

**OCCUPATIONAL SAFETY
AND HEALTH STANDARDS BOARD**

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Website address www.dir.ca.gov/oshsb**Site Specific Fall Protection Plans for Interior Framing Activities**

Advisory Committee Transcripts

May 13, 2026

9:00am – 2:00pm

Virtual - Zoom**Committee Chair**

Simone Sumeshwar, Senior Safety Engineer

Analyst

Darus Wise, AGPA

Occupational Safety and Health Standards Board (Board, OSHSB) Staff

Millie Barajas, Executive Officer*

Kevin Goddard, Principal Safety Engineer*

Michelle Iorio, Attorney

Participants

Name	Organization
Paul Andersen	OSHA Compliance Services
Eric Berg	Cal/OSHA
Kevin Bland	Ogletree, Deakins, Nah, Smoak & Stuart P.C
Rob Carion	Operating Engineers Local 3
Jason Denning	Cal/OSHA
Russell Duren	Nikkiso Cryo
Rinaldo Edmonson	Marathon Petroleum
Ron Grubb	What Works Institute
Richard Harris	Residential Contractors Association

Fred Houvenir	Lawrence Houvenir, Inc.
Steve Johnson	Associated Roofing Contractors of the Bay Area Counties
Tresten Keys	Associated Gen. Contractors of CA
Jessie Kimball	Merit Framing
Thomas Kramer	LJB Inc
Elmer Lizardi	CA Federation of Labor Unions
Abby Lopez	U.S Dept of Labor - OSHA
Raymond Mann	3M
Alex Mercier	Circle M Contractors
Carlos Opfermann	Labor Representative United Union of roofers Waterproofers and Allied Workers Local 81
Brenda Smith	U.S Dept of Labor – OSHA
Phillip Stoltz	ECS California
Galo Toapanta	Southwest Mountain States Carpenters Union
Bruce Wick	Housing Contractors of California
Zach Winters	FallTech
Yancy Yap	Cal/OSHA

Summary of Rulemaking Topic

The Board granted Petition 607 to the limited extent that an advisory committee be convened to (1) consider the need for possible clarifications to and full adoption of applicable Federal OSHA Appendix E language and the existing site. (2) specific fall protection plan to address the interior work framing activities, and (3) consider additional training requirements to implement compliant site-specific fall protection plans.

Discussion

The Committee discussed the need for a site-specific fall protection plan for residential framing and identified areas where the current requirements could be clarified. Members also identify the importance of practical guidance, consistent training, and enforcement to improve worker safety.

Simone S. -OSHSB

Nice!

Kevin D. Bland

Yours is a little different. Come on. There it is, there it is. Mute. Test, test, test, test.

Simone S. -OSHSB

But there's.

Tresten Keys AGC of California

We can hear you loud and clear.

Simone S. -OSHSB

We can hear you; there's a bit of an echo.

Kevin D. Bland

Is there still an echo? Is there still an echo? Yeah. Okay. And then... and then maybe. It always sits; it's always Sid. It always sits. Bear with us one second, we apologize. Yeah, you just... it's on all your stakeholders. I can say that now because we're not being recorded. Oh, we are. No. Or no. Alright. There we go. Alright. I'm worried. You don't like glasses.

Simone S. -OSHSB

Okay. So, Kevin, for the time being, are you able... well, let me go back to... do we still have the OD conference room on here? Yes, we do. Can you clear... can you, just explain what the OD conference room is?

Kevin D. Bland

Yeah, so we have 3 conference rooms with people in it. Okay, who's an... Sorry.

Simone S. -OSHSB

Okay, so who's in the conference rooms?

Kevin D. Bland

Alvaro, I think your OD conference, if you can... make an announcement and introduce who's in there and should be a camera on.

Simone S. -OSHSB

Okay, Let's do this so we can get the meeting started, and then we can come back to that. And, as we go through the roster and figure out who's who and what we're doing. So good morning. My name is Simone, and I am the Senior Safety Engineer assigned to Petition 607, and the purpose of our advisory committee meeting today is to discuss an adopted decision in regard to fall protection plans, trainings, and perhaps maybe some new sections to help with residential framing. So... First things first, we're gonna go through and figure out if everyone on this roster is here. And... Anyone else who should be on the roster, so that we can make sure we get you documented. And then we're gonna go over how we're going to be communicating, and some house rules and some, background information on the project. So, we're giving people a little bit of time, because we did have a little glitch in the link this morning, right? So, the link in the invite worked fine, website ID, everything works fine, but the one in the agenda didn't work. And so, I do anticipate maybe a few people popping in in a few minutes. And so, I'd like to start with, like I said, our roster, just to kind of confirm, those of you who were, confirmed to be on the roster are here today. So... If you are here, please unmute yourself and turn on your camera, if possible, so I can confirm. Paul Anderson, from Safety Hazard and Analyst. From OSHA Compliance Services? So, on this page... Let's see... Eric Berg? Kevin Bland?

Kevin D. Bland

Here.

Simone S. -OSHSB

Rob Carion? Jason Denning? Russell Duren?

Russell Duren

Morning. Here.

Simone S. -OSHSB

Good morning! Ronaldo Edmondson? Ron Grubb?

Kevin D. Bland

Oh, yes.

Simone S. -OSHSB

Richard Harris.

Kevin D. Bland

He's here, he's just trying to log on, he just stuck his head in, told me to tell you that.

Simone S. -OSHSB

Okay, and he's going to have his own screen?

Kevin D. Bland

We should, yeah.

Simone S. -OSHSB

Okay, perfect. Steve Johnson?

Kevin D. Bland

Steve had called and said yesterday he was going to come in here today, and got down here last night, but I haven't seen him yet.

Simone S. -OSHSB

Okay. Trestan Keys?

Trestan Keys AGC of California

Here, good morning.

Simone S. -OSHSB

Good morning! Tom Kramer? Not here yet. Elmer Lazzardi? Abby Lopez? Nope. Raymond Mann? Alex Mercier?

Kevin D. Bland

He is here as well, and he's having technical difficulty with that link, so he was trying to get him on separate. If not, we'll get him in one of the rooms.

Simone S. -OSHSB

Okay, so the link is... the link works on the invite, and the link... meeting ID, and the password are valid, so if you just go to Zoom and enter it, it should let you in. It's just that link on that one document that's not working.

Kevin D. Bland

Okay. Thank you.

Simone S. -OSHSB

Carlos... Carlos Operman. Brenda Smith? Gallo's in the room with you, right, Kevin?

Kevin D. Bland

I'm here.

Simone S. -OSHSB

Perfect. Bruce Wick?

Bruce Wick

I'm here. Thanks, Ma'am

Simone S. -OSHSB

Zach Winters? And Yancy Yap?

Yancy Yap, Cal/OSHA

I'm present. And, and Jason is having difficulty logging in as well, but he'll be joining us shortly, I'm sure.

Simone S. -OSHSB

Okay. If you want to just message him about making sure he just used the meeting ID and password.

Jason Denning - Cal/OSHA

I'm here, actually.

Simone S. -OSHSB

Oh, awesome! Good morning!

Jason Denning - Cal/OSHA

Good morning.

Simone S. -OSHSB

But we'll just keep our eye on the... roster to see if anyone else pops in. Now there were a couple of people that we reached out to a couple of times, because they wanted to participate, but then they never confirmed. And if you are one of those people and on the call today, please raise your hand and unmute so that I can go ahead and add you to the roster.

Phillip Stoltz

Yes, please... please add Philip Stoltz from ECS California.

Simone S. -OSHSB

Okay, and if you don't mind, Phillip, when you get a chance, can you just put your information into the chat? Your name, where you're from, and your email address, please? Thank you.

Phillip Stoltz

real.

Simone S. -OSHSB

Okay. I see Alex, good morning. Was there anyone else?

Jesse Kimball

Jesse Kimball with Merit Framing.

Simone S. -OSHSB

Thank you, Jesse. Go ahead and please put your information into the chat as well. Your name, where you're from, and and your email address. There is an echo, when... when people are unmuting. Kevin, is that you guys, or are you guys on mute? No, you're not.

Kevin D. Bland

No, we're... we're not echoing, but maybe on theirs, I'll have a tech person come into those areas and see if they can help.

Fred Hovenier

Building, by the way.

Fred Hovenier

Everything's the word. Anne?

Simone S. -OSHSB

Anyone else who needs to be added to the roster today, before we start?

Fred Hovenier

Fred Hovenir, Lawrence Houvenir, Inc.

Simone S. -OSHSB

Good morning, Fred

Fred Hovenier

Morning. He's also.

Simone S. -OSHSB

put your information into the chat if you don't mind. Name, where you're from, and your email address. Yeah, there definitely is an echo coming in from somewhere.

Kevin D. Bland

Yeah, they're going in to fix it right now, Simone, I apologize. And just so you know, Mr. Houvenir is a signatory, contractor, signatory to the Carpenters Union.

Simone S. -OSHSB

Okay. Alright, thanks. Okay, anyone else?I see no hands. So, we do have quite a few people on here, 30 people, so you guys are on 2 pages, so you're gonna have to give me a second when I go back and forth to make sure I'm not missing anyone here. Alright, good morning. So, looks like we've got our roster identified, and that's really important because, making sure and understanding how we're going to communicate today is very important. And so, we do have some guidelines on how the board staff commits... conducts their advisory committees. A lot of you have participated in this process before. And some of our new, and some of you are here to observe and learn. And so, we're going to go ahead and, make sure that everyone has access to some very important documents that we use at all of our meetings. Number one is our staff guidelines. So, this is our advisory committee rulemaking proposal process. And so, for those of you who are familiar with the project, right, this advisory committee is being held to discuss a petition. Which was submitted by a stakeholder who was on the call today. And our board voted on giving them the opportunity to discuss a few items, and we're going to talk about that, in detail after we go over our rules.

So, I'm not going to go over all the rules, I'm just going to go over some of the basic stuff, to make sure that everyone understands.

The board has the responsibility to adopt standards which, in its opinion, will mitigate or remove workplace hazards. The committee should understand that its role is to advise staff on how best to meet that objective. The committee should be aware that the board or staff may choose to modify, accept, or reject the advisory committee recommendation later in the rulemaking process. Interested parties are encouraged to attend committee meetings, even when they are not officially asked to be a member of the committee, so that's a lot of you here today. However, the individuals selected as the members should be the persons primarily relied upon to develop a consensus recommendation for staff and board consideration. So important, once again, to those of you who are online and not part of the actual committee not on the roster. Right? The members on the roster are who we are going to focus on as far as the discussion is concerned today, they will have priority when we are asking questions or responding to comments. But everyone else is also welcome to, to participate in the process. We just want to make sure that we are staying within our agenda and trying to get what we're supposed to do done today, done, and so we don't want to, you know, go off into other things that are not a part of it, which might still be affected but just are not a part of the discussion today.

But that doesn't mean that you can't share that information. So, I would prefer that you would email that type of feedback to me, right, if it's relative, but if it's not a part of this project, right, we really don't want to talk about any of that today. And so... just making sure that everyone's clear with that. All members and interested parties must be given an opportunity to contribute their input on proposals in an orderly manner. If significant discussion is anticipated, the chairperson should first ask the committee members to address the issues before opening discussions to others. So, as we go through our discussion, right? In order for us to be able to properly generate our transcripts and

make sure that the notes are in order, right? we need to make sure that we're all taking turns when we're speaking, and that it's clear who's speaking. And so, if you haven't already, please make sure that your name on the box is your actual proper name. You know, so if you have a company or something, you know, different, please update it so it actually shows your name, so that when you do a comment or drop something in there, we know where it's coming from.

Let's see... We're also going to discuss if it's relevant towards the end, right? Fiscal impacts on the proposed language. So... We want to make sure that everyone understands that when we do a rulemaking, we have to do a cost estimate on what it's going to cost our stakeholders and everyone to comply. And so, when we have these meetings, we add it to our agenda, and if it's relative and we can get to it, right, we want to make sure that we do. But if not, right, it is homework for everybody, right? And so, you know, just food for thought, right, to help us make that process a little bit more efficient when we get to it. When we are having these discussions, the fiscal impact of any of these changes is important for us to document. And so that's just something for you guys to take into consideration.

All right. So, that's kind of the house rules, right? As we go through, we have a chat box that everyone should have access to. Let's see... Yep, everyone's in there. I see Jesse's information; I see Phillip's information. Fred, when you get a chance, I think you can just email it to me, or if you want to put it in there, that's fine. But when we want to say something or have a comment, you'll need to go into your chat box, and you'll have to type in "Next". And as you put in "Next", we'll call on you, that's how we'll figure out the order. If we end up somehow skipping you, go ahead and raise your hand, and we'll go ahead and pick you up at that point there. Please don't unmute yourself unless you are asked to, so everyone, you know, like I said, it's being, it's being recorded, it's being transcribed, a lot easier if, if everyone stays on mute, to make sure, make that process a lot easier in the long run.

Okay, all right. So. Our petitioner... is Kevin Bland, and so he is in this big room here. I think a lot of you guys can probably see him.

Kevin D. Bland

Also, co-petitioner, we have Galo.

Simone S. -OSHSB

And the co-petitioner Galo is in the same room, so... Now I've lost you. Where did you go?

Kevin D. Bland

Simone, if I could... just an administrative issue we have is, mine doesn't have, for some reason, the icon for raise hand, so I'm gonna have to raise my hand. In the band,

we need a raise hand. Where? You see it? That's what I just did. Answer that. Never mind. I'm technically incompetent. Okay. Oh, look at that! Alright, never mind.

Simone S. -OSHSB

Alright, it's working. You're there. So, I know that you wanted to give a little background, and, and you have a video that you'd like to share with the committee, and we can do that, and I think I can play it on my end.

Kevin D. Bland

Oh, okay, good.

Simone S. -OSHSB

Right? I mean, unless, you know, like, you want to try to... but I think I can do it on my end. It might just take a second for me to pop it up. But just for anyone, who's not familiar with what we're actually discussing today,

So, Petition 607 has a adopted decision. It was granted to the limited extent that an advisory committee be convened to consider the need for possible clarifications to and full adoption of applicable federal OSHA Appendix E language. And the existing site-specific protection plan to address the interior work framing activities and consider additional training requirements to implement compliant site safety... site-specific fall protection plans.

So, for those of you who are not familiar, we recently had some regulations go into effect last July. We became at least as effective with the federal requirements, moving our trigger heights from 7 1/2 feet, 15 feet, 20 feet, to now 6 feet. That project was dissected into two phases, and Phase 1 went into effect July of last year. Phase 2 is currently going through the Stage 1 process. And so basically, all of those trigger heights are coming down to 6 feet. As a result, we have specific industries, some industries, who are struggling to be able to meet this requirement for different reasons. And so, we had a petition filed, specifically for framing and roofing, because they have concerns and some examples of why these new regulations are not going to be as safe as what they were doing before.

Federal OSHA follows this requirement. All 50 states are now following this requirement. And the way that they do it is by using what we included in this meeting, which is the fall protection plan, non-mandatory, template. And so, you know, they don't always use fall protection, they use fall protection plans to be able to do some of this work. Part of today's discussion is this plan. And some of the gaps that our petitioner has identified, and maybe some improvements that we can add. to make it... something that we can use here in California, and that is something that Cal/OSHA can use to be able to do enforcement, so some guidelines for them to be able to inspect fall protection plans and make sure that they're compliant. So, I will let the petitioner, Kevin,

go over the petition as you want, and then we can watch the video whenever you're done.

Kevin D. Bland

Thanks. Thanks, Simone. Well, this has been, obviously, a long, a long process, that culminated in the adoption that Simone was talking about in, July 1st of 2025, of the revisions to 1716.2.

Now, this, petition, was, filed jointly with the Carpenters' Union, so it's both the, union, working together with the framing contractors to try to get a safe working environment for all of its men and women that are working in California framing houses. The changes brought about a lot of issues, a lot of misunderstanding, and... quite frankly, has created some situations that are not as safe as we had.

Now, in order to try to fix those issues as best we can, we had proposed a few things in our, petition. One was to create a framing-specific fall protection plan regulation that really mirrors the work that we're performing, so we can perform it safely, and we can have, uniformity in both understanding how to comply with the regulation, and also uniformity, for the inspectors to be able to enforce in the field and understand what they're looking at. As we said here today, there's about 5,000 different opinions on five words that are in the regulation. I'm being a little bit exaggerated there, but you get the point. And so, we're hoping to accomplish today to get those issues resolved.

Some of the... the issue arises for framing, frankly, for the most part, is on what's the interior framing. That's basically everything from the perimeter in, where you're rolling trusses, you're rolling joists, those sorts of activities that are interior work. And the ceiling height or height of the studs that are interior are usually, oh, between 9 and 10 feet tall. The exterior, of course, as the building goes up, that increases. But the apparatuses that are out there and that are claimed to provide conventional-type fall protection, although from the street, or from someone that doesn't really understand looks like they'd work, but they really don't.

There's, a lot of issues. I won't go through all of them that I've gone out personally. I know everyone in this room has gone out struggling, trying to find something that, that may work, and we have yet to find something that works that can be done both legally, and engineering-wise. And sometimes those issues collide. So, there is an infeasibility issue when it comes to a lot of this interior framing work. We'll show a video here in a minute that kind of lays out the processes did that over at the now, you guys changed your name, Galo? It's Western states?

Galo Toapanta

It's Western States Carpenters Union.

Kevin D. Bland

Western States Carpenters Union, I think back then it was Southwestern or something like that. Yeah. So, but you'll see, see that for those of you that haven't seen, the video. There're issues that we're gonna get into with, the way the current fall protection plan under 1670 and 1671 don't work for framing, makes no... it's actually irrational. A couple examples is the idea of a spotter and the... the idea of this 200-pound testing, control line when you're talking about framing, houses and apartments. Now, a little bit of, deep background on how those came. This thing, that regulation started with the idea of, like, on a high-rise, whenever you've got multiple floors being built and you've got a deck, and the deck continues to work its way out. When someone gets off the man lift, of course, you want a spotter and you want a control line, because that floor may be 500,000 square feet, and you only got half of it decked, and so you have that leading edge that's out there.

And so, in that context it makes sense, which is how the regulation was originally contemplated. But when you have a home that's being framed, the work is being done, above, they're in the manlift to get off on...on the floor where it's being framed, because there's no floor yet and we're trying to build the floor, we're trying to build the deck, or trying to build the roof. And so, to have someone stationed to, up there as a spotter just makes no sense. It creates an extra danger. Same thing with a control line. Now, the idea is what we've been doing is blocking off the house, but that really doesn't... do anything other than you have a rope in front of the doorway where you go into the house, but that's not really the controlled access zone for falls. The controlled access zone is above, and there's no way to do anything up there. So that really is another issue we want to address. Then, talking about Appendix E that the feds have, you'll notice in Appendix E, they have the one for slab construction, which is traditional, like what the regulation described, right, with the spotter, and the controlled access lines and all that. But if you look at their sample plan, at the bottom half of it where they produced a sample plan for framing construction, it doesn't identify a spotter and doesn't identify those lines, and that's something that we have recognized that even the feds may recognize in their sample. And that's how we all got here, from the feds, right? It wasn't because we had an unsafe, working environment out there. As a matter of fact, if we look at the statistics, I know Bruce has them, at hand at some point if we need to deliver that, our rates of falls for the last 15, almost 20 years now, have been substantially lower than the federal states. By having our 7... what we've referred to before as 1716.2. And so, we're hoping today, to get 1716.2 corrected in some of the language that I think has been misinterpreted and misunderstood in the new version, to get it tied correctly to a specific fall protection plan for residential framing activities, that it follows what is the safest method, which we've developed over the years. We have a lot of very thoughtful, safety-minded folks around the table here today that's been doing this for years, that are a heck of a lot smarter than me about this, that can explain different issues. And, then also, the union and how they've trained and what they have found to be safe. And I'll let Gallo speak for himself when it comes to that, but, but those are the issues we gotta address today.

And I think for a lot of folks to kind of see how the framing process goes. Now, this... this video was developed prior to the change, but it does kind of explain the process of

where we basically went into the warehouse, built a mock house, and kind of showed the different apparatus, ah, different processes from everything from sheeting to joisting to trussing. Now, with, that being said, we, we also need to think about how many folks that are out there in the field that have been framing for years and understand this process and all the training. I know there was a training mentioned in this. Our folks... our folks are well trained, and they're very specialized. A person that's in the field, in the old days, they would go in and they'd stand the walls, then they'd joist, and then they'd sheet, and then they'd truss. That isn't how it works anymore. They're specialized. They only do layout. They'll only do... Standing the walls, framing the walls. They'll only do joist work, they'll only do sheeting, they'll only do trussing, and there's these crews that are highly trained and skilled in that particular area. So, I think that's important to recognize in this. So, I think it might be a good, spot to throw the video in Simone, if you don't mind, and take a look.

Simone S. -OSHSB

Yeah, so before I do the video, let me see if I can...

Kevin D. Bland

And I can't ask... oh, sorry, Simone, while you're pulling the video up, is Galo, do you want to add anything, or, to this as the co-petitioner?

