

**OCCUPATIONAL SAFETY  
AND HEALTH STANDARDS BOARD**

2520 Venture Oaks Way, Suite 350  
Sacramento, CA 95833  
(916) 274-5721  
FAX (916) 274-5743  
[www.dir.ca.gov/oshsb](http://www.dir.ca.gov/oshsb)



**NOTICE OF PUBLIC MEETING/PUBLIC HEARING/BUSINESS MEETING  
OF THE OCCUPATIONAL SAFETY AND HEALTH STANDARDS BOARD  
AND NOTICE OF PROPOSED CHANGES TO TITLE 8  
OF THE CALIFORNIA CODE OF REGULATIONS**

Pursuant to Government Code Section 11346.4 and the provisions of Labor Code Sections 142.1, 142.2, 142.3, 142.4, and 144.6, the Occupational Safety and Health Standards Board of the State of California has set the time and place for a Public Meeting, Public Hearing, and Business Meeting:

**PUBLIC MEETING:** On **November 18, 2004**, at 10:00 a.m.  
in the Council Chambers, Second Floor of the Glendale City Hall,  
613 E. Broadway, Glendale, California 91026-4308.

At the Public Meeting, the Board will make time available to receive comments or proposals from interested persons on any item concerning occupational safety and health.

**PUBLIC HEARING:** On **November 18, 2004**, following the Public Meeting  
in the Council Chambers, Second Floor of the Glendale City Hall,  
613 E. Broadway, Glendale, California 91026-4308.

At the Public Hearing, the Board will consider the public testimony on the proposed changes noticed below to occupational safety and health standards in Title 8 of the California Code of Regulations.

**BUSINESS MEETING:** On **November 18, 2004**, following the Public Hearing  
in the Council Chambers, Second Floor of the Glendale City Hall,  
613 E. Broadway, Glendale, California 91026-4308.

At the Business Meeting, the Board will conduct its monthly business.

The meeting facilities and restrooms are accessible to the physically disabled. Requests for accommodations for the disabled (assistive listening device, sign language interpreters, etc.) should be made to the Board office no later than 10 working days prior to the day of the meeting. If Paratransit services are needed, please contact the Paratransit office nearest you.

**OCCUPATIONAL SAFETY AND HEALTH  
STANDARDS BOARD**

---

STEVEN L. RANK, Chairman

NOTICE OF PROPOSED CHANGES TO TITLE 8  
OF THE CALIFORNIA CODE OF REGULATIONS  
BY THE OCCUPATIONAL SAFETY AND HEALTH STANDARDS BOARD

Notice is hereby given pursuant to Government Code Section 11346.4 and Labor Code Sections 142.1, 142.4 and 144.5, that the Occupational Safety and Health Standards Board pursuant to the authority granted by Labor Code Section 142.3, and to implement Labor Code Section 142.3, will consider the following proposed revisions to Title 8, Construction Safety Orders and General Industry Safety Orders of the California Code of Regulations, as indicated below, at its Public Hearing on **November 18, 2004**.

1. TITLE 8:     CONSTRUCTION SAFETY ORDERS  
Chapter 4, Subchapter 4, Article 24  
Section 1670(b)(10) and (17)  
**Use of Guardrails as Anchorage for Personal Fall Arrest Systems**
  
2. TITLE 8:     GENERAL INDUSTRY SAFETY ORDERS  
Chapter 4, Subchapter 7, Article 13  
Section 3456  
**Hand Weeding, Hand Thinning, and Hand Hot-Capping Operations in Agriculture**

A description of the proposed changes are as follows:

1. TITLE 8: CONSTRUCTION SAFETY ORDERS  
Chapter 4, Subchapter 4, Article 24  
Section 1670(b)(10) and (17)  
**Use of Guardrails as Anchorage for Personal Fall Arrest Systems**

