many injuries, illnesses, and workers' compensation claims will be prevented through Cal/OSHA's intervention is not possible. Everything from economy to weather has an impact on whether an injury or illness may occur in a workplace.

Also, the Cal/OSHA program can not reach every workplace in the state. Realistically, less than 12,000 workplaces, or <1% of the establishments in California have a direct intervention with Cal/OSHA, and 10% have indirect contact with Cal/OSHA through the website, seminars, and publications. Even if Cal/OSHA has a significant positive impact on those establishments where direct Cal/OSHA intervention has taken place, the overall statewide, or even industry impact may be insignificant.

Strategic Direction

The Division of Occupational Safety and Health remains committed to protecting California workers. The strategy that California has adopted for 2013-2017 is based on the needs of California workers and on overcoming the challenges that impede Cal/OSHA's ability to fully meet those needs. California has always recognized that employers are motivated to improve safety and health on the job by a variety of approaches. Cal/OSHA has been, and still is the leader in implementing innovative approaches that encourage employers to take responsibility for safety and health in their workplace. The first Voluntary Protection Program (Cooperative Self-Inspection Program as it was originally known) was designed and implemented in California. Many safety and health educational products

designed by Cal/OSHA's Consultation Program and the Research and Education Unit are now recognized at a national level. And, special enforcement programs that focus on employers with high workers' compensation injury and illness rates are used to proactively inspect workplaces. The Division of Occupational Safety and Health will continue to improve and build on its existing programs as necessary to ensure Cal/OSHA's effectiveness and overcome the challenges that it faces.

Strategy 1: California will focus available resources on identifying and interacting with those workplaces with the highest probability of injury and illness to workers.

Cal/OSHA Enforcement and Consultation programmed activities will continue to be coordinated to ensure the greatest impact those industries and establishments with the highest preventable injury, illness, and workers' compensation rates. High hazard industry lists with specific high hazard establishment sublists will be created for both Enforcement and Consultation to work from in a coordinated effort that will provide maximum return-on-investment.

Strategy 2: Trends in the demographic characteristics of the California workforce and the changing nature of work create special safety and health challenges.

Ca/OSHA will emphasize communicating with Hispanic, migrant and young workers about workplace safety and health hazards, rights, and responsibilities. Outreach efforts for these and other demographic groups at high risk of workplace injury and illness will continue to be one of Cal/OSHA's priorities.

Strategy 3: Measuring the effectiveness of the Cal/OSHA program.

Cal/OSHA will continue to develop and implement methods to measure the effectiveness of the program. Tracking of Enforcement and Consultation activities will provide indicators of how effective Cal/OSHA is in identifying and responding to high hazard establishments. Also, where possible, individual establishment injury and illness data will be tracked over time to determine whether those Cal/OSHA interventions had an effect on the safety and health of those workers. In some programs like the Consultation Service, surveys may be used to receive feedback on the effectiveness of the intervention, as well as ideas for improvement.

A recently published study 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.

Long term tracking of industry injury and illness data will continue to be performed. However, because of the many uncontrollable factors that affect workplace safety and health and the resources available to reach a significant number of establishments within a given industry, measuring reductions in industry injury and illness will be given less importance in this strategic plan.

CAL/OSHA GOALS FOR 2013-2017

The Cal/OSHA goals presented below include performance targets and strategies that explain how Cal/OSHA will achieve them. Each performance target has multiple objectives for achieving the target item. Many objectives are continuations from the previous strategic plan that remain an effective process for achieving Cal/OSHA's goals. All of Cal/OSHA's programs are designed to reduce fatalities, injuries, and illnesses, but the approaches differ depending on the circumstances and nature of the underlying cause of the problem. Direct intervention will always be necessary to ensure workplace safety and health. At the same time, lasting solutions will come about because employers, employees, and supporting organizations embrace a safety and health culture in the workplace. Success in achieving these goals requires Cal/OSHA to monitor and be flexible enough to respond to the ever changing safety and health needs of California employees. To do this, Cal/OSHA must ensure that adequate information is gathered, Cal/OSHA staff have the requisite knowledge, skills, and diversity to address divergent safety and health issues, and that all components of the Cal/OSHA program work together in a concerted effort to achieve its goals.

Goal 1: Secure safe and healthy workplaces, particularly in high-risk industries, and improve workplace safety and health through enforcement and consultative assistance.

Performance Target	Objectives
1.1 Improve targeting to maximize the impact of direct interventions.	<ul style="list-style-type: none"> - Within each of the top three highest risk industries, develop sub lists of establishments with the highest risk of worker injury and illness. - Develop annual strategic intervention plans utilizing the resources of Enforcement and Consultation.
1.2 Reduce hazards by intervening at targeted worksites.	<ul style="list-style-type: none"> - Inspect targeted worksites. - Provide consultation services to targeted worksites. - Increase participation of high-hazard worksites in recognition programs. - Develop and provide educational products to targeted worksites.
1.3 Improve effectiveness of direct interventions.	<ul style="list-style-type: none"> - Track injury and illness data of targeted worksites. - Analyze hazard and injury/illness data annually and adjust targeted methodologies to improve effectiveness.

Goal 2: Promote workplace cultures that increase employer and employee awareness of, commitment to, and involvement in safety and health.

Performance Target	Objectives
2.1 Promote the benefits of an effective safety and health program.	<ul style="list-style-type: none"> - Focus consultative assistance on developing and improving workplace safety and health programs.
2.2 Continue to provide recognition to employers and their employees who have	<ul style="list-style-type: none"> - Offer recognition and exemption programs to eligible establishments. - Consultation will provide recognition

implemented effective safety and health programs.	to all small high-hazard employers who have implemented an effective Injury and Illness Prevention Program required by Title 8, Section 3203.
2.3 Improve communication with and provide education to high-risk employer and employee groups.	<ul style="list-style-type: none"> - Promote to and interact with Hispanic worker organizations about workplace safety and health. - Target interventions at industries and/or establishments known to employ young workers. - Identify other high-risk employer and employee groups.

Goal 3. Maximize Cal/OSHA's effectiveness and enhance public confidence

Performance Target	Objectives
3.1 Improve the skills, capabilities, technical knowledge, and diversity of Cal/OSHA's workforce.	<ul style="list-style-type: none"> - Utilize experienced and knowledgeable staff to enhance the skills and technical capabilities of lesser experienced staff. - Create incentives for professional development. - Continue implementation of individual development plans.
3.2 Improve the usability and usefulness of Cal/OSHA information and data collection.	<ul style="list-style-type: none"> - Improve the quality, timeliness and availability of Cal/OSHA information. - Enhance capabilities for sharing information and collaborating on projects and initiatives.
3.3 Enhance communication with industry, labor, and professional safety and health organizations.	<ul style="list-style-type: none"> - Continue with open public advisory meetings. - Network with labor, industry, and other safety and health organizations.

