



Construction Employers' Association

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OOSH Appeals Board

January 25, 2013

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Art Carter, Chairperson
Occupational Safety and Health Appeals Board
2520 Venture Oaks Way, Suite 300
Sacramento, CA 95833

Re: Proposed Changes to Section 354(b) of Title 8 of the California Code of Regulations

Dear Mr. Carter:

The Construction Employers' Association (CEA) appreciates the opportunity to comment on the above referenced proposed changes. CEA is comprised of over 100 of the largest unionized commercial and industrial contractors in California. Our membership base performs billions of dollars in public and private construction volume annually.

The proposed changes to Section 354(b) are unnecessary and could result in delays to the appeals process. Any procedure that has the potential to create a backlog of cases is detrimental to the parties involved. We believe the affected employee or his/her authorized representative is adequately protected with the current language in Section 354 (b), whereby we urge the Board to reject the proposed changes.

Should the Board decide to make any changes, we recommend adopting only the first sentence of the proposed language and eliminating the remainder of the proposal.

Very truly yours,

Dana Lahargoue
CEA Safety Committee, Chair

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