Galo Toapanta

Yeah, yeah, so good morning, everybody. My name is Galo Toapanta, and I work for the Western States Carpenter Training Fund. And I'm the curriculum coordinator. So... and I've been in residential framing, I started, you know, in 1989. And I've... when I was working in the field, and I work for a few framing contractors, so... I know what Kevin is talking about, and it is a big, difference between a regular commercial and our trade, residential. And myself, myself, I did floor joisting, you know, or stacking trusses and roof sheeting, I mean, you name it. So, the proposal that we are planning to apply, I mean, is very relevant. If, there's a thousand of framers throughout the whole United States. If you ask them you know, how we perform this type of work safely, and they're gonna agree with what we're proposing. So, training-wise, in the past we used to have a specific training for our framers. And one of the reasons we... we have a specific training is because, when... when we get the apprentices to the... to the school, we got, you know, apprentices from... from the commercial sector and from the residential. So, when we're... we're going over this class, so, the apprentices who deal with residential, they just kind of... you know, they're questioning why is that? It won't work in our, in our field. So, like I said, being in a... residential carpenter, I know what we're looking for, you know, safely, because this is, not... trying to, you know, promote the contractors. No, we're trying to save lives for our members safely, you know, working in our industry and our residential construction, so...

Kevin D. Bland

Oh, and just real quick, again this is Kevin. Galo, how many, carpenters do you guys represent in your unit?

Galo Toapanta

Well, total, total is about a... I mean, nationwide is about, half a million, 500,000, yeah.

Kevin D. Bland

How much in the Western?

Galo Toapanta

And we got about... just about, right now, right now, with the kind of rearrangements that we're doing, in our western state, we have about 60,000 members. We used to have, a couple months ago, almost 100,000 in our western area. So, since we kind of rearrange, so...

Kevin D. Bland

Redistrict.

Galo Toapanta

Yeah, redistrict, so now we got about 60,000, yeah.

Kevin D. Bland

So, yeah, why don't we watch the video now. And I think it has a narrative with Bruce and I, if you want to play the sound. And, keep in mind, this was developed before the new regulation, but the process itself stays the same.

Simone S. -OSHSB

Okay, thank you. Before I start the video, I just wanted to... go back and, we had a couple of other people hop onto the call, which is great. And then also, I forgot to mention my team, who's on the call today. So, we have Daris Wise, who is our Regulations Analyst assigned to this project. He is helping me monitor the chat. And so, if there are any issues, if he reaches out to you, he is supposed to be helping with the troubleshooting on the back end, to make sure that everything is going smoothly. We also have my supervisor and our new principal safety engineer, Kevin Goddard on the call today, and let's see, is his video working? Where are you? I see a background, but I don't see his face. But if he wants to unmute and say hello...

Kevin J. Goddard - OSHSB

Yeah, I'm not sure what's happening, but yeah, I'm here, and having technical issues as well, but glad to be here. Thank you.

Simone S. -OSHSB

Awesome, thanks. And then also our executive officer, Millicent Barajas, she's also on the call today. And we do have an attorney assigned to this project, but she was not able to make it, but I think a lot of you guys know her, her name is Michelle Iorio, and so she might pop in at some point as well. So that is currently my team who's on the call today. And then we also have Annette Smith from CPS, which is our internal training support, organization. She's going to be working with us on how we conduct these advisory committee meetings and making sure that, you know, we have the best tools to help these meetings go along and be efficient. And so, she is going to be observing today as well. And then, like I said, we have a bunch of other subject matter experts from a couple of different states, from different agencies, from different organizations, all who are here to help support this project but not necessarily be a part of this committee, so might not be chiming in today, but if they have anything that's relevant to the discussion, they will be popping it into the chat.

So, I think we're good now. Looks like, you know we've got a solid group. So yeah, I'm gonna go ahead and swap my screen. Let's see if this works, and, like, share this video with you guys, and... And then we can go back and discuss. Let's see, alright, does everyone see a video? Awesome. Okay, I'm gonna play it, let's see if you guys can hear it.

Video

Hi, I'm Kevin Bland, and I'm here with Bruce Wick today. We are here to present an overview of fall protection for framing operations in residential construction. We will be demonstrating how California's fall protection regulations are at least as effective as the Fed OSHA regulations, and are, in fact, more effective and protective of workers. The differences between Cal OSHA and FedOSHA regulations focused almost entirely on framing single-story housing units are the first story of a multi-story housing unit. The key differences are the interior framing activities related to joisting, sheeting, and installation of trusses. We will be demonstrating the process of how to safely frame a housing unit and show some examples of unsafe methods.

As you see, the reality of fall protection for workers is serious. That is why the residential construction industry and representatives of the Carpenters Union got together in 2001. We met 13 separate times with Cal OSHA leaders involved, to break down each process in residential framing and find the safest way to protect workers at each of those steps. We want to thank the Southwest Carpenters Training Fund and Carpenter's Local 714 for providing their training center facilities to visually record the

differences between Cal OSHA and Fed OSHA regulations. Kevin, explain the main differences between Cal OSHA and Fed OSHA regulations.

Well, the basic and most prominent difference is that Fed OSHA allows two different supposed fall protection measures. First, they allow a worker to tie off with a personal fall arrest system at the same level the employee is standing on. As demonstrated in the dummy drop, this provides a false sense of security. The employee will most likely hit the ground, the structure, or both, before the fall arrest device can even engage. As witness, the employee can bounce off braces bounce off walls and possibly get entangled in other components inside the structure during a fall, resulting in suspension trauma or other injuries. Until the structure is framed, braced, and sheeted on the first floor, they do not have the anchor strength to support a tie-off device. Secondly, Fed OSHA allows for a fall protection plan. Where the employer declares conventional fall protection is infeasible, attempts to secure the structure through a controlled access zone and monitor employees in an attempt to warn them if they get too close to the edge. As you will see illustrated, neither of these practices are promoted or allowed Cal OSHA regulations in residential construction. So, Bruce, let's talk about safe joisting practices now.

Well, Kevin, as you can see, under Fed OSHA, to be compliant with a 6-foot trigger height, employees would have to joist off of ladders, which are unstable platforms. Fatigue becomes a factor to workers having to climb up and down the ladder and pass joists overhead hundreds of times per day. Falls from ladders are very dangerous and the construction industry works hard to limit the amount of work done off of ladders. Cal OSHA regulations provide protection for employees from falling by walking and working from joists placed on their sides. This creates stable footing, with less fatigue and strain. Furthermore, it's a safer means of using a pneumatic nail gun. Since workers are nailing around their feet instead of around their chest and head. Kevin, talk about installing trusses. Alright, Bruce, well... Under...

Tresten Keys AGC of California

Simone, I think you muted yourself, we lost the sound, so if you can come off mute.

Simone S. -OSHSB

strain. And the pneumatic nail gun placement is much safer. In addition... in trust provides fall protection, thus providing a safe means of installation of the truss system. So, Bruce, what about the exposure times? How does that play into this?

Bruce Wick

This is me. Simone, can you back it up?

Bruce Wick

We lost some of the volume.

Simone S. -OSHSB

Installation up.

Simone S. -OSHSB

Is that good? Hello?

Bruce Wick

Can you back it up for about a minute or two, Simone?

Simone S. -OSHSB

Providing a safe means of installation of the truss spawn. As trusses are installed, a stable platform is created, again, resulting in less fatigue, strain and the pneumatic nail gun placement is much safer. In addition, the process is prescribed so the gable end truss provides fall protection, thus providing a safe means of installation of the truss system. So, Bruce, what about the exposure times? How does that play into this?

The Cal OSHA regulations contemplate the safest way to perform each step of the framing process on a housing unit. In order to better demonstrate exposure times, we calculated the time for several processes. Such as the exposure time for employees installing fall protection versus the time the actual work would take to complete. Installing bracket scaffolding, stackable scaffolding, or guardrails have a greater exposure time than the actual framing task. For example, the time spent to install and remove the bracket scaffold you've seen took 2 hours and 20 minutes. The time taken to install the floor joists and sheeting for the entire floor took only 1 hour and 20 minutes. The reality of framing the first floor is we are creating a longer exposure time at the same height by installing fall protection versus the process of installing the framing components.

So, Bruce, it should be noted that nets are also considered another form of conventional fall protection, but they are truly infeasible in housing construction. This is primarily due to all the bracing, the complexity of the rooms, and the height required for the net to be effective.

Kevin, what are the options to resolve the issues?

Bruce, there are two options to resolve the issues between Cal OSHA and the federal OSHA residential framing fall protection regulations. First, would be for Fed OSHA to recognize the advanced safety procedures for employees provided by Cal OSHA's current landmark Regulation 1716.2. Now, the second... I had a requirement to fall protect, outside perimeter of the first floor or story of the housing unit. This would

provide no increase in safety because now the installers of fall protection would be exposed to falls. Instead of the production workers standing on the stable surfaces. No, no (

Simone S. -OSHSB

Give me one second to get back. Alright. So... Thank you, Kevin, and Bruce, and everyone who put together the video. I think it gives a good visual about what we're discussing here today. You know, so your original petition did include some proposed language and discussions about 1671 and, and just... like, what we could do to kind of fix it. It's not a part of the agenda today, but it's part of the discussion, because as we talk about the different things that we might need to do, it might change the language. But we are going to start with the actual template, because when we went back to FedOSHA to get a better understanding of how these things are being done in other states and what... what our stakeholders are seeing, is... you're right, we do need a proper clearance to be able to use fall protection. You just can't install anything anywhere, right? Sometimes it's a lot more dangerous in that capacity, and so we have to utilize other resources, right? And this is once we've already gone through, you know, elimination, guardrails, mobile equipment, right? Now we're talking about, like, installing actual, you know, lanyards and anchors somewhere. And so, you know, speaking to stakeholders in other states who are trying to... to work with this, right, the fall protection plans are really how they're... they're doing this. And... which is why it was something, that we considered when we did the evaluation for the petition and I think the board considered when they granted this advisory committee, was that what are other people doing, and how are they using it? And are there things that we can do to make that process better, right? If there are challenges with this type of, you know, plan, what are those challenges? What are people seeing? And so, you know, the petition was granted back in September, so we've had some time to speak to people all over the U.S. and kind of discuss what they're seeing and what their root causes are for some of the stuff that they've been dealing with.

And, and going back to our, you know, adopted decision from the board, training was a key piece to what the employers were seeing as a part of the issues that they were having when it came to incidents, accidents, and near misses. The lack of training or the clarity of the training that their employees were getting, you know, were resulting in, you know, fall protection plans or fall protection systems not being installed properly, equipment not being worn properly, ladders not being used properly, right? It's one of the biggest things that we see in fall protection. It's our number one, number one, issue, right, when it comes to OSHA. So I just feel like, you know, these plans have been something that people have been using. Obviously, you know, I don't know I couldn't find any data that showed what type of issues FedOSHA was finding with the fall protection plans in industry. You know, and I don't think we really had any data on our CalOSHA side either. You know, and so that's where the stakeholders come in, you know, like, if you guys are using these plans, right, what kind of challenges are you having, right, when it comes to, one, right, do they actually work? Are your people being safe? And two, right, are they considered compliant, right? So, maybe your people are

safe, but someone comes and does an inspection, and they tell you that your plan is not good. You know, in that case, right, I think those are, you know things that are very specific to this plan that we need to look at. And so... I'd like to start with that. I think everyone has a copy of it because it was the document that was shared to the committee members through the email, as well as posted on our website. And then just kind of go through this, and then, like I said, the petitioner did submit a revised fall protection plan template, right? An Appendix A for us, if we go, you know, forward with this. But there were some concerns with that template, initially, it was a part of the initial evaluation, right? There were some components that they had to remove from the federal OSHA template. That you know, according to our Fed OSHA reps, right, are required to be at least as effective. And so, we wouldn't be able to remove those, and, and have them approve, right, that document as is. And so, but what can we do, right, to get them to approve it? And so, they're supposed to be here, but I don't see them on the call. Let me make sure that I'm not missing them, because it would be really nice if we could, you know, include them in the conversation, but... Let's see. Brenda's here. I think Brenda is with Fed OSHA. So, Brenda, if you have any information that you want to share in regards to this, please do. You know, you can go just raise your hand, and we can make sure that we unmute you. You know, but, you know, like, there's always room for improvement, right? And so, even though people are using this current, you know, plan, like Kevin said, right, we can come up with something that's, you know, just as... just as effective and even better, like most of the stuff that we do. And so, we want to start with that, right? And so, is there any comments in regard to what we're going to be looking at or any questions on what we're gonna be looking at as we move forward? So, it's the actual template, the Appendix E, which is a non-mandatory appendix from FedOSHA. And, and then we will go through and look at some of these different components that our petitioner has flagged, right, as being, problematic, and kind of discuss, right, what are our options, right? You know, what can we do there to kind of, alleviate that? And then come up with something that, you know, our, you know, FedOSHA folks will be okay with. So, alright, first comment, Bruce Wick, go ahead.

Bruce Wick

Thank you, Simone. I do want to add a third part to what you just said, because what we face is not just whether someone considers our plan... a Cal OSHA person comes on site and considers us compliant or not. We have a lot of people, including general contractors, who are concerned that using a plan doesn't look good enough for Cal OSHA or we hear this across the country for Fed OSHA. So that's why they do these try to do a system, that looks like it is doing something, but it's far more unsafe, as we talked about, tying people off at the same level they're working on and having them hit the ground. Using ladders, they want to... they want to do something, and so... that's a huge problem when you have... when you don't have consistency, and that's why we've had this same program, you know, and Galo talked about how many people, if they move from company to company, a carpenter. they've done the same thing. They've been trained on it over and over again. Wherever... whatever company they're working for at that time they are using the same system. So, that's why we've been so

concerned seeing people trying to do unsafe things trying to impress Cal OSHA that are not within manufacturer's recommendations and are truly unsafe.

Simone S. -OSHSB

Thank you, Bruce. Yes, I totally agree. I think that there is... a lot of assumptions that come with using this stuff, right? And if you... if you don't have the right training, you know, experience goes along with it as well, but when it comes to fall protection, we're talking about making sure anchorages meet the strength requirement, right? We're talking about the rope, clearances, the right type of equipment, overhead versus, you know, leading edge. These are all things that a fall comp person would know, right? Not just anybody on the streets. But, you know, I think that's part of the discussion, right? Is it something that everyone should know? If we're going to be working in environments where fall protection is needed, and sometimes when we're talking about heights, doesn't mean that we're climbing on top of a building, right? Maybe we're working next to a big hole. And so, you know, having that type of training required, versus recommended, or in our cases, you know, where you have to have a qualified person might help fill that gap right? That's part of our discussion today, is trying to understand, right, what are the tools that we can give our employees and our stakeholders that they can use, right, in big capacities, right? Everywhere, right? Like, just that mindset and that thought process to be able to say, you know what? this is... there's a fall hazard here, right? You know, I know I've worked on roofs, but maybe I can apply this here, right? What... what are those key components? So I think when we get down to the training part, that's what we'll talk about. Right now I think what I'll do is... I'll share my screen so that we can get the Appendix E out. And then, Kevin, here, this is where you can kind of explain, how these different sections might be challenging, and... kind of going back to, like, you know, the... template that you sent us, right? Talk about where these changes would be, and then I think that, like you said, from an enforcement standpoint, right, it's really important for Cal OSHA to be able to say that there's clarity there, right? That there's enforceability there. And then once we get that feedback right, we can just kind of move down the template and see what our options are. And then, like I said, and then we can talk about the training, because that's kind of how this meeting was supposed to be structured, plan first, training next, right? So, alright, let me go ahead and share my screen. Like a copy that doesn't have one? Let me know. I mean, you can find it on the internet, but, let's see... Give me one second, alright. Do you guys see the document now?

Kevin D. Bland

Yes.

Simone S. -OSHSB

Awesome, okay, alright. I apologize, my camera's here, my screen's up here, so if I'm not completely looking at you... You're right, I'm not, but... like I said, you know, put your... the chat pops up so I can see the chat, and then if you need to raise your hand,

go ahead, it'll move you up. Also, if you are part of the committee, if you want to turn your camera on, it'll help, because it kind of puts you guys into the same queue, makes it easier for us to be able to see you when we're trying to... communicate, so... Alright, okay.

So, once again, this is a non-mandatory fall protection plan and it's just a guideline. I'll tell you right now, from my experience during my research over the last couple of months, I got... I think 10 different versions of this plan from different people in different states. Because you're right, it doesn't work like this, right? Everyone has to kind of tweak it to make it work for them. Apparently, all of their plan templates are considered compliant for Fed OSHA. These are people who have had inspections, who didn't have any, any issues with these plans, being approved. And so, from a federal perspective, right, those templates are compliant. And also, another tool that we could use, right, to... to put together a plan if we... if we just choose forward to move forward with that. Because like I said, maybe we can't tweak this plan to where it makes sense for this type of work, and we do need to add another section to include some other stuff. Or we include this new section that then refers you to this plan, right, with some other things. We kind of try to work on it all together, right? So, you know, think outside of the box. What else do we need to include here so that we don't have to go back and do this again? Because like Kevin said, I think we might have to go back to 1716.2 to look at some stuff, and we just did that. So, so yeah, let's just think about, you know, like, what other things can, you know... and like I said, maybe we're, like, not talk about it today, right? But put it in the chat or send it in an email so we can get the information going, right? And it makes it a lot faster when we decide to move forward with it.

Alright, so... Starting with the beginning, right? We have employers engaged in leading edge work. Precast concrete construction work, and residential construction work, who can demonstrate that it is infeasible or creates a greater hazard to use conventional fall protection systems must develop a fall protection and then below are sample fall protection plans developed for precast concrete construction and residential work, that can be tailored to a site-specific for the other precast concrete or residential job site. So, this is a template that you take, and you modify, so when you look at it, additionally, someone said to me, oh my god, this is a 14-page template. I said, no, no. I go, there's a couple of different examples in there. I go, it's not a 14-page template, but will your template be 14 pages? Possibly, right? Depending on what type of work you're doing and what we're trying to cover, right? It might be a little bit lengthy; does it need to be? Those are the things we're discussing, right? What are we including? What do we not need to include, right? And so... I will let... is there anyone with their hand up?

Kevin D. Bland

Okay. There's nobody else.

Simone S. -OSHSB

I was gonna say, yeah, okay, Bruce, there you go.

Bruce Wick

I think, just to make it clear Simone, we spent, Gallo, Carpenters Union, the framing contractors, we have spent hours and hours together in our proposal to you, trying to take the three and a half page part of the residential fall protection things under Appendix E, clean it up, make it clearer, add some things that we think are really important. Because, you know, like you said, what we don't want our employees to do, or our general contractors to have to deal with, is, you know, 14 different framing contractors have 14 different plans. You know, you can, but we're all better off if we all solidify around a single plan. That way, employees are thoroughly trained. They go to another contractor, when you're doing housing construction, whether it's single-family, multi-family, there are so many things that are similar, that one plan can pretty much fit that. Obviously, commercial is a whole different thing, but residential work, this can be done. And then our general contractors as well, if they know... they don't have to review our individual plan they can say, are you part of this California plan? And we can say, yes, they know we're good. They know it's a well-thought-out developed plan that is the safest way for employees to work on things. So... I think... In a sense, what your kind of talking about, we believe you've already done 90% of the roundtabling work and again, we modeled after Appendix E, but we brought it, you know, up to date, clean, hopefully clear, and detailed. Thank you.

Simone S. -OSHSB

Thank you. So that is an option we can do, right? If there are no objections to reviewing the proposed sample framing fall protection plan, we can look at what Bruce and Kevin have submitted, and compare the differences, right, to the federal language. And see if we can get at least, you know, a draft, right, of a plan, that we can maybe then propose and start circulating, and obviously we have to take it back to the board, let them know what we discussed and how we came to this conclusion. But we would want to make sure everyone's okay with it, right? So, let's see, Kevin, you've got your hand up...

Kevin D. Bland

I was gonna basically say what Bruce, said to a certain degree, by starting, with this plan. And one thing, it's... what has been baffling to me is we have yet to have the reverse happening, where the feds pointed to what was wrong with our plan that was inconsistent. We've been trying to get that now for years and years and years. And I know Brenda wasn't involved with that, so I'm not pointing her out specifically. But that was the part that was frustrating. They said, well, it's not, but not pointing to any language or anything in our proposed plan that they said, hey, this is not consistent with Appendix E. And so that's why I think, and what Bruce was alluding to, I think is important to point out. And if we look at, Appendix E, as you have up here, where it starts with some sample, most of this is all concrete work. You don't get to ours, our sample plan until page... 11. of 14.

Simone S. -OSHSB

Right. Yep.

Kevin D. Bland

when I say ours, the Appendix E the part that would apply to us.

Simone S. -OSHSB

Got it.

Kevin D. Bland

And in the... I think, a couple, things that our plan... that this... I think it's important to note what this plan doesn't include. that the feds do not include in theirs is the spotter requirement. And the... 200 pounds tensile strength. Separation. Those are two important, and which is what our proposed 7, 1716... or 167... 1670.3 Fall protection site-specific plan showing and that... that kind of mirrors. mirrors that, and we haven't got to that yet, but as far as the plan goes, if you want to throw up our proposed sample, framing plan, what we proposed to be Appendix A, and we can kind of go through the components of that and where we feel like we have complied with the Fed issues. And while we're... while we're on this topic a little bit, I think it's important to lay out what our understanding of the law is, and it comes... when it comes to these, because there's a lot of misunderstanding out there, because we hear a lot of talk about ladders and platforms and things like that. We don't have to prove that's infeasible. Infeasibility only applies to 3 things. Nets, conventional fall protection and guardrails. That's the only three things that we're... we're looking at as being infeasible. Then you could look at other considerations of, oh, could we use a snorkel lift, or could we use a scissor lift, or could we use... you'd have to consider those and why... and state why you didn't, but you don't have to prove it's infeasible to... not use a ladder, we have a good reason until that's our highest rate of injuries are off of ladders. So that's a really... but we don't have to prove it's infeasible. And I think that gets misunderstood out in the industry by contractors, by enforcement personnel, and so I think that I wanted to make that clear on the record of what, what prompts using the fall protection plan, and it's really the feasibility of those three items. Anyway, sorry, go ahead.