### **INFORMATIVE DIGEST OF PROPOSED ACTION/POLICY STATEMENT OVERVIEW**

Title 8 section 1670(b)(17) of the Construction Safety Orders (CSO) prohibits the use of guardrails as anchor points for personal fall arrest systems (PFAs). However, Occupational Safety and Health Standards Board (board) staff notes that federal OSHA in 29 CFR 1926.502, Subpart M, Fall Protection in the Construction Industry, Appendix C II, (h)(ii) states that federal OSHA recognizes that situations may exist where it is acceptable to use guardrails or railings for use as an anchor point provided they have been designed for such use. Federal OSHA also addresses the use of anchorages used for PFAs in 29 CFR 1926.502(d)(15)(i) and (ii), which is comparable to California's section 1670(b)(10). Both standards require anchorage for PFAs to be able to support at least 5000 pounds per employee attached. Both 29 CFR 1926.502(d)(23) and California's section 1670(b)(17) state that PFAs are not to be attached to guardrails except as specified in the respective standards, and, in the case of the federal standard, as specified in Appendix C to Subpart M. Moreover, federal OSHA has issued a Standards Interpretation and Compliance Letter dated June 8, 1998, in which it clarified that it recognizes that there may be a need for employers to devise anchor points from existing structures. As an example, they included guardrails or railings provided they have been designed for use as an anchor point.

Board staff concurs with federal OSHA as expressed in its Appendix C to Subpart M described above, to the extent that there are situations where suitable anchorage for PFAs is not readily available and there is a need for the employer to devise an anchor point from existing structures, such as a guardrail. Board staff also believes that if a guardrail has been designed (engineered) to meet the strength requirement stated in section 1670(b)(10) by or under the direction of a registered engineer, that such point of attachment meets the definition of "anchorage" in section 1504 of the CSO, and therefore is acceptable for use as a "...secure point of attachment..." for an employee's PFA. Consistent with the aforementioned federal OSHA documents, board staff proposes section 1670(b)(17) be amended to allow guardrails to be used as anchorage for PFAs provided (1) they are engineered for such use by a California registered civil or structural engineer (P.E.) to meet the criteria as stated in section 1670(b)(10), and (2) other conditions are met which include, but are not limited to, onsite maintenance of P.E. approved design documentation, identification of anchor points, and supervision of employees by qualified persons. Additional language has been included which clarifies the meaning of the phrase "...to safely support." An exception is included which would prohibit the railings of scaffold systems to be used as anchorage.

This proposed rulemaking action also contains a nonsubstantive, editorial, reformatting of subsection 1670(b)(10)(B) for consistency with Title 8 format. This nonsubstantive revision is not discussed in this Informative Digest. However, this proposed revision is clearly indicated in the regulatory text in underline and strikeout format. In addition to this nonsubstantive revision, the following action is proposed:

### Section 1670. Personal Fall Arrest Systems, Personal Fall Restraint Systems and Positioning Devices.

This section contains California's personal fall protection system requirements and addresses the use, care, and maintenance of PFAs, fall restraint and positioning device systems which include, but are not limited to, the following: (1) trigger heights for the use of personal fall protection systems, (2) criteria for the design, use, and care of PFAs when used on scaffolds in conjunction with lanyards and lifelines, (3) strength requirements for personal fall protection components, (4) methods of attaching lifelines to employees in elevator shafts, (5) use of self-retracting lifelines and lanyards, (6) use of body belts, (7) employee rescue in the event of an employee fall, and (8) anchorage criteria for PFAs.