Simone S. -OSHSB

Okay. So, I do agree that I think the new infeasibility, because infeasibility is a new term for us, you know, just like... like I said, the first phase of our fall protection changes included that word, and the Phase 2 is also going to include a change in that word. And I think that maybe over some time, right, with some data, especially now that I think we're all aware that we need to start paying attention to these details to be able to really discuss them in the future. I'm hoping that, from an enforcement standpoint, we can kind of start to look at what is infeasible, what they're seeing as infeasible, what they consider as infeasible, right? To help us kind of, you know, help define this. So that we can put that into the training, because that's really where that information is going to get

communicated to our stakeholders, it's the training, right? Our regulations are not written for the guy who's climbing onto the roof, right? His employer is the one who's taking that regulation and putting it into the safety program, which he's required to have. And so, I think it's important that we keep that in mind. And, you know, like I said, with the latter thing, yes, it's the number one issue that we have here every year, or all... I don't know for how many years. You know, but a lot of it does have to do with, you know not using the right type of ladder, not using the right way, you know, ladder defects. You know, doing work that you shouldn't be doing off a ladder, right? You know, leaning, whatever. You know, so they... when they do their investigations, right, it's not just the use of the ladder that's the cause, right? There's usually something else that goes along with it, and that's what we need to kind of address, because we want people to be able to use ladders, when they're in these types of situations, right? Because it is allowed you know, it's allowed to be used. But with the fall protection plans, I do agree that we should start with a, a template, and I really appreciate you guys putting all the work together to make that template, because I think that you did cover a lot of different things. I can't remember, you know with your proposal for the petition, I know that in that adopted decision, that there were some things that they highlighted that were being removed, that they figured that it was not as least as effective. And like I said, we can talk about that afterwards, you know, when it comes to the new section and what we need, but let's... if you guys are all good with it, let's look at the template that they've put together and see how it looks, right? And see if this is something that maybe would be beneficial to industry. Remember that what we do here in California is oftentimes copied and used by people in other states, and so, you know, we might be creating a better product for someone somewhere. But if there's no one who's opposed or has any concerns with it, right, I'm gonna go ahead. And... Give me a second, I'm gonna open it up. I wonder if I can drop it in the chat? So that you guys can open it on your own, as well. What do you think? Are you guys... Kevin, are you okay with that?

Kevin D. Bland

Yeah, no, I'm fine. I think most folks have it. I have hard copies in front of everybody, too. It's the one, just so you know what it's labeled. Proposed Sample Fall Framing Fall Protection Plan Hyphen Appendix A.

Simone S. -OSHSB

Yes. Yep.

Kevin D. Bland

And I can screen share it if you... you have it, though, right?

Simone S. -OSHSB

I got it.

Kevin D. Bland

Alright.

Simone S. -OSHSB

Thank you. Okay, so I'm screen sharing it here. Is everyone able to see the screen? Yeah, awesome. And then let me see.

Bruce Wick

It would be good if you expanded it just a little bit, Simone? It's hard to read specifics.

Simone S. -OSHSB

Hold on, let me do it a different way. Let's share it as... a document. That should make it bigger. Is that better?

Bruce Wick

Yes. If you zoomed in just a little bit more. I think that's good. Thank you. That's great. Thanks.

Simone S. -OSHSB

Okay, awesome. Alright, so as we discussed, right, the reason I started with the federal OSHA template was because everyone should be aware, right, we have some very minimum standards that we do need to make sure that we comply with when we put together these types of templates. And then from there, right, we can do, you know, we can go above and beyond and do whatever we want to do. Taking things out is a little difficult, right? And we have to be able to explain and justify why we're doing that, and how we're going to address any type of hazard that, you know, results from from that. So, those are things that we're going to think about as we move through this document, and like I said. Use the comment box, just put next. We will call on you as soon as we see it. And if you just want to put in a comment in there, go ahead. You know, you don't have to necessarily speak, but if there's something that you feel is relative, go ahead and drop it in there. All right, so... You guys ready? Let's see, how long is this, Kevin? 6 pages.

Kevin D. Bland

Yeah. Yes.

Simone S. -OSHSB

Okay.

Kevin D. Bland

Oh.

Simone S. -OSHSB

You got your hand up?

Kevin D. Bland

Yeah, can I just ask if there's things, since it's hard to keep up the comments and everything, I know you guys got both... if there are comments in there that are important if we can read those out loud or something, into the record?

Simone S. -OSHSB

Yeah, yeah, yeah.

Kevin D. Bland

So, we haven't gotten.

Simone S. -OSHSB

Yeah, so that's what I'm.

Kevin D. Bland

integrated.

Simone S. -OSHSB

They don't have to necessarily say it themselves. If there's a comment, they can just put it in there, and I can read... I'll read it out loud as we go. We'll keep it... we'll keep it in order, yeah. Yes, Mr. Bruce?

Bruce Wick

Yeah, really quick, Simone, we did not take anything out of the three and a half pages of Appendix C related to residential construction. Okay. We took what was there and added, so there's nothing... we deleted. Okay. We just added... put more detail, more training, information, etc.

Simone S. -OSHSB

Perfect. Well, good! Then that should make this a little bit easier and faster to go through, right? You know, if we're not removing anything, that's great, but we also want to make sure if we're adding something, right, a new requirement of something that's going to cause people to have to change their behavior, that, you know, everyone's aware, and... and what does that mean? And don't forget, I need the cost for that, right? So, so focus on those three things as we move through... through this. Okay. Kevin, do you have your hand up?

Kevin D. Bland

Yeah, just for, clarity on, following up on Bruce. when it comes to the substance, absolutely. I just wanted to... if it's an issue, at the top of their in-Appendix E, it talks about locat... Location, job, date, plan, prepared by, plan, approved by, plan. We didn't include all of that information up front. If that's an issue, we can cross that bridge, but I just wanted to make sure of full transparency, that, some of that, because part of the issue here, we're wanting to have this as uniform throughout the states as well, so that was one, because the framing activity really doesn't change. Whether you're building 5 houses or 500,000 houses, the framing process does not change from one to the other as far as the fall protection issues that we face day in and day out.

Simone S. -OSHSB

Great. So, to confirm, in your world, you would do this plan, and everyone would use it. Without modifying or changing it. Because it's the same.

Kevin D. Bland

The exception to that would be if they have some unique structure that requires something, and the qualified person, that's why the qualified person is going to know, but for 99% of the work that's done in framing of a house has the exact same process and issue. There could be some unique custom home somewhere or something that has something unique where they gotta, create a more specific plan for that. This is the idea to keep... catch 99.9% of what we're dealing with day in and day out. I can't perceive one that doesn't, but I'm sure someone I can come up with something, okay, there's a 30-foot outlook turret on a beach house that has some unique situation, but I have yet to see it in 25 years, my experience being around this, and I'm sure if you went around the table, I can't speak for everybody, I think they'd probably be in agreement.

Simone S. -OSHSB

Okay, yeah, I think my question here would be, how would one define what is a unique situation? You know, if, you know, is there a definition to what... where this would apply? And how would that information get communicated to everyone so that they realize that this fall protection plan is actually applicable to their job site, and does it need to be revised to include anything else?

Kevin D. Bland

I can answer that. That's why we have qualified experienced people. Before this even goes out to be built, they're going to know what the plans look like, they're going to know, and if it's something that needs to be modified on their plan. Because remember, the goal here of all these companies is to make sure their folks are safe, and the way they're framing the house is safe and the point of this is this... really covers every single component, because we thought through it, like Bruce said, we spent days going through every line, making sure that one is it met Appendix E, number two, in the aspect that we did more changing and addition to make sure it really, truly fit the safest way to roll a truss, the safest way to roll a joist and install it, etc, and on down the line, so...

Simone S. -OSHSB

Okay, thank you. Jason Denning?

Jason Denning - Cal/OSHA

Yeah, thanks Simone. Jason Denning, Cal Osha, I think, I don't know if I'm the only one, but it sounds like Yancy as well. This is the first time we're seeing this document, because it wasn't included in the... it wasn't in the meeting agenda, or the notes, or anywhere, and it wasn't in the original petition. Is there, so this is the first time anyone's seeing this?

Simone S. -OSHSB

Yes, it was submitted after the posting and all the emails went out.

Jason Denning - Cal/OSHA

Okay

Simone S. -OSHSB

I started off the meeting with if everyone was okay with reviewing this together, since it wasn't a part of the, what we sent out.

Jason Denning - Cal/OSHA

Oh, okay, I must have missed that when I logged. I logged on a little late. Okay.

Simone S. -OSHSB

I mean, yeah, like, I mean, because ultimately, right, I think this is what we're trying to get to, but we didn't have this, you know. part of the meeting, and it wasn't a part of the petition. Right. Yeah.

Jason Denning - Cal/OSHA

I'm just hoping for, like, some timing, like, we could present some... some comments due later, since the first time seeing this, you know... Oh, of course, of course, okay.

Simone S. -OSHSB

Let me go...

Jason Denning - Cal/OSHA

And not summarize all of our comments, you know, right now, probably.

Simone S. -OSHSB

Yes, so let me go back and reiterate, right? The purpose of this meeting, right, is to get the discussion started. It's not to, you know, make any decisions today, right? It's just to figure out what it is that we need here and have a starting point, right? Because we are starting from ground up. We don't have a template like this in our regulations right now. And so, and going back to, like I said, there's a bunch of people on this call who are not on the committee who are watching, because they are going to come back with comments and other things that might be useful and helpful to us for this process. And that includes our own staff. So, I apologize, yes, I probably should have clarified, right? So yeah, everyone, if you are doing a petition and you're doing an advisory committee we need to have our things posted by a certain date and sent out to everybody. If it's not done at that point, right, it's not a part of the meeting. But obviously, this is the purpose of our meeting, right? And so, like I said, if everyone's okay with looking at it, we'll look at it together. You know and get what we can out of it today. We're already here, right? This is what we're doing and then as we move forward, right, we won't have to maybe have any meetings. We'll just be able to, you know, go back and forth with some of these changes, and just maybe move forward with it. I think all of you who have been doing this for a while know, right, that we are trying to make this process a little bit faster. Whatever we can do to make it a little bit more efficient. And so, I would appreciate if we could go through this template today. And then, like I said, right, if we have time towards the end of the day, right, and we've identified that we need to you know. maybe look at adding some language, to 1671... a new section, right? It would be 0.3. We can talk about some of that and what it would look like. That obviously would be proposed language and would have to probably be a different meeting if we were to move forward with something like that, because we do have to have a bunch of people review it and have to have it prepared a certain way. You know, but it doesn't mean that we can't start the discussion today if we have time, right? Otherwise, we can all just go home early if we finish early, but, you know, I know you guys love these meetings, so we will stay here till 4, right? Because we have tons of stuff to talk about. So... Let's go back to our template. And like I said, right, like, we're just gonna look at this together, it's only 6 pages, a lot of it is not, you know, too drastically different from what we've seen, but as stakeholders, you know, who are going to have to you know, create these

plans, you know, people who have to enforce these plans. people who have to audit these plans, right? You know, let's look at the language and see, right, what we're looking at here, and what we can identify as, you know, things that may be problems in the future, or if there's some, you know, things that we can improve, or if it just looks great, we just keep on moving on, right?

Okay, so you guys can see my screen, right? Can the doc be dropped in the chat? Let me see. Let me see if I can drop it. It'll be... Oh, hold on. It won't let me drop it because I'm using it but let me see if I close it will it let me drop it. Oh, I did. Alright! You guys all have a copy of it now! It's in the chat! I'll go back to sharing. Hold on. We learn as we grow, I'm proud of myself, I don't usually use Zoom. So, you know, all these fancy things we can do right now, it's, it's great. Okay. Alright, so... make sure I can see everyone's hands... yep. Right, so looking at, just like the beginning, like Kevin said, so they did take out part of the, you know, the language in regards to the qualified, competent person, but based off of what we just discussed right now, right, you know, we are talking about unique situations and people being able to identify, right, when these things are actually applicable. I know. So, fall protection, competent persons training. and qualified training, in both of those trainings, they do go over fall protection plans. You know, so, you know, that training includes it. If we're going to include that type of training requirement within the plan, right? I think it sounds like a good, good idea, but, you know, once again, want to make sure that it's going to work for everybody. Kevin, you have your hand up?

Kevin D. Bland

I did want to point out, this is supposed to work, but in our discussion earlier, that's why we did leave in site projects, so that... and the qualified person there, because a qualified person is going to say, yeah, this is for this site. Although it may be the same one for 12,000 sites, that is the safeguard that we have put in here to make sure that it's for that particular site and the qualified person agrees. So that covers that.

Simone S. -OSHSB

Okay. Are there any comments from Cal OSHA as far as, does that, you know, any concerns with that? Sounds like it makes it easy to be able to identify whether or not the plan is just one that they've, you know, picked up from an old folder, or if they actually generated for the site. But I don't know, Yancy or Jason?

Jason Denning - Cal/OSHA

No, I mean, it's... sorry, we just have to always... you know, there was an issue... previously, I remember with... them being site-specific, so we just have to make sure that we comply with Feds and CalOSHA on that part of it.

Simone S. -OSHSB

Okay. Yeah, so there's a specific definition that Cal OSHA looking for, you know, to help them make... identify that it's site-specific, if it's a word or a way we're wording things, right, we could tweak it.

Yancy Yap, Cal/OSHA

Yeah, this is Yancy Cal OSHA. It's hard for me to make a comment also on the document that, that I'm reading for the first time, you know, this is the first time I'm looking at the document, and you know, I wouldn't want to make a comment, to the entire AC, board, representing Cal OSHA without first reviewing it.

Simone S. -OSHSB

That works. Okay, so is there any concern during this for this section here? Can I move on? Scroll down? Ok, if I don't see any hands, I'm gonna keep going. So, this is, on the bottom here, any changes to the fall protection plan must be approved by a qualified person within the company. So, this is... it's there. Yeah, so I didn't see any, really, concerns with this part. I think that you know it was... it was pretty basic. So, considerations affecting use of conventional fall protection. So... Here, we're talking about installation of floor trusses and roof trusses, it will be conducted by employees who are specifically trained to do this type of work and who are trained to recognize fall hazards. The nature of this work *normally* exposes the employee to a fall hazard for a short period of time. This plan details how the company will minimize those hazards. During the installation of the floor, truss conventional fall protection on the interior *beyond* 6 feet from the perimeter of the walls of the frame structure typically present a greater hazard to employees and is otherwise infeasible. Any comments on that? I just want to make sure everyone understands that, and what that means because this is where we're talking about the infeasible part, right? So, is this... is this something that we consider infeasible. Are there... other options here that we haven't considered.

Kevin D. Bland

Maybe the question is does everybody agree that it's infeasible to frame the interior without, infeasible to use conventional methods on the interior, if anybody wants to weigh in?

Russell Duren

I would... I think the... as much as I don't want to go to PPE, the... the... rolling availability of overhead anchorage, mobile overhead anchorage systems. Makes it hard to say it's truly infeasible. I'm sorry, this is Russell Duren, my bad. But yep. I think invisibility is a stretch. As much as I don't want to go to PPE by the pure definition of infeasible, as overhead anchorage systems begin to become more available infeasibility is a harder bar to clear.

Simone S. -OSHSB

Alright, so when it comes to overhead anchorage systems, right. Those require a specific type of clearance to be installed. Or is it, if that's the only option you have, whether there's a clearance or not, you're allowed to use them?

Russell Duren

Being able to... that's a great question, Simone. Being able to use a Class 1 SRL in an overhead configuration is going to yield a shorter clearance calculation, so that you don't have to have as much. 100% agree that a Class 2 device mounted at foot level is completely incapable of arresting the fall before the employee strikes the next lower level. However, it is possible that... that on an 8 to 9 foot to 10-foot top plate a... an overhead Class 1 SRL can bring the employee to a stop. There are configurations out there that can do it.

Simone S. -OSHSB

Alright, thank you, Russell. Jason Denning?

Jason Denning - Cal/OSHA

Yeah, Jason Denning Cal OSHA, personally I would say that... the... statement of whether or not something is infeasible doesn't even belong in the fall protection plan itself. The fall protection plan is what you develop after you've made this determination. Because what this is basically saying is this isn't feasible. Well, I mean, the federal standard doesn't... doesn't make these considerations. They talk about some things that are... could be or might be, but this is flat-out saying it's not... this is not feasible. So, I don't think it's even appropriate to have in the plan. The plan is what you're supposed to implement instead of your conventional fall protection plan, not to make determinations.

Simone S. -OSHSB

Thank you, Jason. Kevin Bland?

Kevin D. Bland

Yeah, a couple things to address. I'll address Jason's first. The plan is articulating what we did to determine in feasibility, and it's a burden on us, so when the inspector... I have yet to have an inspector come out and not ask... if we just have a plan without having something articulated of why we have this plan, we're getting a ticket. And so, to say that can't be in the plan to be able to articulate so then they know where we... our thought process was... was, and what we considered, and why we didn't use conventional, is, is vital to this, and that's why it's in there. So, I think that's very important. And two, I want to drop back to address the gentleman before when he's talking about overhead systems. We have looked at almost every system that's been deployed in California on the market in the overhead context. Is there some instances or

part of this where you could? Maybe, but you gotta look at the number of employees that you have installing, also, they can't forget directly under it, okay, maybe you can get it if you have one person on one. But now, as soon as you go to put the brace in, as soon as you walk out from that, now you have a swing and they're gonna hit the ground. And so, we have to look at this holistically. It's not... we're not building a widget that stays in a... in an 8-foot... I mean, excuse me, an 8-inch area where you just, okay, you got a pole above, and you gotta think about also how the framing process is. And I won't name names but there's one that looks like clotheslines that you see running down the middle. Well, that may work right underneath the clothesline for certain things, but as soon as you get out from that, now it's no longer legal or feasible to do that. And so that's the issue we have with those.

Simone S. -OSHSB

Thank you. Jason Denning, and then Bruce.

Jason Denning - Cal/OSHA

Yeah, I think Yancy also has his hand up. Yeah, just, to maybe clarify, I, yeah, part of it, the whole process is to determine feasibility, that's true, but I will... so I might have not been exactly clear, but this specifically talks about that these are generally infeasible, like a blanket statement. Those kinds of blanket statements, I don't think should belong in here. You can discuss why it wasn't feasible for this site. But to say something is completely infeasible is a blanket statement, I don't think that's appropriate in the plan.

Simone S. -OSHSB

Thank you, Jason. Bruce?

Bruce Wick

Yeah, I appreciate, you know Jason bringing up that point. Our view is we want standardization from general contractors, to framing contractors, to employees. This is, in one sense, a training document for all of those people, a commonality document. So you know, if we want to talk about adjusting some of this language, understand that that's our... what we're trying to do is, again, make it clear to people that if you're looking at systems, if you're looking at something, and someone says, this is compliant, that you really look hard at it. We've been very frustrated that people will say use this system, it's compliant, and we ask for the engineering, they don't give it. And we're really trying to figure out, does it work or not? Does it comply with the manufacturer's instructions? And we have a hard time getting that. So, this is a fair discussion, but understand, we're trying to put something in place where there's not for each framing contractor a separate document somewhere we reviewed in feasibility. If we can get that in this document to a significant degree, we think it helps the industry all the way around.

Simone S. -OSHSB

To me, it sounds like it's kind of, you know, confirming that your risk assessment has confirmed that this is, you know infeasible, but is it taking a place for that risk assessment, I guess? Because I think the risk assessment when you're using or trying to identify the fall protection systems is really important. It should be a documented process, but I know that some people try to put it into their safety plan I guess that would be my question for for... for Jason later, but I'll take Kevin.

Kevin D. Bland

Yeah, I want to go back to address something that Jason was just talking about, this blanket idea. So, first of all that's where I led off, this morning, with that's why the qualified person's signing off on this for a specific site. Number one. Number two is, it's a fundamental misunderstanding of how houses and multi-story, wood-framed homes and multi-family homes are constructed. It makes it sound like, well, this particular home is framed different. No, you got a 2x4 with a top plate, and then you've got an interior and an exterior and it's all out of wood. There is no roof on what we're doing. There isn't, until we build the roof, there is no floor until we build the floor, and to think that that is... is only unique to one house, and may be different on the house next door, and the one next door to that, and the one next door to that, seems to be a fundamental misunderstanding. This is why we're here today. Because that is the same proposition that never could get understood, so one of our goals is today for folks to understand how a house is framed, and how an apartment building is framed, to understand there isn't this drastic difference in the feasibility for interior fall protection. To make it to state that, well, it might be on this house, but not the next one, is a fundamental misunderstanding of how a wood frame structure is done. And I mean, maybe I'm wrong. If anybody else has a different view, I'd be happy to... to hear them articulate. That's it.

Simone S. -OSHSB

Okay, I'm just checking to see if there's any hands up. Awesome. Okay.

Simone S. -OSHSB

Well, okay, so we...

Jason Denning - Cal/OSHA

Yancy had his hand up, he's had his hand up for a little bit. I see Yancy's hand up, I'm not sure if anyone else sees it, I do.

Simone S. -OSHSB

I don't see Yancy's hand up. Am I missing...

Jason Denning - Cal/OSHA

No?

Simone S. -OSHSB

No.

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He retracted his hand in the comment.

Kevin D. Bland

And he has a thumbs up, I see a thumbs up in the chat.