Subsection (b) specifically addresses use of PFAs and prohibits the use of body belts as part of a PFA system after January 1, 1998. Subsection (b)(17) states that PFAs shall not be attached to hoists, except as specified in the CSO, nor shall they be attached to guardrails. Revisions are proposed to add language in subsection (b)(17) that would permit employers to attach a PFA to a guardrail provided four conditions described in subsections A-D are met which include: guardrail designed (engineered) for such use by a registered structural or civil engineer (P.E.) to safely support the intended load(s) as specified in the anchorage requirement contained in the preceding subsection (b)(10) of section 1670, clarification of the phrase "to safely support;" onsite maintenance of guardrail engineering documentation (design calculations, location, use and identification of anchor points, etc.); the guardrail anchor points are clearly identified and their condition inspected by a qualified person before and after each use; and the employees using guardrails as a PFAs anchor point are supervised by a qualified person who will ensure that only guardrails that have been designed, identified and inspected are used as an anchor point.

The proposed revisions would have the effect of providing the construction industry employers with an alternative means of anchorage for their employees who wear PFAs. The proposal would provide flexibility by allowing them to engineer their own guardrails with anchorage in accordance with the proposed anchorage requirements or purchase manufactured guardrail systems that have been engineered as specified in the existing anchorage criteria contained in section 1670(b)(10). Currently, employers who cannot find suitable anchorage points as provided by the building's structural members would have to provide alternative means of addressing an employee's fall protection (e.g., additional guardrails, safety nets, fall protection plan). The proposal would permit the employer to use an engineered guardrail as anchorage, obviating the need for additional or alternative measures. The proposal would prohibit the use of scaffold railings for anchorage.

### **COST ESTIMATES OF PROPOSED ACTION**

#### **Costs or Savings to State Agencies**

No costs or savings to state agencies will result as a consequence of the proposed action.

#### **Impact on Housing Costs**

The board has made an initial determination that this proposal will not significantly affect housing costs.

**Impact on Businesses**

The board has made an initial determination that this proposal will not result in a significant, statewide adverse economic impact directly affecting businesses, including the ability of California businesses to compete with businesses in other states.

**Cost Impact on Private Persons or Businesses**

The board is not aware of any cost impact that a representative private person or business would necessarily incur in reasonable compliance with the proposed action.

**Costs or Savings in Federal Funding to the State**

The proposal will not result in costs or savings in federal funding to the state.

**Costs or Savings to Local Agencies or School Districts Required to be Reimbursed**

No costs to local agencies or school districts are required to be reimbursed. See explanation under "Determination of Mandate."

**Other Nondiscretionary Costs or Savings Imposed on Local Agencies**

This proposal does not impose nondiscretionary costs or savings on local agencies.

**DETERMINATION OF MANDATE**

The Occupational Safety and Health Standards Board has determined that the proposed standard does not impose a local mandate. Therefore, reimbursement by the state is not required pursuant to Part 7 (commencing with Section 17500) of Division 4 of the Government Code because the proposed amendments will not require local agencies or school districts to incur additional costs in complying with the proposal. Furthermore, this standard does not constitute a "new program or higher level of service of an existing program within the meaning of Section 6 of Article XIII B of the California Constitution."

The California Supreme Court has established that a "program" within the meaning of section 6 of Article XIII B of the California Constitution is one which carries out the governmental function of providing services to the public, or which, to implement a state policy, imposes unique requirements on local governments and does not apply generally to all residents and entities in the state. (County of Los Angeles v. State of California (1987) 43 Cal.3d 46.)

The proposed standard does not require local agencies to carry out the governmental function of providing services to the public. Rather, the standard requires local agencies to take certain steps to ensure the safety and health of their own employees only. Moreover, the proposed standard does not in any way require local agencies to administer the California Occupational Safety and Health program. (See City of Anaheim v. State of California (1987) 189 Cal.App.3d 1478.)

This proposed standard does not impose unique requirements on local governments. All employers - state, local and private - will be required to comply with the prescribed standards.

### **EFFECT ON SMALL BUSINESSES**

The board has determined that the proposed amendment may affect small businesses. However, no economic impact is anticipated.

### **ASSESSMENT**

The adoption of the proposed amendment to this standard will neither create nor eliminate jobs in the State of California nor result in the elimination of existing businesses or create or expand businesses in the State of California.