Kevin D. Bland

I think it's the thumb, it could be the middle finger, I can't tell.

Russell Duren

I was slow on the draw. I was slow on the draw on my hand. It's supposed to be up, I was slow clicking it up.

Simone S. -OSHSB

Go ahead, Russell.

Russell Duren

Thank you. Kevin, no, you're absolutely right that there are certain common things from one structure to the other. At the same time, there are certain floor plans where like, you mentioned the safety pole system, there's certain floor plans where that does work, and certain floor plans where it doesn't work. So I think it's still valuable to have a site... I think we... I think both things can be true. We can accept your... your assertion that there are just certain common things from one structure to the next. And at the same time, there are certain phases, or floor plans, or crew sizes, or whatever, other site-specific factors that make it where the twin HLL could work and... It would not work on another site.

Simone S. -OSHSB

Thank you, Russell. Jason Denning?

Jason Denning - Cal/OSHA

Yeah, I think primarily what I'm really getting at more is just some of the language. I understand that most residential fall protection framing is very similar, extremely similar in design. But it's just some of the language. Like instead of putting, it as otherwise infeasible, it would be something maybe to the effect that some infeasibility issues for residential framing would include structure you know, the structural integrity of the wall for nets, this, you know, the lack of a sufficient fall distance for fall protection, something like, rather than saying this is otherwise infeasible. It just sounds like you're saying that this is never going to work ever for anybody, so we're just gonna throw it all out and say it's all infeasible, and we're just gonna use this no matter what. And I know that's probably the aim of the game, but it's just... it's a little... it's a little extreme compared to what the federal appendix is. And I think the federal... I think the fed OSHA is probably going to have an issue with it, because it's not you know, substantially equivalent to what they would have in their fall protection plan. So maybe just a rewording of it to state examples of infeasibility or common infeasibility on these sites, rather than saying this is generally just infeasible.

Simone S. -OSHSB

Thank you. Jason. Okay. Anyone else with a hand up? No. Alright. Okay, so I do agree, we probably need to look at some of the language there, just to make sure that it's going to line up with what obviously, Fed OSHA would consider to be as least effective and make sure it's not triggering any more questions. Obviously, they'll give us some comments and tell us how to massage the wording, but, for now, I think... let's see... Kevin, do you have your hand up? Oh, you do? Okay. Kevin?

Kevin D. Bland

I think if you read on in the document, it does talk about the wall structural, when it comes to nets, and those questions that Jason... I know he hadn't had a chance to read the whole thing, but you'll see those issues addressed as you read on. Through the second and third paragraph. For example, it says, typically presents a greater hazard employee than otherwise, but during this work, safety nets, guardrails, and personal rail will not provide adequate fall protection because the nets will cause the walls to collapse, walls are not engineered to accept netting systems, and there's no suitable anchorage points for guardrails for personal fall arrest. And remember, we're only talking about the interior, we're not talking about the exterior. And guidelines of the manufacturers, for the floor and roof trusses that are designed for a suitable anchor point. So, we went on to tell why they we made that statement, but that... I don't think that got addressed. I'll shut up.

Simone S. -OSHSB

We were moving down the page. We were just going slowly. Alright, go ahead, Jason.

Jason Denning - Cal/OSHA

Yeah, I got that, yeah, and I saw that down there. Like I said, it's more some of the, just... maybe the absolute language "will not" you know maybe put in there "generally will not, or may not" you know, that kind of language, rather than will not, because it's... that kind of language isn't in the federal appendix. That kind of extreme language is what I'm saying.

Kevin D. Bland

Oh.

Simone S. -OSHSB

Thank you, Jason.

Kevin D. Bland

We'll find it, I believe it is, but the point being is this isn't a for general, it's for specific, specific things, and when we add generally, well, then it says, well, if it generally does, what doesn't about this one? So we have to address that, and that's why this is... we are making this site-specific, we're trying to make one generic enough that it covers 99.9% of the framing activity we're doing in residential-type framing, where this is a true statement. If we put generally, that's not what the law requires. It requires us to say, on this... on this type of work and this activity, this is why conventional fall protection is infeasible.

Simone S. -OSHSB

Okay, so that sounds like a question for our legal, right? To get a better clarification, because I understand what Jason is saying, because like you said, there's 99.9% for that .1%, right? I mean, that's the... not generally, right? Otherwise, generally. And so, I... I do think that I agree from a... from a standpoint of trying to understand how to make... make industry understand. But once again, I think a lot of this language wasn't really not just for industry, right? It's the concern that when the plan is being reviewed by a compliance officer, that they understand why this plan is being used, because there's also a training and a training gap there, right? Not everyone who's enforcing or inspecting these areas are familiar with how they work, and the fact that they won't work in certain circumstances, right? And so, I think you're trying to emphasize that here, but does it really belong there, right? Bruce Wick?

Bruce Wick

Real quick, and I appreciate you're trying to move along, Simone. I'm reading from Appendix E in response to Jason's comments. Installation procedures for roof truss and rafter erection. On this job, safety nets, guardrails, and personal fall arrest systems will not provide adequate fall protection. Because the nets will cause the walls to collapse while there are no suitable attachment or anchorage points for guardrails or personal fall

arrest systems. Clearly, very strong language. Next, one more sentence. On this job, requiring workers to use a ladder for the entire installation process will cause a greater hazard. And then it goes on as to why that. So, we really did try to mirror the Fed language, and I believe, if you look at it, the Fed language is very strong, and that's why we added more language to give more detail, to give more, you know, so I would be surprised if Fed OSHA came back and said our language was you know, not as protective.

Simone S. -OSHSB

I agree. Jason Denning?

Jason Denning - Cal/OSHA

Yeah, just the one note, the difference in the language is "on this job". So, it was a determination made for that specific site. That was the whole point. It's... it was... the point of what I was saying.

Simone S. -OSHSB

Okay.

Kevin D. Bland

If we need to add on this job, because this is going to be for a job, we just need to understand in this context this job applies to 99.9% of the jobs out there, but this... the plan will be for a particular job, so we can put the word, this job, I think, unless anyone has objection to that, and that would... that would probably clear that up. Everybody around the table good with that? Yes.

Simone S. -OSHSB

Awesome, thank you. Alright. Okay. So, I think we talked about this. This is the stuff we're talking about, the things that are not feasible, the different examples. And since you guys, like I said, I'll email this document to everyone after the meeting as well, because, like I said, this is the time period where you guys now review it, make your comments, like, we're all looking at it today for the first time together, but, based off of our discussions today, right, with that set of eyes. So that we can kind of address some of the concerns that we know that are going to come up as we move forward with this. So... controlled access, or controlled framing zones? Right? So, this is... this is different, right? Before any non-conventional fall protection systems are used as part of the work plan, a controlled framing zone shall be clearly defined as an area where a recognized hazard exists. The CFC shall be communicated in a recognized manner through signs, the company shall take the following steps to ensure that the CFC is clearly marked or controlled. And then we have a list of items here, to be able to do that. So... Any thoughts? Or comments on this section here.

Russell Duren

It takes me a minute to get to my hand signal. Is it okay if I just audibly say yes, please?

Simone S. -OSHSB

Yes, you can just shake your head. Raise your hand.

Russell Duren

Thank you, guys, for... for going with CFZ. CAZ gets so misused across other Fed plans and state plans, CFZ here, is a big improvement. Good job.

Simone S. -OSHSB

Thank you, Russell. Yeah, so I thought... I thought that this... Was, a good detail added on here. You know control access zones are very confusing, and but I think that this is... this right here is the type of thing that maybe might trigger the new section that we would have to be able to, you know, address and define this, maybe? So... yeah. Jason Denning?

Jason Denning - Cal/OSHA

Oh, yeah, just quick note, the second bullet does reference a CAZ.

Simone S. -OSHSB

Oh, right here.

Jason Denning - Cal/OSHA

I know it's just a typo, but...

Kevin D. Bland

typo.

Simone S. -OSHSB

Yeah. I'll make a note, okay. Yeah, so...

Kevin D. Bland

And I have a typo on the one I have printed out where I have a slash between the C and the F, accidentally. Oh, okay.

Simone S. -OSHSB

Are you guys able to see it on my screen?

Kevin D. Bland

Yes, yes.

Simone S. -OSHSB

Okay, all right, okay. So yeah, so this is what I'm saying, like, you know, making sure that people understand what the control framing zone is, if we need to add any new definitions, right? This is... this is the... where we would propose new language, right? to Section 1671 maybe that, like I said, the new... the new section. Kevin is that... is that part of.

Kevin D. Bland

Yeah, yeah, now this one still has a reference to a safety monitor, and we were gonna talk at some point, I think, that was something that the feds didn't have in theirs and we don't feel like we needed in ours and we can talk about that at some point. But I noticed on this bullet point somehow it got retained. Yeah. Yeah, and that would be, stricken.

Simone S. -OSHSB

Okay, so... Let's throw that out for discussion, right? So, the function of the safety monitor is to warn the employee being monitored when it appears that the employee is unaware of a fall hazard or is acting in an unsafe manner. So, this is currently part of the Appendix E language. And this is part that Kevin is proposing to remove, so it shouldn't be in the document.

Kevin D. Bland

And I don't believe it's in Appendix E for our section it's in the concrete, but I don't, recall seeing it in the framing because of the nature of ours. Because, you know, look at the picture of what we got here. We have the house that's being framed we have guys aloft, you have framing. And so, to have somebody standing down on the ground and distracting them, telling them something whenever, you know, watch your... well, they're on... they're on the, the plate with a truss, or with a joist, or on the joist, or on the trusses, it actually, I think, takes away from the safety, because now they're being a potential distraction, somebody instead of concentrating on what they're doing. The other thing is a potential, you know, overhead fall hazard. When I say overhead like, equipment, that we're using nail guns, they're using equipment like that, and so now you got somebody, in the... on the ground. If you put them aloft, now you got somebody else aloft up there and what are they going to be able to, to do? And I think that's why the feds, whenever they enforce it on framing don't require that spotter to be there. And

I... and so I think that's the point. It adds an element of unsafe conditions and at the... at the... at the... at the best, at the worst, it just doesn't do anything.

Simone S. -OSHSB

Okay, so I guess what I would like to see... is documentation or something that shows that the feds don't require that as part of the plans, because the plans that I've reviewed so far, and the few folks I've talked to, are including the safety monitors. In their plans, and these are following the federal template. So, I would like to see where they're not, or how they're not, or confirm that they're not, right? Just to make sure that we're not missing something. Maybe these folks are going above and beyond, right? Maybe they have the capability to do something like that, or maybe it's part of their training process, I don't know. But it's being done. And so I'm kind of... kind of want to just clarify why it's being done.

Kevin D. Bland

Sure, and I appreciate this. If you read where it says this fall protection plan is specific for following projects and that's right under sample fall protection plan for residential, unless I missed it, there is no mention, so I can't show you a document that says it's been removed, I can just show you the document without it which is Appendix E, or... for framing. For framing.

Simone S. -OSHSB

Okay. Okay. Alright. I'm gonna circle back on that one later. Bruce Wick? You're next, and then Jason after.

Bruce Wick

Yeah, I've been trying to cut and paste the two sections from precast and residential fall protection, residential construction, and they don't... they won't let me cut and paste into the chat for some reason. So, I'm emailing it to you right now. Simone, and I think you could bring it up, because I think you'll see a vast difference between, in the Feds, what they have versus precast versus residential.

Simone S. -OSHSB

Right, so that document was shared, it's posted on the website, I think everyone has a copy of it. I did initially start sharing it, but I didn't go into it, to the different sections, because I realized that there's there are... there is some deviation between the two. But my question is specifically to what I have seen in the last couple of months from, like I said, stakeholders in different states who are using these plans. who are using safety monitors, right? Just clarification on whether or not they're doing that because they have to, because it's a part... that's how it's being interpreted by Fed OSHA, and maybe that's just the LOI that I need to go online and do, right? Or is it, you know, a best

practice, right? I think it's just important to understand you know, why that's being included in current industry practices, in this... in this industry. So, Jason Dunning?

Jason Denning - Cal/OSHA

Under CFR under 1926 502 K8, under the Fall Protection Plan, which is for residential construction, it requires a safety monitor or alternative means. It says... it says when no alternative means have been implemented, or something like that. The safety monitor will be... When no other alternative measure has been implemented, the employer shall implement a safety monitoring system in its conformance with 1926.502 H.

Simone S. -OSHSB

Thank you. That kind of makes sense to me, but... Bruce Wick?

Bruce Wick

Yeah, I just emailed you, and again, it's just excerpting, Simone, those two sections between precast and residential construction, and I appreciate what Jason just said, but you would think, if the feds were concerned about the safety monitor in the fall protection plan, they would have included it, as they clearly did, in full detail in the precast concrete. And at some point, maybe you could screen share that document real quick, Simone, because it is very clear, the difference and you know to federal OSHA using that fall protection plan, if it fits that job and those activities you will be compliant with federal OSHA under Appendix E. And so, we... we think we are well in compliance with Fed OSHA and as far as I'm aware, and other framing contractors on the Zoom can talk about this, they all have said the safety monitor is only being done because they believe the regulation requires it. They think it's not a safe position for the safety monitor to be in and employees, because they work so closely together, really do safety monitor each other. And as Kevin said originally, the safety monitor was set up for a very different leading-edge work and construction.

Simone S. -OSHSB

Thank you, Bruce. Yeah, so for me, from coming back to the appendix, thank you for sending over that. It's the... it's the last sentence of the first paragraph. However, the sample plans provide guidance to employers on the type of information that is required to be discussed on in-fall protection plans. So, it's guidance on the type of information that's required, and so I mean, I think that that would have to be, how do you say, interpreted from our, regulatory, you know, legal unit to kind of basically understand, So does that mean that we don't have to? I mean, that's how I'm reading it. I think that, you know, like I said, I've seen multiple plans now, they're all doing it, and it's kind of confusing on why they would be doing it if it's not a requirement, right? If it's just a misunderstanding. I understand. But also, right, going back to the data on... so, is it... is it keeping people safe? If it's a best practice, keeping people safe, and people aren't getting hurt, and all these potential things that we're talking about that could happen to

that safety monitor are not actually happening, you know, is it something that we want to, you know, include? So just, you know, food for thought, but I do, I do want to get clarification from Fed OSHA on exactly how they're reading that and what they're thinking, just to make sure that we're, that we're on the right page with that. Someone had their hand up, was it Jason?

Jason Denning - Cal/OSHA

No, I did, but it's... I... I have made my comment

Simone S. -OSHSB

Okay, awesome. All right. Anyone else have any comments? No? Okay. So, at 10.55, we're going to go ahead and take a 10-minute bio break. We are going to put the meeting on pause, so that the recording, you know will stop, and so when we get back, we'll turn it back on, and we'll move forward. If you guys have any questions or anything that you need, go ahead and send me an email. I'll go through them during the break. Otherwise, we will come back at 11... or 10.55, or 11.05. Thank you.

Kevin D. Bland

Can you give us, like, a few more minutes? We got some folks coming out of the bathroom. There's this.

Simone S. -OSHSB

Kevin, I'm going to have to charge you for that. No extra time. What is... oh wait, your computer's, your video camera's gone, Kevin

Kevin D. Bland

Hang on, I'm fixing it. Just a sec.

Kevin D. Bland

Sometimes, whenever, It, comes back after break, it, does a wonky and I have to re... refocus. And I can't see myself up there on the screen because I've got your beautiful face there and the document, and that's all I see.

Simone S. -OSHSB

All right, I think it's 11.05, Darus, go ahead and start. Recording, if you already haven't.

OCCUPATIONAL SAFETY AND HEALTH STANDARDS BOARD

We are recording.

Simone S. -OSHSB

Awesome, thank you. And I know it looks like a few people are still gone because they turned their camera off, but we'll go ahead and just go start with the questions that were in the chat. So, we had two questions. One was how many overhead devices would need to be installed to be fully compliant? What is the total exposure to install and remove the devices relative to doing the actual work? I could let somebody else answer this, but I mean, obviously, I think we all know that the devices are, unless they're designed for more than one person, it's one person per device, right? And so, yeah, that makes it a challenge to attach them when you've got people working in pairs. And that's traditionally what we do up there, right? And sometimes multiple trades. And so that would be very difficult to maneuver. And then, what is the total exposure to install or remove the devices? Well, we all know what that is, right? You know, it's being up there for a few minutes untied, right, while you are literally installing a piece of equipment so that you can tie off. So, you know, I don't know if anyone else wants to speak on that. Russell, you want to unmute. You're muted, let me see if I can unmute you. There you go.

Russell Duren

Good.

Simone S. -OSHSB

Yes.

Russell Duren

There we go. I want to emphasize that they are not a one-size-fits-all solution, they don't work in everything. I have specific familiarity with Safety Pole, the twin clothesline thing. The documentation for that system rates each line for 2 users, so you could have 4 users. That doesn't mean that there's no challenge about tangling and all that junk. So... but there is... there are systems that allow more than one user per line. And... and I... and I actually, I have some concerns about... about the, the way that that system is... used in the field, and that... that the manufacturer's documentation doesn't clarify this misuse. So, by no means is this an endorsement, it's just a system that I became very familiar with as my insureds were using it. It can be configured in a method that allows the user to transition directly from a ladder or whatever the access means is up to a height where they can reach the tagline of the self-retracting device, and then as soon as they step off the access method onto the top plate, they are protected by the system. It is a very real factor, yes. It does have a cost associated with setup. You're running a telehandler to drop those Ts into place, all that stuff. But there... so just, I want to make sure that... we understand that it may have a little bit more flexibility than people understand. And then come back to the sandwich statement, it's not a one-size-fits-all solution.

Simone S. -OSHSB

Agree. All right, and then we had another comment in regard to the Appendix E. So, the question was, doesn't Appendix E's allowance of a monitor apply only on flat and low slope routes? Does anybody know? Go back and see.

Russell Duren

If anything, I was offering that as a criticism of Federal Appendix E. Because... because, like, 502, or I'm sorry, 501... 1926. 501, on duty to provide only associates safety monitoring systems with flat and low-slope roofs yet in Non-mandatory Appendix E safety monitoring systems are mentioned in more contexts than just flat and low slope roofs.

Simone S. -OSHSB

Got it. Interesting catch. Alright. Do we still have... Language? Okay, so another comment from Fred. Language must be specific, objective, it should not be subject to interpretation. It will only lead to disputes. And so this is what we're... in the... are we talking about the language in our fall protection plan, I'm assuming? The template? So, the considerations affecting the use of conventional fall protection? Just to clarify, Fred, is that what you're talking about? Yes, okay. Alright. Okay, well, I think, yeah, going back to what Jason was saying, right, we need to make sure that the language is... lines up, and and from an enforceability standpoint, right, like, this is not... I think something that we're... we're looking at to be able to find things to be able to... to not enforce it, right? I think they're trying to modify the language so that it just includes all the other options. I don't think the intent is to be able to, like, be like, hey. this is not included here, you know, this... you're gonna get cited for it. But I think that it... it doesn't hurt to include that information. But... how long do we want this document to really be? So, 6 pages, I think, is not bad. You know? as far as the template is concerned, but when we put this into play, right, it might be a little bit longer, I think that's why we want to try to do the, you know, multiple-use template that you can use at different job sites. But... we can talk about these other sections and see if they fall into that because we want to make sure that we're only including the stuff that we really need to include in the template. And if this stuff is somewhere else, then we just want to identify where it's at, and maybe just refer to it. So let's talk about... enforcement. Let's see, someone has her hand up. Kevin... Kevin, you have your hand up?

Kevin D. Bland

Yeah, I... yeah, yes, I think before break we were talking about safety monitors, and I wanted to wrap that on my... a couple other things. One is I know Jason had read some language from the Fed OSHA language regarding alternative means, and I think that it's important for folks, to the extent that there's anybody that knows from a practical being

out in the field, what the issues are because I know there's alternative language in the feds and that could be... not having a safety monitor because of the situation, it was in, because I go back to the beginning of safety monitor when it was included in 1671.3, I think, or 2, I think. And remember, that was originally done for precast-type work and also like, high-rises, remember the controlled decking zones, that are still there, and so where you've got a guy that's carrying a... 30-foot-long piece of sheet metal, 6 foot wide, where they can't see where their feet are going. That's a completely different situation where I can see the monitor having some value, they're on the same level, they can see where the edge of the... that it's leading is, and also keep people from coming off the man lift or some other direction to walk out on a floor that has not been completely decked. Or the precast had been completely finished, but I think it's important in our context of why we find that it would be and this is a rule change, I know what the old rule is, and I know you got a lot of plans out there with it, but for the- for approximately 30 years for residential framing construction under Fed OSHA, which they withdrew that, whenever this whole thing started, which was, STD3.1.2 or something, I'm getting the number, did not require a safety monitor. Hell, they didn't even require a plan to be written for 30 years, right? And so... this idea of the monitor being such an important component of framing construction, I think, is just a little bit out there, and that's why we're trying to make this a framing, a revised framing standard that's at least as effective as the Fed's in the context of what is at least effective. Doesn't mean same as, we've been down that road before, but I would like to hear kind of what folks are viewing this in the field, or I don't know what the union thinks about it? Galo, do you have any thoughts?