### **REASONABLE ALTERNATIVES CONSIDERED**

Our Board must determine that no reasonable alternative considered by the Board or that has otherwise been identified and brought to the attention of the Board would be more effective in carrying out the purpose for which the action is proposed or would be as effective and less burdensome to affected private persons than the proposed action.

2. TITLE 8:      GENERAL INDUSTRY SAFETY ORDERS  
Chapter 4, Subchapter 7, Article 13  
Section 3456  
**Hand Weeding, Hand Thinning, and Hand Hot-Capping Operations in  
Agriculture**

### **INFORMATIVE DIGEST OF PROPOSED ACTION/POLICY STATEMENT OVERVIEW**

This rulemaking action was initiated in response to Petition File No. 446 submitted to the Occupational Safety and Health Standards Board (Board) by the California Rural Legal Assistance Foundation, United Farm Workers of America, and the California Labor Federation. The Board received Petition 446 on July 1, 2002.

Currently, Section 3456 prohibits the use of short handled tools for weeding, thinning or hot-capping operations in agriculture when such tools are used in a stooped, kneeling or squatting position. This provision is intended to prevent worker back injuries. Section 3456 does not address the practice of hand weeding, hand thinning, or hand hot-capping, which exposes workers to an even greater risk of back injury than the use of a short handled tool. Performing these hand operations results in workers having to bend down an additional 6 to 12 inches, which places additional stress on the back. When a long-handled tool or other alternative means to perform the work is available, these hand operations defeat the intent of Section 3456. Furthermore, Section 3456 does not provide protective measures to reduce the risk of injury to workers who perform hand weeding, hand thinning, or hand hot-capping when no alternative means is available to perform the work.

Where a suitable and appropriate alternative means of performing the work is readily available, the proposed amendment to Section 3456 would prohibit hand weeding, hand thinning, or hand hot-capping. However, in

specific agricultural situations and where occasional or intermittent hand weeding, hand thinning, or hand hot-capping are incidental to a non-hand weeding operation, such practices would be permitted. The proposal would provide additional rest time for employees performing hand weeding, hand thinning, or hand hot-capping when these operations are not determined to be occasional or intermittent as defined by the standard. Furthermore, employees who perform hand weeding, hand thinning, or hand hot-capping, would receive training and personal protective equipment.

The effects of the proposed amendments are outlined below:

Section 3456. Hand-Held Tools.

Section 3456(c)(1)

Language is proposed which would prohibit hand weeding, hand thinning, or hand hot-capping in agriculture where there is a readily available alternative means of performing the work that is suitable and appropriate to the production of the agricultural or horticultural commodity. The effect of this proposal is to clarify when handwork in specified agricultural operations is permitted.

Section 3456(c)(2)

The proposed language would clarify that, when requested by the Division of Occupational Safety and Health, it is the employer's responsibility to justify that the use of hand weeding, hand thinning, or hot capping was required due to the unsuitability of long-handled tools or other alternative means of performing the work. The effect of this amendment is to clarify who, if the Division inquires, must justify that long handled tools or other alternatives to performing hand weeding, hand thinning, or hand hot-capping are unsuitable, and when the justification is required.

Section 3456(c)(3)

The proposed language would clarify that occasional or intermittent hand weeding, hand thinning, or hand hot-capping is permitted when performed incidental to a non-hand weeding operation. Occasional or intermittent is defined to mean an employee is devoting 20 percent or less of his or her weekly work time to hand weeding, hand thinning, or hand hot-capping. The effect of this amendment is to further clarify when hand weeding, hand thinning, or hand hot-capping is permitted.