Galo Toapanta

Yeah, yeah, so... I mean, like I said earlier, you know, I've been doing this for a long time. And, I think, Kevin, he elaborated everything about, you know the Federal fall protection, yeah, I mean, when there's a... a rule or something, yes, we might need it, or they will need a monitor. But, in our industry, in our... in our residential construction, having a monitor, I think it creates a hazard. Why? Because, if there's a... if I'm rolling my trusses or floor joists, I need to concentrate on my area. I need to see where I'm stepping on, where the wall is located. If there's a guy screaming outside, I might probably turn around, and it might be... like I said, it will create a hazard. And I really don't know if, some of you guys are or been doing this, or... or have experience. If you have experience on this, you're gonna... you're gonna agree, but I will say, and again, through my own experience, it creates a greater hazard having a monitor, so I need to concentrate on my area. And also, I have to look at my partner on the other side of the floor joist, or... or... or the truss.

Simone S. -OSHSB

Thank you. So going back to what Kevin just said about 1671.2, the Controlled Access Zones and Safety Monitoring Systems section in our regulation that talks about safety monitors, that section is specific, or is more, addressing people who are working with concrete. So, it does not, you know, go into detail, the issues that are, are, you know,

roofing guys are having to face right now. But, you know, you don't realize that until you start reading it, right? It goes controlled access zones, and when used to control access areas where leading edge and other operations are taking place, blah, blah, blah, blah, and then it goes into erected... going into, the exception for erecting precast concrete members, and then the rest of it is all about, you know, when you're working with precast concrete members. And so, this was why our petitioner did suggest that we possibly might need to create a new section, just to be able to create some guidelines, to help people working in this particular industry, right? Because we do address it here, as far as concrete is concerned. So, and once again, just food for thought I want you guys to think about this, right? If there are any... you know reasons why we should or shouldn't be doing this, right? This is where we would like some feedback, because I think from the industry perspective, this is something that seems to be of value. The feedback that I got as I was going through my assessment and talking to the local stakeholders was that a little bit more guidance is not going to hurt, right? Especially since, you know, we have a lot of things that overlap. And so, like I said, we'll talk about some of that proposed language after lunch, but we'll continue with the conversation and with the fall protection plan as for now. I just want to make sure it looks like... Was there anything else? Because, like, Yancy put some... feedback back into the chat in regard to the questions that we had about exposure. Yeah, so basically the same thing that we said. Alright, so let's look at enforcement, right? So, part of this plan includes a, a paragraph in regard to enforcement, constant awareness of and respect for fall hazards, and compliance with all safety rules are considered conditions of employment. The employer, foreman or other individuals. Is that supposed to be Foreman Foreman? Or is that supposed to be something else? That typo? I'll let you let... let me know in a second. Or other individuals in the safety and personnel department reserves the right to issue disciplinary warnings to employees, up to and including termination for failure to follow the company safety rules and requirements of this plan. So, enforcement is in regard to how the employer is going to enforce this plan and this policy and procedure within their employees. Does not speak to enforcement outside. But do we... do we like the way this is written? Does this make sense to have something like this in here? You know, do we want to change this language in any way, shape, or form? What is, your, your guys' thoughts on that? Or if there's no comments. We can just leave it.

Kevin D. Bland

What's that? Someone started to say something, and they're muted.

Galo Toapanta

Yeah, this is Gallo. It says right there the employer's foreman's and other individuals. So, or other individuals may apply to maybe a OSHA official.

Simone S. -OSHSB

Okay.

Kevin D. Bland

Yeah, well, our intent was to... for... it's individuals in the safety and personnel department, so that... that's intended for the company to know, and for people that are, that we're training and are reading this program to know that if you don't do it, there can be disciplinary effect of that. It also puts an onus on the employer and particularly the foreman and folks that are in charge of safety and that, to make sure they're enforcing the requirements of this plan. That's the intent. Sorry, Gallo, I didn't mean to misread... read that, so...

Simone S. -OSHSB

Okay. So, Russell has his hand up, and then we'll go to Fred's comment. But my question here, in regard to the enforcement is, so basically, this is just letting the employee know that their safety and personal department reserves the right to issue disciplinary warnings. But since we're looking at creating this template for everyone to use, right, does this language really apply to everybody, or is there a way to... to make it so that it applies to everybody. I just want to make sure that this... this makes sense to everyone, right? All our... all the employers who might be using this. I don't know if the labor unions have any concerns. with...

Kevin D. Bland

Do you have any concern with it saying that Galo?

Galo Toapanta

No, I think, it's clearly noted, so... I think it's clear, clear enough.

Simone S. -OSHSB

Okay, alright. And then, Russell, you had a comment?

Russell Duren

I think one of the strengths, as much as I don't like safety monitoring systems, one of the strengths of 1926's reg there is that they say only folks who are directly involved in the work, or supervising the work, may be, may be, you know, present in that area. And the way I was trained for stuff like that was, you know, if you're working. and you're at height, and you see... you see the PM come on site, or you see HR come on site, you need to tell them, get the heck away from here. So, I would just worry about personnel department being interpreted too widely. 100% support the provision for disciplinary action for failure to abide by this plan but tailor the language pretty narrowly, I'd say, to keep you know non-safety stakeholders away from the area.

Kevin D. Bland

I can address this concern, because that's in the paragraph above. All access to CAZ must be restricted to authorized personnel, which is what his point was. Enforcement isn't talking about... that is talking about, hey, if someone starts to enter that isn't authorized, you can get in trouble, I don't care if it's the HR manager, they're not authorized. Right? And so that's the point of this, is another layer of enforcement, ensuring that the men and women that are working on our project maintain safety and are main... and it's done in a safe manner, and it reinforces that through this section. I think it... we have to be careful reading these in isolation, because it's a document in a whole, and so there's a lot of things up above. We can't write one sentence that covers everything. And so, just gotta look at it in context there.

Russell Duren

Totally with you, and, you know, I think that I appreciate your patience. If I... if something scrolls out of view and I miss it, I didn't, you know... like we said, having... giving this a full top-to-bottom before we met might have caught some of this, but...

Kevin D. Bland

No.

Russell Duren

You're on the right track.

Kevin D. Bland

And Russell, so you know, I've got an advantage, because we spent probably years, but in the last few months drafting every detail to make this the safest, compliant plan we could ever come up with. And so, we're... I'm more familiar with it. That's the only reason I added that in. No, no, no, issue with yours, I just wanted to point that out, because that was a concern we had that we addressed through the CFZ.

Simone S. -OSHSB

All right, so Fred's question, who decides if the fall protection actually works for the condition and location? falls protect... I think you mean the fall protection plan, right? Whether or not it actually, makes sense.

Fred Hovenier

I mean, that leaves everything up to interpretation, right? So... a framer may decide that it's safe to do it without being tied off, and then OSHA or a general contractor comes out and says, no, you have to be tied off. Who's correct?

Simone S. -OSHSB

So, I think... In order to use these plans, we have to demonstrate infeasibility, and if the infeasibility is demonstrated, then the plan is ... the plan is... is... is warranted and then should then meet the requirements of the plan. So, I do realize part of this discussion was the fact that there were some concerns with enforcement not being clear on whether these plans are compliant that there has been some feedback on you know plans being flagged for being non-compliant and the employers thinking that they were. Unfortunately, during the 5 months that I tried to get information in regard to any of those instances or experiences, I didn't have anyone who had any of those... any information to share. I hadn't had anyone have a fall protection plan that was reviewed and cited for by Cal OSHA. who... you know that I could have used as an example, right? Like, here, here's the deficiency this is why they said that this wasn't compliant. I wasn't able to source anything like that. But that is part of this discussion, right? If you know... if you or you know someone who may have had an experience where they have a lessons learned, right? That's how we'll look at it, you know, where they had a plan that just didn't meet the requirement, you know, we're supposed... we should be looking at those and learning from them and making sure that we cover those issues the next time we put those, plans together. And so, Bruce Wick, maybe you have some information.

Bruce Wick

Yeah, just a quick point on what you said, Simone. When we met in 2001, we wanted to eliminate fall protection plans, except for very unusual conditions. That's why we wrote together, Carpenters Union and Framing Contractors, basically 1716.2 with Larry McCune. We just sat over and over, took every process and said, how do we do it best? and we wrote it into the regulation. That's why it's been so successful for so long, and that's why it was frustrating for Fed OSHA to tell us to dismantle part of it. So, we're trying to get back to that unfortunately, we do need to use a fall protection plan for us to be, as Fred Hovenir said, clear and compliant for CalOSHA, general contractors, framing contractors, and carpenters all understand the same thing in the very same way. So, you won't have found anyone doing a fall protection plan in the last 25 years in California, because we said no, we're not doing that. We're following a clear, concise, thorough regulation, and that was taken away from us last July to a significant degree, and we're trying to regain it. And this is why we turned a 3.5-page document into a six, because we're trying to be very clear and careful and get ourselves back to this point of everybody knows the right thing to do, and we all do it.

Simone S. -OSHSB

Awesome. Thank you, Bruce. Yeah, my experience with fall protection plans have not been in California, they have been in other states. And and I can tell you, I did have an inspection, where we were using a fall protection plan, and I was the safety monitor, lucky me. And they asked me a lot of very detailed questions, things that I did have a part of my plan, right? You know, why couldn't I install anchors, you know, the pitch of the roof, the material, the type of anchors that were available, why, why, why, why, why? All of it was covered in my plan, and they felt like I was able to demonstrate the

feasibility for the plan, so I didn't have any issues. But I really felt like, at that point, it was up to the interpretation of the inspector, right? And so, I do think that you know. Being a fall comp, understanding how you're supposed to do this risk assessment, you know, including all the things that, you know, that you might you know, have to factor in when you're trying to decide whether or not these plans are feasible, if fall protection is feasible or not, and whether we have to implement a plan. That all comes back into the training component of it, right? You know, we can only write so much stuff into the regulation, but the training is where it really, I think, kind of dials that stuff in. So, let's see, we've got Alex, and then we have Russell. I can. Try to unmute her.

Alex Mercier

Okay, can you hear me?

Simone S. -OSHSB

Alex? Yes, I can.

Alex Mercier

Okay, yeah, so to your point, Simone, I totally agree. Since July 1st our industry is kind of in disarray, because no one really knows what compliance looks like. We have... I've been to seminars where OSHA compliance officers have been there, not enforcement. And they have this very vague, follow your plan, you may need 2 or 3 safety monitors per guy up there, and... and then... then you go to enforcement, and they just say that's not compliant. And then you're like, well, what is compliant? Well, we don't know, but that's not it. So, we're left... we're actually having to operate in this gray area right now. All this stuff we're talking about is... we have to deal with it out in the field right now, and try to explain to our guys who've worked for... decades, multi-generations, specializing in joisting, trusses, sheathing. Now, we just turned everything upside down on them. And we have no good explanations why. So, this safety monitor, we're only doing it because we think that's what compliance is. But is it gonna take case law to figure that out? I don't know. So, I would like... to get back to where we were, in the sense everyone's on the same page. We were there on June 30th, 2025. We're not there now.

Simone S. -OSHSB

Thank you, Alex. Russell?

Russell Duren

There's been a couple comments on length, length of this plan, and I'd like to propose that maybe the documentation becomes a two-fold thing. You've got a written program that explains how the... a longer written program explains how the company implements this. But then your site-specific document is a single sheet or front and back. That's an

aggressive goal. I was able to achieve that in the work comp role. What I produced wouldn't necessarily align you know, component for component with Kevin's project here but, maybe we consider like I said, a program document that directs how the company administers this, and then a site-specific form that's just an easy breezy front and back, or it's a PDF. I think that utility and usability is going to really help drive adoption.

Simone S. -OSHSB

Thank you, Russell. Are there any more comments? In regard to enforcement? Nope. Alright, let's keep on truckin'! Accident investigations. So, all accidents shall be investigated consistent with the company's injury and illness prevention program. Pretty basic. I don't know if you really need it on the template. Because I think that in California here, right, that's kind of a part of your IIPP. But if, you guys want to keep it on here... You can? I'm just like I said, just trying to take out the stuff that, you know, is redundant or we don't need, just keep this... more user-friendly, right? Because, yeah, it might get lengthy because of all the things that we have to include, but, you know, sometimes if we, you know, less is more, right? So, we want to make sure that we're just getting to the meat of what we need for a plan. Yes, Kevin? You are muted.

Kevin D. Bland

You know, less could be more. We've always been, but here's the thing we have to deal with, is one is... by the way, the information when it comes to the men and women that are actually joisting out there, this process is identified specifically in there, and the way that they've been trained, trained by the union to do it, trained by our folks to do it in the way that's consistent, and we're trying to maintain that consistency, because, like you said, training's a... But also keep in mind that this document, just like an IIPP, has a bunch of things that may not pertain to every individual that looks at you, you got somebody that's doing concrete work, they're probably not going to pay attention to the concrete part. The person doing electrical work on the project isn't going to pay attention to the electrical work, because it doesn't apply to them. There are things, but for this document as a sample to guide people and framers that aren't sitting around this table, necessarily. This is an idea of what your plan should have in. If an individual wants to take out all the things and just have what they train the employees on is just a portion that has what the process is that's fine, but the idea of this plan, and if you look at other, other samples, this is to be a place for the... A framing contractor that hasn't had the benefit of being a member of the union or a member of the Framing Contractors Association, who spends hours in monthly meetings on safety with this, on top of their own company stuff to understand this, and that's the idea of this as being an appendix. It's no different than if we look at the appendixes for, I don't know, blood-borne pathogens, or whatever, you ever looked at some of those, or ATDs, or whatever? I mean, it's... they're huge. This isn't that complicated, but it does make sure that that employer is thinking about every one of these points whenever they're using this plan, or adopting this plan, or changing this plan. So that's why I think it's important. I don't know if any of the framing contractors disagree with me or not.

Sid Montgomery

Can I say something? This is Sid Montgomery with United Production Framing. Yeah, I agree with that. One of the big things for us is to have this plan and have the consistency for training our employees, because the first thing that we can have is our employees show up to a job and have something different on every job. Where... where, like it was mentioned before, 99.9% of the time, this is going to be... this is going to be the same plan that we're going to use. Our guys show up, they know exactly what to do, how to be safe, how to work together in those situations, and that's how we create the safe environment. Confusion is when it starts becoming unsafe because people aren't consistent in what they're doing, and maybe they're going to do it different on this job than another job. And then the other thing that's critical for me about this plan as well is for our customers, that we have this plan, and that we all know that this plan works, it's accepted. And it takes the confusion out of what we need to do, because right now I do have customers that... that they want us to use the pole and the lines, and we have to go and explain to them why that's not going to work on this particular job, because of those areas, like we've talked about, where there's that swing of guys are up on a plate, and they're too far away from where that line is that they're attached to. The number of people attached. You know, the things we've talked about. So we've got to go through that. They also, you know, they expect us to tie up... tie off with rope grabs at people's feet and so we have to talk to them about that, and the reason why... why that's extremely unsafe, to put our workers in that situation there. And in fact, right now, we're losing... we're losing a specific job over that... that customer thinking that not understanding these plans and not understanding what is and isn't acceptable.

Simone S. -OSHSB

Thank you, Sid. I agree. Sid is making some good points, going back to the lack of training and understanding how these systems work and what we need in order to be able to install them compliantly, right? And that all the equipment's not the same. And job sites do sometimes change, right? They're not... how do you say, things could happen on a job site to change the environment and having employees to have the proper training to be able to. address those changes as it happens, if it does, is really important, right? So, we don't want to have just a plan that that's all they follow, and they don't think outside of the box, because if something outside of the box happens, we want to make sure that they're able to identify that, right? And maybe not identify what the next step is, but at least identify that there's a problem, right? So that's going back to the training part that we're going to talk about after lunch. But yes, lots of good points. Any other comments in regards to the accident investigation component of this? So I totally understand Kevin, what you're saying, you guys put all this stuff in here, just in case there are people out there who don't have it, that way the employee has all the coverages that they could possibly have, which is great, but remember, when we're working on this once again, right, we have to think about, like, are these existing requirements that they already have? are these going to be new requirements that are going to trigger behavior changes? that we're going to have to quantify, right? Using dollars and cents at some point, so...

Kevin D. Bland

Well and Simone, on that point, there's... this is a... this is a guide for not only the employees, which is the process part, but for the employers that use it. And so you have two different audiences in one document and the development has to be from the employer as to that, and that's the thing. I get what you're saying. On the training, aspect, too, is it... the other thing, consistency, that maybe... people think is understood, but may not be. is... a crew, let's say we have a joisting crew. They may work for SID for 2 days this week and then go to work for Alex for 3 days next week and then go to work for Fred for 4 days next week, or whatever, and so the consistency between companies is vital here in this because the workforce, it isn't like they go to the same factory every day, and they've been working there for 20 years, right? because they follow the work and the process, because they're so specialized. So we've got to keep that in the back of our mind, because the idea of what we're trying to do as an industry is... and we did this 25 years ago and are still trying to do it, that's what started saving lives and saving injuries was the consistency amongst the employers, too, because of the workforce process where they don't always work for the same folks. And I think that's important in this setting as well.

Simone S. -OSHSB

I agree, yeah, that's... I mean it's one of the very few industries where everyone kind of agrees to do it the same way, right? Which is why, like I said, you know, like we come out with this template, are... are all the stakeholders who are affected gonna be okay with this, right? I think you guys do cover or have, how do you say, communication and interactions with the bulk of the affected stakeholders, but obviously we have to make sure that everyone is okay with this, right? And that it's going to be feasible for them. So, you know, food for thought for those of you who are observing, right? These are the type of things that we have to verify as we're doing our rulemaking, right? Is how does... how does this effect industry, everyone in industry, right? Not just the bulk of it or the majority of it, but everyone, right? And kind of address those concerns. So, thank you, Kevin.

Alright, so we will be taking lunch at 12 but, want to try to finish as much of this before lunch as we can. So, let's go to Changes, Modifications to Plans. Any changes to the Fall Protection Plan must be approved by a qualified person within the company. In the event an employee falls, or some related serious incident occurs, near miss the company will investigate the circumstances of the fall or other incident to determine if the fall protection plan needs to be changed, new practices, procedures, or training. And shall implement those changes to prevent similar types of falls or incidents. Employees will be notified and trained, if *necessary*, in the new procedures. A copy of this plan and approved changes will be maintained at the project site. So, I know I have a couple of questions on this. You know, starting off with, you know, in the event an employee falls or some related serious incident occurs, I think you put example given a near miss, I would say, or a near miss, right? I think that the near misses are imperative to how we manage our you know, safety programs and, you know, stay proactive and

so I think that a near-miss anywhere should trigger, an investigation and a retraining. Usually, you know, companies who follow that process are able to mitigate, you know, a lot of their issues. And so, I personally would think that it would be something that we would include, you know, “or” near miss. And you know, and I have a couple of other comments for the rest of the... rest of the paragraph, but... I will open it up to the group. You know, and see, what do you guys think about this? Any comments or questions? I see in the chat, you know, Jesse put 100%, Assuming you mean... Adding near miss? But... what else do we think about this? Okay, so I'll go over my other concern with this paragraph. Employees will be notified and trained, if necessary, in the new procedures. I think that... if necessary to me, what does that mean? Who's going to determine whether or not it's necessary to... to notify and train people on the new procedures? A new procedure usually triggers a retraining, right?

Kevin D. Bland

Yeah, I can address that. Okay. Yeah, because remember, this plan may be modified, let's say, just for, trussing operations, we find something that's wrong with trussing. We're not going to have to train all the joisters, all the sheathes, all of the framers on that change or modification. And it's the... the decision's going to be made by the qualified person to say, what group is this change affecting? And that's why the “if necessary”, because if we say all employees will be trained on the modification, you're... You're training, you know, someone to drive a truck that all they do is drive a Pinto every day, just because they're in the automobile safety program. You're not going to train them on the truck driving if all they do is drive a Pinto. That's the idea of that.

Simone S. -OSHSB

Makes sense. I think that, you know, that makes sense, but I think in regard to if there is a new policy or procedure, right, then anyone who's affected should be notified in training. So, I think that I would change it to where affected employees will be notified and trained in the new procedure, right?

Kevin D. Bland

Yeah, that would... that would work.

Simone S. -OSHSB

Standard and basic, yeah, like, address it, you know, to the people who need to be, and then, yeah. That would make me feel a little bit better about that, but other than that, I think you know, the rest of it kind of made sense to me. A copy of this plan and all approved changes will be maintained at the project site. That's standard when it comes to site-specific plans, on construction sites. Does anyone have any concerns or questions about comments in regards to any of that? I see none. Alright. Installation of floor joists? Is that supposed to be there like that, Kevin?

Kevin D. Bland

What's, what, installation of floor joists... oh, it's just, it's just the way it, there may just be a hard break, I guess the way it printed or copied over.

Simone S. -OSHSB

Okay, alright.

Kevin D. Bland

Because yeah.

Simone S. -OSHSB

To make sure we're not missing something there.

Kevin D. Bland

Yeah, no, installation of floor joists is, colon, the first thing that we talk about is the next page during the installation of floor joists. So it just... the heading didn't capture...

Simone S. -OSHSB

Alright. Alright, so this is where all the subject matter experts, you guys need to... get involved now, right? We're talking specifically about installation of floor trusses and joists. So, we have some step-by-step approaches here. All the employees trained in the following procedure will be allowed to install floor trusses or joists. The company will be responsible for training each employee on the outlined procedures below, so that each employee understands and follows stated procedures and is able to recognize unsafe conditions. And it is the employee's responsibility to notify the company's crew foreman with questions or concerns regarding any aspect of the training, and refrain from engaging in unsafe practices. So, what do we think about this? I have comments, but I'll wait. So, I know that training is done differently. Like you said, Kevin, people come out of sometimes the union hall to work for different employers. Right? But, you know, the training is being done by... who? How does an employer confirm that they've been trained if they are going from employer to employer? Because I'm assuming that they're not being trained by each employer as they come on site.