Section 3456(c)(4)

Language is proposed which would require employers to provide employees engaged in hand weeding, hand thinning, and hand hot-capping, which is not occasional or intermittent, an additional five minutes of rest period time. The proposed revision would clarify that the authorized rest period time shall be based on the total hours worked daily at the rate of fifteen minutes per four hours of work, or major fraction thereof, and insofar as practical shall be in the middle of each work period. The proposal would further clarify that authorized rest time shall be counted as hours worked for which there shall be no deduction from wages. The effect of this amendment is to clarify when workers performing hand weeding, hand thinning, or hand hot-capping are to be provided additional rest period time, the length of the rest period, and how workers are to be compensated for rest time.

Section 3456(c)(5)

The proposed language would provide employees engaging in hand weeding, hand thinning, or hand hot-capping with gloves and knee pads, as necessary. The proposal would further require that employees performing these operations be provided the training required to perform the job in accordance with the Section 3203 - Injury and Illness Prevention Program. The effect of this amendment is to clarify when gloves and kneepads are to be provided to workers performing hand weeding, hand thinning, or hand hot-capping, and to provide guidance on how workers are to be trained.

Section 3456(c)(6)

Language is proposed which would clarify that it is the obligation of the employer, in accordance with Title 8, Section 11140, to provide any hand tool that may be used under subsection (c)(1). The effect of this amendment is to clarify who is responsible for providing any hand tool that may be used under subsection (c)(1).

Section 3456(d)

A new subsection (d) is proposed that would exempt the following operations from the provisions of subsections (c)(1) and (c)(2):

- (1) High density plants spaced less than 2 inches apart when planted;
- (2) Any agricultural commodity grown without pesticides;
- (3) All agricultural or horticultural commodities when they are seedlings; and
- (4) Horticultural commodities grown in tubs or planter containers when the use of a long handled tool or other alternative is unsuitable to the production of the commodity.

The effect of this amendment is to specify the situations where an employer is permitted to perform hand weeding, hand thinning, or hand hot-capping without justifying that alternative means of performing these operations are unsuitable.

**PETITION**

Petitioners: California Rural Legal Assistance Foundation, United Farm Workers of America, and  
California Labor Federation

File No. : 446

The Board received a petition on July 1, 2002, to amend California Code of Regulations, Title 8, Section 3456 of the General Industry Safety Orders regarding hand weeding, hand thinning, and hand hot-capping in agriculture. On October 17, 2002, the Board granted the petition to the extent that the Petitioner's proposal would be referred to a representative advisory committee for consideration.

A copy of the petition, the Division's evaluation and the Board's petition decision are included in the reference materials in the rulemaking file.

### **ADVISORY COMMITTEE**

Two advisory committee meetings were convened at which labor and grower representatives presented information relevant to the petition. A list of advisory committee members, attendance sheets, and minutes are attached as Attachment No. 4. Five additional subcommittee meetings were convened to develop proposed regulatory language, however, no consensus was reached on a proposal. Subsequently, the Labor and Workforce Development Agency met with stakeholders, and as a result of those meetings this proposal was developed.

### **EMERGENCY STANDARDS**

This proposal is submitted concurrently with a proposal to be considered on an emergency basis.

### **COST ESTIMATES OF PROPOSED ACTION**

#### **Costs or Savings to State Agencies**

No costs or savings to state agencies will result as a consequence of the proposed action.

#### **Impact on Housing Costs**

The Board has made an initial determination that this proposal will not affect housing costs.

#### **Impact on Businesses**

The Board has made an initial determination that this proposal will not result in a significant, statewide adverse economic impact directly affecting businesses, including the ability of California businesses to compete with businesses in other states.

The cost associated with providing suitable alternative means of performing hand weeding, as required by the proposal, is expected to be offset by improved productivity. This conclusion is based on statements made by grower representatives during advisory committee meetings, which point out that hand weeding is not as cost effective as using suitable alternative means, such as long handled tools, to perform the work.

The cost of providing additional rest period time for employees engaged in hand weeding, as proposed, is estimated to be insignificant compared to the total production cost per acre. This conclusion is based on cost studies conducted by the University of California Cooperative Extension, which are identified in the Documents Relied Upon section of this report.

Existing standards require gloves and body protection when necessary to protect employees from harmful exposures, therefore any additional cost associated with providing gloves and knee pads to employees performing hand weeding, thinning, and hot-capping, as required by the proposal, is estimated to be insignificant.

The proposed employee training requirements are performance based and do not mandate a specific amount of training time. Training is already required by Section 3203, Injury and Illness Prevention Program, and therefore should not be considered an added cost of this proposed standard.

### **Cost Impact on Private Persons or Businesses**

The Board is not aware of any cost impact that a representative private person or business would necessarily incur in reasonable compliance with the proposed action; however, the cost impact that businesses would necessarily incur in reasonable compliance with the proposed action is described in the section above.

### **Costs or Savings in Federal Funding to the State**

The proposal will not result in costs or savings in federal funding to the state.

### **Costs or Savings to Local Agencies or School Districts Required to be Reimbursed**

No costs to local agencies or school districts are required to be reimbursed. See explanation under "Determination of Mandate."

### **Other Nondiscretionary Costs or Savings Imposed on Local Agencies**

This proposal does not impose nondiscretionary costs or savings on local agencies.

## **DETERMINATION OF MANDATE**

The Occupational Safety and Health Standards Board has determined that the proposed standard does not impose a local mandate. Therefore, reimbursement by the state is not required pursuant to Part 7 (commencing with Section 17500) of Division 4 of the Government Code because the proposed amendments will not require local agencies or school districts to incur additional costs in complying with the proposal. Furthermore, the standard does not constitute a "new program or higher level of service of an existing program within the meaning of Section 6 of Article XIII B of the California Constitution."

The California Supreme Court has established that a "program" within the meaning of Section 6 of Article XIII B of the California Constitution is one which carries out the governmental function of providing services to the public, or which, to implement a state policy, imposes unique requirements on local governments and does not apply generally to all residents and entities in the state. (County of Los Angeles v. State of California (1987) 43 Cal.3d 46.)

The proposed standard does not require local agencies to carry out the governmental function of providing services to the public. Rather, the standard requires local agencies to take certain steps to ensure the safety and health of their own employees only. Moreover, the proposed standard does not in any way require local agencies to administer the California Occupational Safety and Health program. (See City of Anaheim v. State of California (1987) 189 Cal.App.3d 1478.)

The proposed standard does not impose unique requirements on local governments. All state, local and private employers who perform agricultural operations will be required to comply with the prescribed standard.

### **EFFECT ON SMALL BUSINESSES**

The Board has determined that the proposed amendments may affect small businesses. However, no significant adverse economic impact is anticipated.

### **ASSESSMENT**

The adoption of the proposed amendments to this standard will neither create nor eliminate jobs in the State of California nor result in the elimination of existing businesses or create or expand businesses in the State of California.

### **REASONABLE ALTERNATIVES CONSIDERED**

Our Board must determine that no reasonable alternative considered by the Board or that has otherwise been identified and brought to the attention of the Board would be more effective in carrying out the purpose for which the action is proposed or would be as effective and less burdensome to affected private persons than the proposed action.

A copy of the proposed changes in STRIKEOUT/UNDERLINE format is available upon request made to the Occupational Safety and Health Standard Board's Office, 2520 Venture Oaks Way, Suite 350, Sacramento, CA 95833, (916) 274-5721. Copies will also be available at the Public Hearing.

An INITIAL STATEMENT OF REASONS containing a statement of the purpose and factual basis for the proposed actions, identification of the technical documents relied upon, and a description of any identified alternatives has been prepared and is available upon request from the Standards Board's Office.