Kevin D. Bland

Well, they are. Well, they are at their onboarding, and... but the point being is that, like that scenario I gave you, then they're back at SIDS in 3 weeks, whenever they're framing those... that three weeks of houses, and then they're back in 2 weeks at... at, you know, Lawrence Houvenirs, whenever they're framing that portion of that.

So, at onboarding, at the initial hire of an employee, for framing, depending on what section, they're going to be trained on what they're hired to do at their onboarding. So, I'll give you an example. They could be with I'll just make up a generic name, ABC Framing for 5 years, right? But they're not... and they're also... with XYZ framing for 5 years, and they're also with DEF framing for 5 years, all congruent. When each one of those hires them, they're going to go through all of their packets, but the consistency is making sure that because they are balancing during the year, and they're going to get a W-2 from each one of those contractors in the year. They may get 3, they may get 4. Same thing was with ironworking when I was an ironworker. I could get four or five W-2s in a year, but the way we hung steel at all 5 of those was consistent, and now we have 1710, which is what, but it's all consistent, and we're all training to the same method, because the process of installing a joist, whether with one company or another, whether it's a two-story house or a... One-story house, or a multi-family dwelling that's like an apartment complex. It is the same. And the floor heights interior are the same. There may be a difference of a... one may be a 9 foot, and one may be a 10-foot, but for the most... they're identical in the process, and that's why the consistency in this, and that's where, under procedure. Is where, if there's anything in these procedures that any of the framers, the guys who are doing this day in and day out, find, hey, this isn't a great idea, this is a great idea, or they disagree with this, or agree with it, would be a good time to weigh in if there's something there.

Simone S. -OSHSB

Okay. I agree, I think when we come down to the procedures, we're gonna have a little bit more detailed discussion.

Kevin D. Bland

Right.

Simone S. -OSHSB

But, like, for this part, I just wanted to clarify, like, how... how training is being implemented in general to make sure that your employees are, you know, all on the same page as far as the installation of... of the... the floor of trusses and the joists, right? Like, everyone's... kind of coming with the same training, they have the same background, and then they get onto your job site, and everyone goes through this fall protection program, or fall protection plan, right? And they get trained on it and someone is verifying their competency, right, for these, all these other things that they're doing.

Galo Toapanta

As you have. Hey, yeah, this is Galo again. I mean, you mentioned training, you know, training is the key for... every worker, and, we do have a... a lot of framing contractors, and our guys when I got laid off, you know, I just go to work for the other company you

know, when there's now work in that company go back to the previous company. So, training related, and I think having this all created, this plan, is gonna benefit everybody, because once they go to... the training center, I'm talking about apprentices and journeymen, when they... when they go to take this training, we focus on one... and whatever we created. They want a lesson plan that's gonna cover, all the standards that we're gonna be applying, or we're gonna be creating here, or... so they're gonna receive a standard training. And this, it works, because I don't, I'm just gonna mention something it's not part of this, but the training fund, we used to cover nothing but Southern California, now we cover the whole western states. So, the training that we provide, now, every project that we offer to our apprentices or journeyman is standard through all Western states. And some specific subjects yeah, it is different because of the geographic area. Yeah, I understand that, but the training, the training is going to be a standard which will be a benefit to all the contractors, and, you know, all the, the members, all the workers.

Simone S. -OSHSB

Thank you, Galo. Neil?

Kevin D. Bland

I...

Simone S. -OSHSB

Neil is connecting to... his audio. Okay. No? Neil it's not working. Alright. You can put it in the chat, we'll read it out for you. Was there someone else who just had their hand up? Nope? Okay. Alright. Okay, so just coming back to the language that we were looking at here, you know, only employees trained in the following procedures will be allowed to install floor trusses or joists. The company will be responsible for training each employee on the outline procedures below, so each employee understands and follows stated procedures and is able to recognize unsafe conditions. So, there's no... no other comments on that part. We can go down to procedures.

Kevin D. Bland

I...

Simone S. -OSHSB

Go ahead, Kevin.

Kevin D. Bland

Yeah, I found an error, I think, in the drafting where, on procedure, it says catenary fall systems will be installed and used along the perimeter of the structure, used and

installed. It should have been fall protection system, i.e, because we use different ones, it would be... Catenary in some cases, it would be bracketing scaffold in some cases, it would be stack scaffold in some cases, and on some structures, like the, it's a guardrail, that's installed, especially when you see, the Furnace. Basically, everything that we used to do at the second floor, we're dropping down to the first floor. So, the, the stating specific catenary, was an error. I think it was just supposed to be fall protection. Will be installed. And I think that was repeated mistake throughout every one of these, so that's got to be corrected.

Simone S. -OSHSB

So, fall protection systems, do we... would we want to define that somewhere, so people have those, examples?

Kevin D. Bland

We could... we could say, fall protection such as catenary comma, bracket scaffold, comma, stack scaffold, comma, guardrail. comma, etc. Yeah. Shell will be installed.

Simone S. -OSHSB

Just some examples, I think, would help, right, since this is, like we said, you know, a document that people are going to use to perhaps even, you know, learn or expand their knowledge on fall protection systems, so I think that would be a good idea. And... in accordance with the engineering requirements. So, I think I have a little bit of a concern with that, because these fall protection systems have manufacturer requirements, which include engineering requirements. And so, I believe that we require us, everyone, to follow the manufacturer's requirements, right? Which, like I said, includes engineering requirements.

Kevin D. Bland

Yeah, I think manufacturer's fine.

Simone S. -OSHSB

Okay, yeah.

Kevin D. Bland

Manufacturing instead of engineering, yeah.

Simone S. -OSHSB

Okay, alright. Does anyone have any, any comments? Or, or... Suggestions? on that part. Alright. Okay, so to minimize exposure to fall hazards, framing materials will be

staged so that employees have safe access to the material. So... I don't know if we need to expand on that, right? We might save that one after lunch. But I think that you know, this, to me, there's a couple different things, right? Obviously, when we're working at heights, we store materials up there so that we can efficiently work. And how do we decide where to store that material, right? So, I know someone recently asked me that question, how do I figure out what part of the roof is the safest part to put this stuff? And I... I think that that's part of the assessment that we do. But I would like to hear from you guys, you know, what... what it... what you're using to determine this, right? How are we figuring out where we're going to stage this material? Alex?

Alex Mercier

Yeah, I think a good example of this, and like Kevin was saying earlier, you can't write a document that speaks to every unique situation. It's just impossible. But in the video, it showed the guys joisting from ladders. So, in that case, the joists are on the ground. And every single joist gets handled by the guys to bring up to the top plate to install. When, in production, we put the whole joist package up on top of the walls, and then the guys don't have to lift them up to where they're finally gonna go. So... that is a specific example.

Simone S. -OSHSB

Two, yeah, two different scenarios, right? Yeah, so different ways to do it, and I think that is important for, since, you know, we want to make sure that people are utilizing the options that they have, right? That we include what some of that looks like or, like, if it was coming from the enforcement standard, right? I don't know if this would be a thing, right? If... if someone were to roll up and say, hey, you guys really shouldn't have all that stuff on this side of the roof. You know, because of X, Y, and Z, you know, what those things are, if there are things that we need to be taking into consideration, and then making sure that that's obviously a part of the training, but, like, do we want to put some of that in the plan, right? All right, Kevin, last comment, you've got 2 minutes, and then we've got lunch.

Sid Montgomery

This is actually Sid with United Production and Framing again. Okay. You know, when I look at that. Also, the way I see it is, materials are sorted on the ground, so if it's floor joists, the right length of floor joists is sorted on the ground, it is then put in the specific location, or close to it where it's going to be used, where guys are not sorting materials, or having to handle materials at height. Everything's been handled on the ground, it's been planned out on where those joists are set, you know, in relation to where they're going to use them and be able to roll them right off the top of that stack and not sort anything. Same with the trusses. It's critical that those trusses are sorted out. They're set in the right area of that roof to where the guys then just handle that truss one time, set it right to where it goes, then go back, get the next one, and so... so the safe handling on that, you know, that's how I see that one.

Simone S. -OSHSB

Okay, alright. Yeah, so I think... I think maybe, you know, we want to... maybe we wouldn't want to expand on that, right? If that's the actual procedure, right? Procedures is where we could have a lot of details, right? Have more information, because we want to give people all the tools and the information that we can to... to, you know, be safe as possible, right? So maybe we want to expand on that, but let's go ahead and take our lunch break, everybody. We're gonna leave at 12 o'clock, we're gonna be back at 1, and we are gonna start at 1, so please be back on time. And we will pick up right where we left off. And once again, if you guys have any questions or need anything, feel free to go ahead and email me or call me right now, and we can touch base real quick before, we regroup. So, thanks everybody!

Kevin D. Bland

Thanks.

Simone S. -OSHSB

Hello! It's 1 o'clock, hopefully everyone is back.

Kevin D. Bland

boom. Simone, can you confirm my camera angles, right? Because I don't get... I can't see what shows on your end.

Simone S. -OSHSB

I can see the three of you guys. Your head is a little cut off, but I can see the three of you guys.

Kevin D. Bland

Okay, let's see, that was the only one.

Bruce Wick

Is there a problem with Kevin's head being cut off? I don't...

Kevin D. Bland

Is that better?

Simone S. -OSHSB

That's better.

Sid Montgomery

Every once in a while, Bruce gets one back at Kevin's. Yeah, yeah.

Simone S. -OSHSB

All right, guys. Well, I hope everybody had a good lunch. I think my screen is still sharing, so hopefully you guys are still able to see the document. And let's just go ahead and pick up where we left off. So... go back... going back to procedures. So I thought about this during lunch, and I was wondering, would we want to put something here to encourage employers or remind employers that, you know, if there's work that we can do on the ground, that we should be doing it on the ground?

Kevin D. Bland

I can speak to that. We talked about it a little bit, too. We may be able to add some bullet points under the staging of what that means, where the... what we would do on the ground. I think... Kinda like what I think, Sid described, where you cut the link, you put them in the order, in which they're going to be rolled and placed on the structure in such a way that they can be rolled in the order in which the installation process for the plan would go, something to that effect. A little imprecise, the way I'm saying it right now. We can... we can get you language on that, and I think that's going to apply, to, the others as well. Same thing. Sheathing may be a little bit different because, you may... you aren't going to pre-cut the sheets, necessarily, on the ground. Those would be cut, but you have a... you're building a platform in which to work off of.

Simone S. -OSHSB

So, in that case, it sounds like... like, we don't want to give them full direction on how to do the work, right? We just want to kind of emphasize that there are certain things that can be done, and we just kind of want to remind them you know, once again, I know, you know, we're trying to keep this to where it's usable, user-friendly, you know, and we want to make sure the information in there is useful, and not just so much that people just don't read it, right? So, just a thought, and then we'll go to Russell.

Russell Duren

Thank you. I haven't... I think staging materials is an important ground activity. I haven't observed a whole lot of California work, on Nevada sites, it was a growing practice before I left the field that, you know, entire sections, multiple trusses would all be braced together and then flown up as one unit, and those can be toenailed from a ladder or from a bracket scaffold. You know, again, it's not a one-size-fits-all, but I would... I think there's an opportunity to have this document provide some of that guidance. That would be my minimum request, but then... more aggressive than that, can we ask someone to put pen to paper of, yeah, I see that, but on this job, it wasn't possible?

Simone S. -OSHSB

Thank you, Russell. Kevin, do you have a comment?

Kevin D. Bland

Yeah, I can find it, or some of the framers can respond. Most, if not all, of our, framing is in dense housing situations. We can't do like we can in, Nevada, Nebraska, Texas, wherever they have larger lots, larger room to do what we call a bent, or a cassette, or something like that. And so that would be one of those... the .1% issues. This is trying to identify what the majority is, doing and capable of doing. And so, I understand what he's saying, and then, you know, the address is specific. I think Fed also showed a picture of that, where they're setting the whole trust unit down. Well, now you've got a unit suspended above the folks, potentially, depending on where they are in the ladder, and now you also have the ladder hazard. We try to look at things holistically. What's the safest way when you take in all the components, because then you've added rigging. into it, and rigging safety, and if you have to use a crane, now you've got crane safety. And so this is why, you know, we spent years developing the safest way to frame a house, and I don't know if any of the framers have something to add to that, or experiences, with that, but... that's the issue there. Yep.

Simone S. -OSHSB

Thank you. Alex?

Alex Mercier

Exactly. Yeah, what Kevin just said is absolutely right, and... this... this procedure needs to be an outline bullet point. We don't want to make this too much. And I can tell you on all the jobs I'm doing right now, that's infeasible, and it's not happening.

Simone S. -OSHSB

Thank you, Alex.

Kevin D. Bland

It's true.

Simone S. -OSHSB

I think it's popped up in a couple of conversations we've had before, so I do think that the... that the environment here in California is a little, a little different. But I do believe that there is still, some similar, you know, dense housing areas across the U.S. where once again, right? I think the fall protection plans are what they're using in these types of environments. So... But good explanation. So, we... we still wouldn't want to...

encourage that. Or listed as a reminder, right? Because we don't want to assume that everyone's in that predicament.

Kevin D. Bland

Right. Well, I think we want this to... be the most safety-conscious document we can, and in doing so, identifying those things that, even though we think are first-hand knowledge, just a reminder, that's why we talked about kind of what Sid said earlier, cut the... cut the joist to size, bundle the joist, the size on the ground, in the order in which it's going to be placed, and then placing it, you know, in the staging portion on the building, so that as they unroll them, and that's what we do. Yeah. In the, in the order in which... so then you're building that platform. I don't think that detail, that can be bulleted right there, because that's the reminder. But we get into, oh, well, consider rigging and consider that. We've already done that in the first part of this document, and said, hey, we have determined that this is the way. This is the... this is going to be the roadmap for the end user, the employees out there, and it's just reminding them of what they do every day already. Anyway, but we can put that in here as a reminder, and then that makes... maybe some folks think about it twice, but trying to put every potential other situation that could be conceived in the procedural aspect is not the right.

Simone S. -OSHSB

Okay. Thank you.

Kevin D. Bland

I don't mean to pick on Russell, I just... I just... We've had these conversations, on the, for, quite a few years now, and in the last year, year and a half, trying to figure out.

Russell Duren

No, I appreciate it.

Kevin D. Bland

We're good.

Russell Duren

And, you know, I understand that this document is the culmination of tons of thorough work. You know, it's... I just, you know, I get excited... from a Z359 perspective, I get excited when anyone talks about hierarchy of controls, and if we could put those reminders in... if there's any way, we can work them in, I'm all for it, while also not making this a prescriptive document. Totally... so... so yeah, Kevin, Alex, what you said, it makes sense.

Kevin D. Bland

Thank you.

Simone S. -OSHSB

Yes, I agree. I mean, it's just... it's just, you know, big picture, right? Not trying to... to include everything in there, but if there's just a way to kind of just keep that reminder, since we have, you know, the accident reporting and enforcement, right? We've got some of those reminders in there, you know, just to... Just to keep it consistent.

Okay, alright, so any other comments on that? No? Okay, so going back to where we were at, I think we were at, to minimize exposure to fall hazards, framing materials will be staged so that employees have safe access to the materials. So, I think we talked about a little bit about this, you know, staging materials, that's part of your, you know, initial assessment. We kind of figure out where we're going to do that based off of what's safe and what's efficient. Does anyone have any... any comments on... on that "sentence?". Or that requirement for the procedure? Seeing none, let's go to the next one, then. All walls are to be properly braced prior to starting the floor joist installation process. So, I think that's a good one. I don't know if anyone has any concerns with that. But it seems to be feasible when it comes to this type of work. I don't know if there's any, framers or installers there that would find that something hard to meet? Yes, Alex?

Alex Mercier

That's actually a part of the process of building the house. We can't build the house without doing our plumb and line bracing, because if you don't plumb and line your walls, when you put the floor system on top, your walls aren't plumb or lined, so it's actually where the process becomes part of the safety.

Simone S. -OSHSB

Awesome, thank you. Okay. So, next sentence, employees installing floor joists will start from the stack and lay each joist on its side, on the plate, not exceeding center spacing of 24 inches. Is the 24 inches the best practice, or is that part of one of our requirements? Kevin?

Kevin D. Bland

It's something that we had had established over the last year, is that 24-inch spacing was part of the old 1716.2 language, where it talked about the spacing of joists and trusses, but that's where that, that came from.

Simone S. -OSHSB

Okay, so that came from that section, and something that you guys had discussed at previous meetings. It's not part of any type of building standard or ANSI standard or requirement? But it's a requirement from our Title VII?

Kevin D. Bland

Was.

Simone S. -OSHSB

Was. Was. And... and is this something that... what... that we were discussing about bringing back? Is that one of the things that we wanted to...

Kevin D. Bland

We're not trying to bring it back in the concept of, old 17... we'd love that, if we could just go back to old 1716, but in the context of this, we have proven over the years that that is a safe matrix based on the layout process and the stacking process of joists and trusses. Because we haven't had any issues with it. It works because we have different sizes there, and it gives them a specific target of not to exceed. The reality is it's probably less than that most of the time until it's rolled up and installed. Because remember, you got... there may be, 24 inches on the center, but when they're laid on their side, it's no longer 24 inches apart, but that gives, a definitive, ceiling, if you will.

Simone S. -OSHSB

Okay. Just wondering, because let me go back and look at the 1716, because, you know, the way this is written, right, it says, you know, not exceeding centers business, so it's almost like it's a requirement. And then since this isn't going to be a template slash appendix, right, making sure... that... there's no conflicting language there, right, with what we already have in the regulation versus what we're recommending.

Kevin D. Bland

In, in the... Go ahead.

Galo Toapenta

Yeah, this is Gallo again. So, the 24 inches, it's just, like, I mean, not to exceed no more than 24 inches, but most likely it's going to be 16, but this is going to be... decided by the architect or engineer, whoever's designing the floor joists, but they're just telling you not to exceed the 24 inches, just to be on the safe side, that's already so. We cannot... space, the joists is more than 24 inches in the center, and it's going to... create some type of hazard. So, when we roll the joists, you know, we... here and there, we do have a 24 inches on center, depending... depending on the thickness of the plywood most

likely is going to be 16. Or, in some cases, I don't know, you... you know what I'm talking, I was 19.2, when we use a different type of material, like a DGI, so...

Kevin D. Bland

And to dovetail on what Galo was saying, if we look at the current, the one that changed, 1716.2 E2B. Either the center space between structural members shall not exceed 24 inches, or plywood sheathing shall be laid down to cover the space in between structural members. So, we still have that 24 inch in the current reg that was passed July 25th, or July 1st, or became effective July 1st, 2025.

Simone S. -OSHSB

Yes, I just confirmed. Just wanted to make sure it's lining up, so that looks good. Bruce?

Bruce Wick

I was just going to make that same comment Kevin did, so...

Simone S. -OSHSB

Oh, okay, awesome. We're all looking at the same thing.

Kevin D. Bland

Well, I'm always a little bit ahead of Bruce's.

Simone S. -OSHSB

I'm gonna have to start cutting you off. Bruce had his hand up.

Kevin D. Bland

You interrupting it.

Simone S. -OSHSB

Got you, Bruce, got you. Alright. Employees removing the joists from the stack to lay out the joists for final installation may walk on the surface created by the joists, laid on their side, as long as the worker stays within the 24 inches of the top plate. What do we think about this? Go back to our 1716. Does anyone have any comments? Or thoughts?

Sid Montgomery

So the reason we... This is Sid with United Production Framing, sorry. Yeah, yeah, what that's saying is, when those joists are laid on their side and on the top plate, that employee can step on those joists, but he has to stay within 24 inches toward that top plate that he's standing on, because if he steps out past that, there could be the possibility of that joist deflecting and falling off that wall because of the deflection, shortening that joist up.

So, we... we have our guys, yeah, stay... stay close to that top plate within 24 inches of the top plate.

Simone S. -OSHSB

So, when you're doing that type of work, is there... The opportunity to install fall protection somewhere in that area? It wouldn't be overhead. It would be....

Sid Montgomery

No

Sid Montgomery

There's no room.

Simone S. -OSHSB

the ground.

Sid Montgomery

Well, there'd be braces. There are braces below that are bracing and holding that wall in place and securing that wall. So, there's not any type of scaffold or anything underneath that we could get under those workers.

Simone S. -OSHSB

Okay, Jason Denning?

Jason Denning - Cal/OSHA

Yeah, oh... This would also be with a perimeter rail, right? You'd have perimeter rail for the outside fall, correct?

Sid Montgomery

That... that's correct. We'd have, you know, one of those systems that we talked about before, whether it be that catenary system, or bracket scaffolding, or a guardrail. The person on the exterior wall there, could be working off of that.

Simone S. -OSHSB

Okay. Was that clear to everybody? That that would be an exist... that there would be an existing system while they're doing this type of work? Or do we need to kind of clarify the language so that it's clear that that needs to be in place when this works? I think it's clear, but... just... you know, once again, looking at it from the stakeholder's perspective, the employer's perspective, if there's any type of overlap here where it's kind of confusing on whether or not they need to apply something or implement it, you know, make sure you guys flag it. Jason?

Jason Denning - Cal/OSHA

Yeah, I forgot in the because I can't see the rest of the document before. Wasn't this limited to interior framing operations, right?

Simone S. -OSHSB

This is for...

Kevin D. Bland

Yes, yes, yes.

Jason Denning - Cal/OSHA

I couldn't remember if it specifically was... It's limited or not, right? Okay.

Simone S. -OSHSB

Yeah. Installation of floor joists. Install floor trusses or joists. Right, Kevin? That's what this is applying to.

Kevin D. Bland

Yes, yeah, I think at the beginning of the document, it sets out that the scope of this document is for the interior framing process, where the perimeter, and I think that first sentence we're changing, that says, will be installed and used along the perimeter. Where we say fall protection, will be installed at that limit, that... that sets the stage right there.

Jason Denning - Cal/OSHA

Right, yeah, that's... yeah, that's kind of what I was looking for. If it wasn't down there, it should be up there. If it's up there about the perimeter, then that's good, because we have currently, you know, the... in the regulation, about the 6-foot distance from the edge. So, we would... So, okay, great.

Simone S. -OSHSB

Awesome. Okay. So, install and securely brace each joist. No employee shall walk on an uninstalled joist until secured. So, I think that's pretty basic. Anyone has any comments, please go ahead and raise your hand now. Employees will repeat this process to continue setting the balance of the floor joys throughout the project. And then all stairway and similar openings shall be protected by guardrail or other approved method. Yes, Alex?

Alex Mercier

Yeah, I just wanted to say that these procedures are what I'm using to train my joisters and stackers and sheathers. And it makes sense to them. I show them this, and they're like, duh, yeah, I know. Of course. Why wouldn't I? You know? So, this isn't for the layman, you know? I think we're getting kind of bogged down on, like, are they gonna understand what this means? They get this. So, and that's the kind of regulation we need. Easy to explain, understandable, and it makes sense. When you have to start to tell them why it makes sense, you lose them. So, I just want to say that.

Simone S. -OSHSB

Thank you, Alex. Well, I'll clarify for us in the rulemaking process, right, I know that we write these things for specific audiences, but as they go through the rulemaking processes, they go to audiences who are... don't understand the process. And so, I have to answer a lot of questions, to a lot of different people in regards to why, and how, and why not. And so, some of the questions that I ask are to be able to address those issues when they come down the line. So, I appreciate you guys responding, because never know, right, what they're gonna ask me. And also, like, this is why, you know, I'm gonna keep you guys in the loop and keep your contact information, because as we go through the rulemaking process and people have questions about, you know, some of these things. I want to get it from the subject matter experts, right? So, might come back to you guys with some more questions about, you know, why some of these things are written the way they are, and it's not... and the intent is not to change this document, right? It's to help the approvers of these documents understand what this is. So, and I mean, I'm not... I'm gonna be honest, I'm very happy we have... we have federal OSHA, we have our, OLRA, we have our Department of Finance, we have a bunch of people on this call who eventually would be looking at this, you know, project, if it turns into a rule making project, who I think are going to have a really good idea of what we're doing, because they were here today. But that's not always the case, right, with everyone who's reviewing this stuff, which is why we sometimes ask these crazy questions, so... I appreciate it, guys. Alright, so going to all stairway and similar

openings shall be protected by guardrail and other approved method, right? Do we have any questions about what this means, what those other approved methods are? Do we need to clarify that, include any more information? What do you guys think?

Kevin D. Bland

Just for record, the purpose of this is, as you're framing, you may have a stairwell that's in the middle of the... that's not the perimeter, and so we want to make sure that is protected, because then you do have an interior opening, and that needs to make sure that folks are aware and addressed that that has to be protected.

Simone S. -OSHSB

Okay. Jason Denning?

Jason Denning - Cal/OSHA

Yeah, the, the word approved, if we're going to use this, if it's going to be incorporated into Title 8, there's... that's defined under approvals, and it's... it includes, like, you know. like, what do you call them, national, you know, registered inspecting testing laboratories, or approved, you know, so I don't know if you'd want to use the word approved, maybe? I don't know if that would be limiting for you? because.

Kevin D. Bland

Actually, Jason, hey, mark this down, it's 1:23 on 5/13. I agree with Jason.

Jason Denning - Cal/OSHA

Yeah.

Kevin D. Bland

Yeah, I think that language got pulled over from the Appendix E at some point or another, and so I, would say, stairway or similar opening shall be, protected by something, maybe the word, accepted,

Jason Denning - Cal/OSHA

Maybe if...

Kevin D. Bland

Connection, or... or... yeah. Yeah, well, this isn't for windows, but this is okay. Yeah, we could use something like that, or other... acceptable method? Acceptable method or

we... I think when the context of this could be approved, probably meant approved by the qualified person.

Galo Toapanta

Competent person, qualified person.

Kevin D. Bland

Yeah, yeah. Or other, approved method approved by the competent person, or something like that. It's.

Simone S. -OSHSB

Okay, Alex?

Alex Mercier

Yeah, I was just going to say, the first bullet point where it talks about the fall protection system, it would be the same system for the last bullet point, because, like Kevin said, it's like an interior perimeter that still needs to be protected. Like, on the first bullet point.

Simone S. -OSHSB

But because it's on the interior, it wouldn't be the same protection system, right? Like Kevin, you were saying, you're guarding the hole, right?

Kevin D. Bland

Yeah, it could be guardrail, it could be covered, with the floor opening, do not remove, it could be guardrail. Typically, it's guardrail on the interior, because it's, something that remains up until the... and then the walls go up, and then the wall becomes... it's, protection, oftentimes, depending on the house, but, And you could put a period. All other all stairway and similar openings shall be protected. Period.

Simone S. -OSHSB

We could do that, I mean... What do you guys think? Is that too broad?

Jason Denning - Cal/OSHA

I mean, I would say something like protected from fall hazards.

Kevin D. Bland

Yeah, protect them from fall hazards.

Jason Denning - Cal/OSHA

Fall hazard or something like that, because protected, that could mean that it's protected from the elements, or something else, you know.

Simone S. -OSHSB

Okay, well, just something to think about, if you guys think of something else that might, you know, flow better there or sounds better, go ahead and, you know, send it over in the chat or email it later. But we do want to make sure that we put something there that, you know makes sense, and people realize that it does need to be... compliant. I know we probably don't want to use that word, but... compliant. method. Alright, let's go to the next section, installation of floor sheathing. Make sure there's no other questions. Let's see, we have a comment. From Fred, it says, I believe that most framers use perimeter same as exterior under temp floor and elevator shafts. Elevator shafts.

Kevin D. Bland

On, on, on the, like, the large, like, apartment-type things, sometimes there's an elevator shaft in them, and I think that's where that's capturing that potential.

Simone S. -OSHSB

Okay, got it. Awesome. Alright, so, during the installation of floor sheathing, the company will take the following step-by-step approach to protect its employees who are exposed to fall hazards. And then we have a couple of bullet points here. Only employees trained in the following procedures will be allowed to install floor sheathing. The company will be responsible for training each employee on the outline procedures below, so that each employee... so this is kind of the same as the top, right? Understands and follows the stated procedures and able to recognize unsafe conditions. And then we'll go to the actual procedure. So, this is where you were saying we need to take the word catenary out and just keep it to fall protection systems.

Kevin D. Bland

Yeah, well, I... just to correct that, I, when we say system I want to make sure that's clear, because in our context, we have alternatives that we use, like the bracket scaffold that's an accepted and I don't know if that's the technical, because I think fall protection system may be a defined term, so I think it might just need to say fall protection will be established and used along the perimeter of the structure and then we're gonna list examples.

Russell Duren

Scaffolding or equivalents?

Kevin D. Bland

But we just fall protection, and then... Yeah, well, because if we use scaffolding or equivalent, then, the catenary, because some folks do use a catenary side. Yeah, okay. Yeah, and if we use catenary, then that takes out, so that's why I think we need to make sure so that the perimeter is protected from falls with... it's really with a positive system, whether it's catenary scaffold, or sometimes it's guardrail.

Russell Duren

Can we... can we take a page from 359.2 and say passive fall... fall prevention controls? You know, active versus passive? Or engineering.

Kevin D. Bland

Yeah, the issue with that, then, it limits, because is... is a catenary line system active or passive? It's active, right?

Russell Duren

Yeah.

Russell Duren

Yeah, yeah, okay, fair point.

Simone S. -OSHSB

Okay. Anyone else have any comments? on this... specific sentence? Nope. Okay, so we'll work on... Improving the language there to make sure that it's clear. On what we're referring to.

Neal Drinkward

I think it should just be the railing systems. That's okay.

Simone S. -OSHSB

Railing system. Yeah, go ahead and put it in the chat, Neil, if you would like, or you can, like I said, you can always email it back over to us later and, you know, I'll take all the comments and notes that we have and share it with Kevin, since Kevin's going to have to update this document and send it back to us. So go ahead and send that over whenever you get a chance. Yeah, yeah.

Kevin D. Bland

I just want to address that real quick. The problem with just having a railing system, those that are using bracket scaffold, for the joist installation will leave that bracket scaffold up, Neil, when they're sheathing the floor, and so that would limit, and they'd have to switch systems up.

Simone S. -OSHSB

I see Neil talking, but I don't know who he's talking to. Hopefully it's not us. Alright, okay, let's talk about... let's see, this next page, page 5.

To minimize exposure to fall hazards, materials will be staged so that employees have safe access to materials, so that was similar to what we had on top. It looks like the rest of this is pretty much, the same, right? Copy and paste from the section above. Installing floor sheathing will install the first sheet of floor sheathing by standing on the secured floor's joists, which are not exceeding 24 inches on center. Floor sheathing shall be installed in a manner where each sheet installed increases the working surface over joists. Once the first sheet is installed, each subsequent sheet will be laid and installed working from the floor sheathing, increasing the surface area with each new sheet installed. And then all stairways and similar openings shall be protected by guardrail approval method. Okay, so do we have any comments on the rest of this, as far as the floor sheathing is concerned, and... the layout.

Kevin D. Bland

Same change on the last bullet point that Jason brought up.

Simone S. -OSHSB

Yeah. And then Alex?

Alex Mercier

Yeah, I was just gonna say, as we go through this you'll see, to your point Simone, that you know, trusses and roof sheathing are very similar to joists and floor sheathing and it'll be like, rinse and repeat. I do... maybe want to have a question or clarification on similar openings. On similar openings on the last bullet point, we're talking about a designed opening that's on the plans, like a stairwell, right? Not an opening that's created as you're laying the floor sheathing?

Kevin D. Bland

That was our intent, Simone. Would you read it differently?

Simone S. -OSHSB

Well, I cannot do any interpretation, but I don't know, Jason, what do you think? Or Yancy? When have you read that? We lost Jason?

Kevin D. Bland

He decided to call it a day because we finally agreed on something. He didn't want to take any risks.

Simone S. -OSHSB

Jason and Yancy would be able to explain that better than I would, you know, I... I do think that, you know. it would be good to clarify that, from the training perspective right, when we're going over this plan what that means to... to the employees, so... Should be obvious, but... Jason's still here?

Jason Denning - Cal/OSHA

Yeah, I think I've missed a part there, I was looking at an email when you guys were talking there for a second or text, I'm sorry, that came in. What was the issue, could you go over it really fast again for me?

Simone S. -OSHSB

So, the last sentence where it says, all stairway and similar openings.

Jason Denning - Cal/OSHA

Uh -Huh.

Simone S. -OSHSB

be protected.

Jason Denning - Cal/OSHA

Oh, the approval, okay.

Simone S. -OSHSB

Yeah, what are we... for similar openings, you know, what are we looking at as far as when we see an opening, is that, you know, other access stairway areas, or, as they're working, right, sometimes they generate these openings.

Jason Denning - Cal/OSHA

Well, yeah, I mean, there'd be openings for things like equipment or other things that they may be installing later.

Simone S. -OSHSB

Yeah.

Jason Denning - Cal/OSHA

You know, so it won't just be stairways, it'll be... You know, it might be HVACs and plumbing and stuff that needs to have openings that they run... they run through. You know, so... I don't see an issue with the other... similar, or just... I would just say, why not just say all openings shall be protected? Why do we have to say stairway or similar? I mean, just say all openings. What's the...

Alex Mercier

You weren't, like, just...

Jason Denning - Cal/OSHA

Because, I mean, openings can also be covered, like, covered, but then it's no longer an opening, but you know what I mean? So...

Simone S. -OSHSB

Yes, okay. I think Alex, go ahead.

Alex Mercier

There we go. No, my concern there was similar openings to a stairway. I just meant that it's a designed opening on the plans, and we're not talking about openings that are created in the process of sheathing the floor. Because you can't keep moving a railing out with the edge as the floor sheather is sheathing out the floor. But if he comes to a mechanical opening, or a stairwell, or an elevator, those openings are all on the plans, we could guardrail those. I just... I don't... I want to eliminate confusion for an enforcement officer out there where they can't you know... I just wanted to be very clear.

Simone S. -OSHSB

So, from a contractor's perspective, would you say that you would... From a contractor's perspective, if your plans show those type of openings, are you guys already protecting those openings, because they're on your plans? You know it's there, so you're gonna create some type of... okay, so it's already being done as part of your process and procedure. Okay, Jason?

Jason Denning - Cal/OSHA

Yeah, I think the... oh, sorry, I lower my hand. I think there was... that might be covered, what Alex was referring to is, that might be covered by the second part of it. Doesn't have to be a guardrail, it could be something else, as long as it's protected. And I don't think it will be an issue either way, that way, because I know you can't keep moving a guardrail when you're doing... when you're doing, framing work, you're laying out, you're shaking out, like, you know, floor sheeting, roof sheeting, you're not going to be, like, moving a guardrail as you go along.

Kevin D. Bland

Yeah, and Jason, we agreed twice today. That's exactly the...

Jason Denning - Cal/OSHA

And afterwards.

Kevin D. Bland

Let me bring it up.

Jason Denning - Cal/OSHA

It's 136 for the record.

Kevin D. Bland

The, in the, in the video, if you guys remember that the example was, if you notice where they were rolling the joists first, they were going the... the one direction on... As you're facing the video, to the left of the interior plate that the, the joists were standing on, that hadn't been joist yet, and so we don't want that to be considered an opening to be guarded, as Jason was saying. You wouldn't put a guardrail on the interior and then move it when you do the next level of joisting it's still interior, right? And I think that's what Alex was trying to address, and I think that's what Jason just explained. So that's why, when we're looking at stairway or similar, stairway is a plan design, a chute that would be, say, an HVAC on a large, multi-family unit, there may be a 2 foot by 2 foot wide, framed area that are gonna let the duct go, up for the air conditioning, and, like, a 500 unit apartment, building that's interior. That would be protected but, those are planned, planned openings, for lack of a better term, that would be constant and consistent. Once the joist, and the floor is, sheeted, that's gonna be something that is an opening. By definition the floor, if it's over whatever it is, 12 inches by 12 inches. I think it's 12 inches in any direction, but...

Simone S. -OSHSB

12 inches, but it's probably the walking working surfaces, right?

Kevin D. Bland

Yeah.

Simone S. -OSHSB

Yeah. Okay, alright. Well... I do think that we need to put something... yeah, I think maybe we need to change it a little bit, just to kind of help people understand, right? Like, that they don't need it for everything, so we'll think about how to... Modify the language in that last sentence if we need to. clarified a little bit better. All right.

Kevin D. Bland

Simone, just so you know, we're taking some detailed notes on these conversations, too, and then we'll, make the... what we believe we... Agreed that need to be changed on this, and submit that to you post... hearing, or post-hearing, sorry. Post-committee meeting?

Simone S. -OSHSB

Yes, yes, the sooner the better, so we can just send it out to everybody and get a little bit more feedback and kind of figure out, you know, what we want to ask our board to do with this, right? But it looks good so far. I think that this is definitely the type of stuff that we need, in... in our industry to help make it easier for employers to communicate their requirements and tie in the training, right? So, it's all... all there, right, as a little refresher, when we're onsite. It's good for the employees to have that there, so I do think that I, you know like I said, there's a little bit of redundancy here. I don't know if we, you know, like, we could look at formatting, right? But, like, as we look at the next section, installation of roof, trusses and rafters, right? So, kind of this part is still copy-paste from the beginning, right? The same... you know, all we're changing is during the installation of roofs, trusses, and rafters, right? So maybe we could always, like, how do you say. You know, put the... put procedure for each of these, and take those little sections out, just to kind of make it... You know? some... le... take out some of the... the... duplicate... duplicative language unless it's deviating, right? But it looks like this is almost, like, once again, very similar to the last two sections that we read. You know, company will take the following step-by-step approach to protect its employees, train in the following procedures, understand and follow. So, when we get down to the procedure, very similar. So, you know, going back to this first one, we already know that we need to kind of change that.

Let's see... what's different here? All walls are to be properly braced prior to starting the roof truss after installation. Employee installing roof trusses at rafter will access the top plate, bottom cord of trusses via a ladder, or other safe means. Hmm... Jason Denning.

Jason Denning - Cal/OSHA

Yeah, I was just... just coming back to that last line about the openings, I mean, 1632 only really allows for guardrails or covers anyway. For openings anyway, whether they're planned or not planned, so it's not like a whole lot of choices in there, anyway.

Simone S. -OSHSB

Hmm. Were there other options, Kevin, other than those two that you guys might be utilizing right now?

Simone S. -OSHSB

Guard rails and covers.

Kevin D. Bland

And I have to apologize, I had to step out to use restroom, I didn't want to disrupt. What was the... what was the issue we're talking about?

Simone S. -OSHSB

So, what... in regard to the similar... for the similar openings, the protection, other than guardrails and covers, are there other things that you guys are doing?

Kevin D. Bland

Oh, yeah, there may be somebody that... I don't think we... anyone uses canary, I really highly doubt it, but, I... as far as I know, guardrails is the main thing, because usually they're large openings, not something you're going to cover. If it's a small thing, like a suit. are a place that, is going to have, like, HVAC go up to, then they may do just a floor covering with a piece of plywood, over it that says, opening, do not remove.

Simone S. -OSHSB

But you guys aren't doing...

Kevin D. Bland

That's what we meant by... that's what we meant by approved method, and we put that in there, but I do understand what Jason's saying, is approved is a term of ours. I think we were... Looking at it from approved by the competent person.

Simone S. -OSHSB

Or it could be confusing for people who are in construction, because we just had the Conan bar go into play.

Kevin D. Bland

Yeah.

Simone S. -OSHSB

Right? They might think that that might be something that they can use here, but it's not. And so, I think it's good to just kind of list the things that they can. So, Bruce Wick?

Bruce Wick

Yeah, real quick on the point of the duplicative part and maybe, you know, we'll do a debrief after this with, you know, labor and management, but, you know, as I think Sid talked about earlier, we have specialized crews to a great degree now. We have a joisting crew, we have crew doing trusses or rafters, separate sheeting crews. So I... I think we wanted to have where somebody... you know that crew leader could have all their stuff right there instead of, well, it's at the front, and then our procedures are at the back. So maybe we'll talk about... and I appreciate you want to simplify this, and we do too. It's just, you know. we want it to be a document where the employees, like Alex talked about, and their crew leader can look at this, understand it, and if we... and if that crew only does... Roof trusses, they can look at that section and get all their information.

Simone S. -OSHSB

Awesome. Thank you, Bruce. Alright, any more comments on this one? Nope. Alright? So... let's go back to where were we at. Roof trusses and rafters? I think. Alright. So, all walls to be properly braced prior to starting the roof truss rafter installation. Employee installing roof trusses, rafters will access the top plate, bottom cord, trusses via a ladder or other safe means. do we want to kind of expand on what... what does this mean? I think I have a question on what are my other options other than a ladder? What's another safe means for access to this? Alex?

Alex Mercier

So, when we stack a roof, we have bracket scaffold, that's what we use as our perimeter protection and you access the scaffold from a ladder, but once you're on the scaffold you could walk around the whole unit and access the top plate and roof trusses from the scaffold. So that would be an example of... another safe means.

Simone S. -OSHSB

Okay. Is there another way to access other than... the ladder?

Kevin D. Bland

I think what Alex just said to explain another way to access, you're accessing it from the bracket scaffold. You could be accessing it from the stack scaffold if someone's using a stack scaffold on the perimeter. And 1716.2 current still has those provisions, 24 inches down and all that stuff. you know, I get... Technically, there could be, in some cases, on some of the larger multi-floor, where you have the interior stairs already, to that, to get reached up to that level where the rafters are going to be and they're the joists are going to be installed. So that's... there were 4 different potential safe means, right there.

Simone S. -OSHSB

Okay, alright. So, but all standard industry practices, people are going to be... know what they are, and... and what... what isn't what isn't safe, right, as far as access.

Kevin D. Bland

What's not acceptable is climbing a wall. That was the thing we had to fight for years, 25 years ago.

Simone S. -OSHSB

Sure, right? Like that, you know... Or right in the field.

Russell Duren

Or riding the forks

Simone S. -OSHSB

Yeah, we don't have.

Kevin D. Bland

Yeah, alright.

Simone S. -OSHSB

on there. it all.

Kevin D. Bland

Wait, we can't do that? No, I'm kidding. I'm joking. That was a joke.

Simone S. -OSHSB

Okay, alright, let's see. Employees may work from the interior top plates to install roof trusses and rafters into position and secure them in place. Employees on the interior top plates shall have no duties other than truss rafter installation. Alright, any questions about that?

I mean, that sounds good to me, right? They're focused on the work, and that's... They've been directed to, you know not have any other duties, I mean...

Simone S. -OSHSB

Is this... is there any conflict or concern about this application, the way that it's written. new?

Kevin D. Bland

Nope.

Simone S. -OSHSB

Okay.

Kevin D. Bland

Galo says it looks good, that means we can move on to the next one. The union says yes.