Notice is also given that any interested person may present statements or arguments orally or in writing at the hearing on the proposed changes under consideration. It is requested, but not required, that written comments be submitted so that they are received no later than November 12, 2004. The official record of the rulemaking proceedings will be closed at the conclusion of the public hearing and written comments received after 5:00 p.m. on November 18, 2004 will not be considered by the Board unless the Board announces an extension of time in which to submit written comments. Written comments should be mailed to the address provided below or submitted by fax at (916) 274-5743 or e-mailed at [oshsb@hq.dir.ca.gov](mailto:oshsb@hq.dir.ca.gov). The Occupational Safety and Health Standards Board may thereafter adopt the above proposal substantially as set forth without further notice.

The Occupational Safety and Health Standards Board's rulemaking file on the proposed actions including all the information upon which the proposals are based are open to public inspection Monday through Friday, from 8:30 a.m. to 4:30 p.m. at the Standards Board's Office, 2520 Venture Oaks Way, Suite 350, Sacramento, CA 95833.

The full text of proposed changes, including any changes or modifications that may be made as a result of the public hearing, shall be available from the Executive Officer 15 days prior to the date on which the Standards Board adopts the proposed changes.

Inquiries concerning either the proposed administrative action or the substance of the proposed changes may be directed to Keith Umemoto, Executive Officer, or Michael Manieri, Principal Safety Engineer, at (916) 274-5721.

You can access the Board's notice and other materials associated with this proposal on the Standards Board's homepage/website address which is <http://www.dir.ca.gov/oshsb>. Once the Final Statement of Reasons is prepared, it may be obtained by accessing the Board's website or by calling the telephone number listed above.

OCCUPATIONAL SAFETY AND HEALTH  
STANDARDS BOARD

---

STEVEN L. RANK, Chairman

**TITLE 8**

**CONSTRUCTION SAFETY ORDERS**

**CHAPTER 4, SUBCHAPTER 4, ARTICLE 24**

**SECTION 1670(b)(10) and (17)**

**USE OF GUARDRAILS AS ANCHORAGE  
FOR PERSONAL FALL ARREST SYSTEMS**

**TITLE 8**

**GENERAL INDUSTRY SAFETY ORDERS**

**CHAPTER 4, SUBCHAPTER 7, ARTICLE 13**

**SECTION 3456**

**HAND WEEDING, HAND THINNING, AND  
HAND HOT-CAPPING OPERATIONS IN AGRICULTURE**

NOTICE OF ADOPTION OF REGULATIONS  
INTO TITLE 8, CALIFORNIA CODE OF REGULATIONS  
BY THE  
OCCUPATIONAL SAFETY AND HEALTH STANDARDS BOARD

After proceedings held in accordance with and pursuant to the authority vested in Sections 142, 142.3 and 142.4, of the Labor Code to implement, interpret, or make specific, the Occupational Safety and Health Standards Board, by a majority vote, adopted additions, revisions, or deletions to the California Code of Regulations as follows:

1. Title 8, Chapter 4, Subchapter 7, General Industry Safety Orders, Article 12, Section 3427(a), Tree Climbing and Access (Emergency Standard).

Readopted on August 19, 2004; filed with the Secretary of State on August 26, 2004; became effective on August 26, 2004; and will expire on December 25, 2004.

2. Title 8, Chapter 4, Subchapter 7, General Industry Safety Orders, Article 25, Section 3657, Elevating Employees with Industrial Trucks.

Heard at the April 15, 2004, Public Hearing; adopted on July 15, 2004; filed with the Secretary of State on August 27, 2004; and became effective on September 26, 2004.

A copy of these standards are available upon request from the Occupational Safety and Health Standards Board, 2520 Venture Oaks Way, Suite 350, Sacramento, CA 95833, (916) 274-5721.

If you have Internet access, visit the Occupational Safety and Health Standards Board by going to: **<http://www.dir.ca.gov/oshsb>** and follow the links to the Standards Board. This information is updated monthly. The Standards Board's e-mail address is: **[oshsb@dir.ca.gov](mailto:oshsb@dir.ca.gov)**.

OCCUPATIONAL SAFETY AND HEALTH  
STANDARDS BOARD

---

Keith Umemoto, Executive Officer