Simone S. -OSHSB

Once truss rafter installation begins, employees not involved in that activity shall not stand or walk below the operation where they might be struck by falling objects. This does not apply to employees on the level below involved in the installation of the truss, such as those providing blocking materials to the crew members aloft installing trusses. So, once again, controlled access zone stuff here, Any...

Kevin D. Bland

Control framing zones, Simone.

Simone S. -OSHSB

Control framing zone, sorry.

New term for me.

Simone S. -OSHSB

Control framing zone. Yes. So, is there any, any questions or... or concerns about this statement here. Hey, I don't want to jinx it, but we might get out of here early. Alright, employees shall not work from or walk on top of plates, joists, floor trusses. Beams or other structural members until they are securely braced and supported. I'm assuming we do not need to define what securely braced and supported is, right? This is a term that people are familiar with, or is this something that we need to expand on so people understand what that means?

Kevin D. Bland

That's been the rule for 25 years.

Simone S. -OSHSB

Okay. Alright. Anyone have any questions or any comments on that one? No? Employees will not remain on or in the peak or ridge any longer than necessary to safely complete the task. Any comments? No?

Russell Duren

You said get out early, and everyone shuts up.

Simone S. -OSHSB

Oh my gosh, you guys! No, I need feedback!

Simone S. -OSHSB

I will give you homework, even if we leave early, just so you know. So, there's no getting away with it. Alright, okay, next section, installation of roof... roof... roof sheathing. Alright, so again, you know, kind of the same layout, you know, and then we go down to the procedure, and we've got some similar language here. Let's see... So, to minimize exposure to fall hazards, material will be staged so that employees have safe access to material. We talked about this. Employee installing roof sheathing will install the first sheet of sheathing by standing on the secured trusses, which are not exceeding 24 inches on center. Is there ever a time where that's not possible?

Kevin D. Bland

Oh.

Simone S. -OSHSB

No? No possibility, that's always gonna be the... the process because of the design of the work, correct?

Kevin D. Bland

Correct. Correct.

Simone S. -OSHSB

Alright. Floor sheathing shall be installed in a manner where each sheet installed increases the working surface over the truss.

Kevin D. Bland

That should be roof sheeting. That should be roof sheeting. It should say roof sheeting, what does it say? Floor. Oh, yeah. Roof. Yeah. Yeah. Sorry about that.

Simone S. -OSHSB

It's okay.

Kevin D. Bland

Good catch. Yep.

Simone S. -OSHSB

And then once the first sheet is installed, each subsequent sheet will be laid and installed working from the roof sheathing. Increasing the surface area with each new sheet installed. Any thoughts? Questions? No? Oh, wow. Is that the end of the document?

Kevin D. Bland

That is.

Simone S. -OSHSB

So weird, it tells me to... it's telling me it's page 5 of 6, but then it's the end of the document. I thought there was another page.

Russell Duren

Click... it's because your cursor is up in page 5? If you click into page 6, it'll update to page... say, page 6.

Simone S. -OSHSB

Oh my god, oh, oh, there it goes, finally, okay, alright.

Kevin D. Bland

That doggone Russell's on it every time.

Simone S. -OSHSB

That's why I asked him to be here. Help me out a little bit. Okay, alright, well, that was page 6, so... Wow, you guys did amazing. That was great. I think what I'd like to do, if you guys are okay with it, right, since we have a little bit, more time is I want to talk about 1671.1, which is our Title 8 section that talks about fall protection plans. Which, you know, kind of... You know, gives you an idea of what the requirements are, but then also maybe will highlight why we possibly might need another section, 1671.3, to address this type of work specifically. But let's do this, let's just take a 5-minute break if you guys want, because it is almost 2 o'clock, right? So, let's come back at 1.56. Come back before 2, right? Let's just take a quick potty break, get some water, and we're gonna go through that. We'll look at some of the proposed language that our petitioner has drafted for us, which kind of you know, goes over some of the things that we talked about in this plan. And then if we all kind of agree that maybe this is something we need to do, this will be another document that we will send out to everyone afterwards, for review, and then possibly, you know. For us to... to... consider putting into the regulation. So, let's take a quick break, let's everyone be back by 2 o'clock. And if you have any questions, once again, just reach out really quick. Thanks!

Kevin D. Bland

Thank you. Thank you.

Simone S. -OSHSB

Alright, it's 2 o'clock. Hopefully everyone's back. Okay, so I'm sharing my screen, and you should be seeing our Title 8 1671.1 Fall Protection Plan. Is everyone seeing that? Someone give me a thumbs up if you are. No? Okay, alright. Let me make sure... Probably on screen 3, then. Maybe now? Are you guys seeing it? Alright, perfect. Okay.

So, I just wanted to go over this with you guys quick, for those of you who are not familiar. I think most of you are, right? But we do have sections in our... in our regulation that address fall protection plans, controlled access zones, and safety monitoring systems. So, part of the proposal from the petitioner was to, you know, add a new section that would be specific for residential framing fall protection plans. But let's look at and see what we've got going on here, right? And see, you know, whether this is something that we need to look at.

So basic, right? 1671.1 Fall Protection Plan, so a couple of things here that they list that each of the plans needs to have, and I'll tell you right now, most of these things here have been addressed in the template that Kevin has provided us. So. Checked all the

boxes, good job, right? When we go to controlled access zones, right. This is where I think, there may be some... You know, discussion about things that can and can't apply when it comes to residential framing and fall protection plans. But... I'm gonna leave that up to you guys to discuss, right? If there are things in this section here that will conflict with the plan template that we're talking about, right? Then this is where we would create language or move language to be able to address that so that it does make sense. Right, so controlled access zones, which we... We're using... oh gosh, what was the word that you used? Framing access zones. No.

Jason Denning - Cal/OSHA

Controlled framing zones.

Simone S. -OSHSB

Controlled framing zones, yes. So, we don't have that in our regulation right now, correct? Jason Dunning?

Jason Denning - Cal/OSHA

Is that correct? Okay. There's...

Simone S. -OSHSB

Jason?

Jason Denning - Cal/OSHA

Oh, yeah, I thought you were... you were just asking me to answer the question to both.

Simone S. -OSHSB

Oh, okay, alright, yeah, no, that was. that... we don't have that in our regulations right now. Is that something that we want to think about adding in a definition somewhere, or...

Jason Denning - Cal/OSHA

Yeah, we could... we could look into that, for sure, for something more specific to the industry or to the actual activity, the framing what do you call it, residential framing industry.

But the comment was going to be, basically, the fall protection plan, if you look at it in our current regulation is basically, after all of the requirements for the plan, you know, the qualified person, you know, the explanation of why conventional fall protection is, you know, creates good or hazard, infeasible, etc. it only has two elements to it, a

controlled access zone and safety monitoring, which are both required. If you look at it in a kind of convoluted way, they're both required. So, I remember we were talking in the... about removing the requirement in that appendix we were referring to for a safety monitor, but that's one of the major parts. The controlled access zone, I can understand. It kind of really wasn't intended for this kind of work and control lines I could agree that that's impractical for this, but if you remove a safety monitor then there's nothing left. Then you have to... then there's nothing else in a fall protection plan. What else are you going to do? You see what I mean? Now, I don't know what else, what else there would be, besides just nothing. And the fall protection plan, just be like, be careful, you know?

Simone S. -OSHSB

Or the procedures that they've provided, right? They've... some detailed procedures that they've got. Well, I think that was.

Jason Denning - Cal/OSHA

Yeah, I think that might be difficult, though, because I think, like I said, I think that's going to be difficult to rectify, sorry rectify with the feds. Yes. The federal regulations, because a safety monitor must be a safety monitor or some of something else, and I don't... I don't know if that's, that's gonna be hard to rectify, I think.

Simone S. -OSHSB

I agree. I think that we need to get clarification from the feds, right?

Jason Denning - Cal/OSHA

Yeah.

Simone S. -OSHSB

Yeah, what is they're looking for? And if that's the case, right, then, well, you guys, we're gonna must work around that, right? We must figure that out. But go ahead, Bruce.

Bruce Wick

Yeah, on this issue again, Fed Appendix E, they went to great lengths to specify a safety monitor and system in detail in the precast. They did not include it in the residential. construction work. You know, to Jason's point, yes, we have... and that's why we pushed 25 years ago to eliminate the use of fall protection plans. And it was... FedOSHA pushing it out of... pushing us out of 1716.2 that has us back in it. So... I think it's fair to say you wanted to have something in a fall protection plan, and Jason outlined what those two things are. What we've said, we're gonna put all kinds of things in our fall protection plan. Procedures, for every kind of thing we do, the safest way to do the process all the way through. So, in one sense, we would be replacing a plan with

very minimal requirements with massive set of very clear and detailed requirements. That's why we think, and again, safety monitors are, you know, applicable in some things, but that's why we tried to stay away from a fall protection plan. Now we're being forced back into it, and we're working so hard to put all this stuff in it, so I think adding on top of what we've already said, safety monitors that you've heard a lot of reasons why they don't work in this context, I think there's a valid reason to follow what we've done in our proposal.

Simone S. -OSHSB

Thank you, Bruce. Did anyone else have a comment in regard to what Jason or Bruce just said. I do think once we get clarification from the feds that this will make it very easy to address, because if it is a requirement, right, then we would have to put it back into the template. Because it's a requirement. And I think, you know, you guys knowing and understanding what that requirement is and what the expectation is, I don't think it'll be difficult to write it in. Although, going back to, you know the purpose of it, might be a little different, but... Is there anyone else who wants to comment on the safety monitors when it comes to fall protection plans, and what we have so far, as far as our regulations?

Kevin D. Bland

Yeah, I... that's Kevin. I think it might... if we just go through what they're supposed to do, and where... and how it really... As far as substantively adding anything to it, and in some cases, it distracts from, okay, the... if we go to A, Safety monitors show, be competent to recognize fall hazards. Okay, but so is all our training of the guys that are working there. That is part of our training. We've covered that aspect in the men and women that are doing the work, to recognize you are up on a top plate and you can fall, and what the hazards associated with that, and the placement of all the distances and all that stuff. That is... there's nothing that that is adding to safety but the competent person. The... the next one is warning the employees that it appears that they are unaware of fall hazard. Well to me, it'd be hard-pressed for a guy that's carrying and working with laying out the joists, laying out the... the, trusses, standing them and doing that, to hear some guy below yelling constantly, "hey, watch out, you're up in the air, watch your feet" that to me, that's the most dangerous thing in doing. I can speak from experience when I was an iron worker. I didn't want somebody on the ground yelling at me about where my feet were and what I'm doing when I'm trying to set a piece of steel when I'm on a 6-inch I-beam, that's the most unsafe thing to do. Matter of fact, I'd probably, in my old days, in the 80s, when this was still legal, run down and kick his ass. So, I mean, it's not the 80s anymore, and I know I can't do that, but my point being is that that's one of the monitor's duties. Now, how does that... How does that add safety? It distracts from safety. I know when this was written, it was more in the context of where you have a leading edge. Right? And it never defined... it never went on to explain why this was in here, but that was why. Is that you have a leading edge where the edge is continually expanding. Right? And so then you do have someone on that surface being able to tell the folks when they're getting close. When you're carrying a

sheet of decking, or you're adding these panels, you may not be able to see where your feet are. in our context you can always see where your feet are, you know exactly where the edge is, and whether... or what you're standing on, and so that's... that's a big difference in the safety. It really distracts again. If we go to oh, being visual distance of the employees, so be in communication. Again, I talked about the communication, the visual signing. He has to be on the ground, he has to be underneath them. Now, what's the worst place you can be? Right? And if you're over... that's the most dangerous thing I've ever seen in a regulation in the context of framing. Safety monitor shall not have any other response but can take the monitor's extension away from monitoring function. Well, unless you're one-to-one you're gonna be looking at this guy, and this guy over here you can't see, and vice versa, or you have four, that makes up one monitor per person, that makes no sense. And now you've got four people distracted if you went down that road. You know, the best, really the best person to monitor is the two folks rolling the choices and the choice of monitoring it, that's how I did it in the field. I'd be watching my partner across the way, because remember, if you've got a choice and you've got it in your hands, you've got two people within their hands, they need to be communicating. with each other. They need to be monitoring each other, not a designated third party that's not up there and can't even be... he can't... you can't see from the top what's going on, or if you're up top, he's standing up there where there's nothing... you can't see what's going on below. And so that's my issue with that. And then, what's the next one? No employee... other than employee covered by fall protection should be allowed in the area, we have that in our plan. And, like I said, in this context. you don't have... I can't see someone climbing up the wall and standing up there and just hanging out. You know, they're not gonna walk off a man lifts here, and we have the sign up that says, hey, this is a controlled framing zone, which we keep people out of anyway. And the folks that are in there, we only have, you can't be... you can't have somebody up there sheeting until the joists are put on it's just impossible. You can't have someone, you know, putting walls up until the floor is done. I mean, so it makes no sense in this context. And it says each employee working in the control shall be directed to comply promptly with all hazard warnings from the safety monitors. Like I said, this is back to the same thing. It's rinse and repeat. This person that's supposed to be doing the monitoring is now distracting from the guys that are up there trying to concentrate on what they're putting in, and the professionals, right? So, what does that add other than distract from safety? And that's why... and I think if the feds were honest, and I'm not saying they're not. That's why they recognize someone went through and analyzed framing a house and said, hey, this doesn't make sense, we're not going to put it in our Appendix E, because it's unsafe. Now, whether we get anybody to say that on the record, I doubt it, but they're not judging us on the appendix. They seem to be doing their thing federally, and then over here, trying to hold us to this, and now remember the language that Jason had brought up earlier, Jason, forgive me, it said something where safety monitor are other means, or other methods, or something like that. Can you remind me what you read? Jason? When it came to safety monitors?

Jason Denning - Cal/OSHA

That's under 19, 1926.502 K8, and it says, where no other alternative measures have been implemented. The employer shall implement a safety monitoring system in conformance with 1926.502 H. And I don't know if that... and in our regulation, we list alternative measures as things like scaffolds, ladders, etc. so, I don't know if that was still the intention of the regulation, but I think this is gonna have to be... we're gonna have to, find a way to... You're gonna have to come to terms with this, because it... It's in not only... it's not in Appendix E, but it is in the regulation, and it does apply to residential construction under 1926.502 K. So, I think that's gonna, you know, something we're gonna must come to terms with.

Kevin D. Bland

Yeah, and so that language there where it talks about, where no other methods have been employed. We have a lot of methods in our... our plan, and so that's... why this is so important to us is because who cares about... I hate to say this, but who cares about what the guys in the architecture... we want our men and women safe. And that's the whole point to this. And whenever we're arguing over, well, what does this mean and what does that mean, I... That's frustrating, because we want to keep our guys safe. At the end of the day, that's the ultimate goal, that's the union's goal, I think Gallo would agree without me getting him to nod his head, but... That's the point, and this safety monitor adds nothing to safety and just distracts from it, and that's our... so we need to be at least as effective as the feds. If their method is not as safe as our method, then we are, by definition, at least as effective, because by removing it, we have added to the safety of, of, of the system. Anyway, that's my piece. I'm sorry I went off on quite a dialogue there, but... Anyway.

Simone S. -OSHSB

Okay, good. Jason?

Jason Denning - Cal/OSHA

Yeah, yeah, that's what I'm, you know, what I'm kind of looking at here is when the... based on the document and what we're discussing for the alternate means, I think we just have to be... kind of conscious of the fact that if the alternate means are the old exceptions to 1716.2 for fall protection under 15 feet, if that's the means, we're going to be going right back into the same circle that we had before. So that's what I'm kind of concerned about for, alternate means. That's what it kind of seemed like in the, in the, your proposed appendix. It was the 24 inches, and, you know, all those other issues, you know, all those conditions that we had originally.

Simone S. -OSHSB

I think the ones that he included are still part of the regulations, 24 inches. That didn't change.

Jason Denning - Cal/OSHA

Yeah, we added a few additional, and honestly, the... Federal OSHA still wasn't in complete agreement with what we were... commensurate. But it's still there. I think it's really... I think we just need clarification from Federal OSHA if they will be able to provide it on that requirement for safety monitors. Because I can understand, and I would agree, that the controlled access zone requirements would be they're not intended for this kind of activity, and they are not included in the federal regulations either. They have it kind of separated where we don't in California, totally.

Simone S. -OSHSB

I agree. And Russell, you put some stuff in the chat, I don't know if you want to unmute.

Russell Duren

Thanks. Bruce, I mean, it's a trash control. I'm on board with you guys. And like I said before there is this discrepancy between it, it is included. Not just in precast but in the overall for overall inclusion in Appendix E, and I think, Kevin, you nailed it when you... you were... you said what I was thinking. When... when you... when we take your story about how it adds distraction, and how it's limited in interaction and perspective. we didn't even get to noise yet. I hated the inability of a potential safety monitor to even audibly communicate with folks that were up above them. It is in Appendix E, but it's trash, and I think that, moving forward with a plan that somewhat resembles what we discussed today, I think you'll be able to show that, like you said, you've set down something that has significant hazard. You've abandoned something that has significant hazards and therefore made something that's at least as effective.

Simone S. -OSHSB

Thank you, Russell. I agree. Yeah, so I mean, safety monitors, I feel like, you know, there's a... there's the pros and the cons, and how it applies to the type of work we're doing, but also just the... the feasibility, like you said, right? If you must be able to watch all the workers, and you've got 6 people on the roof, can one person really watch them? No. How many people do you have to have? Where do you put them all? There's a lot of questions there, right? And I do think that the clarification needs to come from Federal OSHA, so I don't know if you want to reach out to them and, you know, through their LOI system, go ahead and ask for some clarification. We can request from our contacts to see if we can get some information from them, but I do think that we get that before we can move forward, because that's going to be a big part of this. Yes, Alex?

Alex Mercier

Yeah, I was just gonna point out on the... in the precast section of... 1926. It says the safety monitor can monitor up to 6 guys, one guy. And then, it leads me to the question, if you have a safety monitor on the ground when looking up does the safety monitor

need a safety monitor? Because he's not looking where he is, you know, and we can just keep going down these rabbit holes that I don't think are fruitful, so... That's it.

Simone S. -OSHSB

Thank you, Alex. Yeah, and I think it's important to realize that, you know, we're talking about stuff that none of us wrote. Right? I mean, these are things that were generated a long time ago with groups of people like this, and maybe they didn't have all the right people in their room when they decided to put these things together. And so, I mean, there's always room for improvement, right? And so, you know, no bashing Fed OSHA, because, you know, like, those people are there now, they also did not have anything to do with this. But, you know, we... we just gotta try to... try to help them... help us. Right? And so, yeah, trying, you know, and I think these types of discussions and the stuff that you guys, you know, gave me and put together, I do think it helps, right? You know, so... So yeah, I think we'll go ahead and make sure that we put that as a, you know, number one agenda item to go back and see if we can get clarification for that part. Kevin, you have your hand up.

Kevin D. Bland

Yeah, yeah. To the extent... we've been trying to have a face-to-face shut-down meeting with Fed OSHA for years now in this process. And we have yet to do that. If they would be willing to sit down and because it gets, you know, it's like a telephone, right? Everything gets translated, and then everything gets translated back, and back and forth, and that would, I think, be beneficial for everyone, Fed OSHA, Cal OSHA, us as an industry. If that would... and I was hoping we'd have participation here with decision makers in that arena. But I... I would be open, and we would be open, and it doesn't have to be the whole group, it can be whatever. to sit down with them and talk about this from... forget about rulemaking, let's talk about how the process is safe, and maybe they need to adjust, or maybe we need to adjust, but whatever it is, but so we're all... at the table discussing safety as opposed to a discussion about what's legal and not legal without the word safety, you know. And so, I would welcome that opportunity if you... if we need to get to that point with them. And I know there's new administration, there's new folks, and there's new people, around, so maybe that can happen. I think that would be a huge win for the men and women that are working and doing this. Across the country, for that matter, because I know you know, we have different views of what's being done and not done in other states as well, versus what's been presented at some of these meetings. So, anyway, that said, that's an open opportunity. And I don't know if we're gonna... I think we have time, and I'm hoping, Simone, I don't want to know, but are we gonna get to 1716.2? Because there is some things based on this and some clarifications that were promised to us back when that need to be clarified in this round on 1716.2.

Simone S. -OSHSB

So, I don't think that's a part of our agenda today because it wasn't part of the adopted decision for this advisory committee. We could still have that discussion at some point. Actually, like even the 1671.3 wasn't really a part of the discussion, but since we have time, we're doing it. And so, you know, but, you know, like, we've accomplished what I think we needed to accomplish as far as going through the template, getting a better understanding of whether this is something that we need as far as the industry is concerned. I am going to leave you with you know, trying to get a hold of Fed OSHA if you guys are trying to have a meeting, I think that's great. I mean, that's not something where we get involved. We have our own meetings to go over some of these other things, which we will, you know, but if... as stakeholders, you guys are more than welcome to reach out to them and try to set up these meetings. I personally do think that we, as industry, that you guys should be pushing Fed OSHA to bring back the advisory committees back from the 80s, when Kevin used to climb steel, that used to discuss these things, right, where there were discussions about fall protection in residential construction, and there were people who were tasked with bringing back information to help modify the regulations that they had, and I looked at the meeting minutes, and I mean, you're talking about 457 pages. Some of those folks, they didn't show up to the meeting, some of them showed up and didn't do what they were supposed to do, and then the meetings ended, and that was back in, I think, the late 80s. And so, so it sounds like that they... like you said, they know that there was an issue. You know, the concerns were identified. People were tasked with trying to figure out what to do with it, and they just didn't move forward with it, and no one pushed it. Also, there was nobody from California on that committee when I looked at it, which was very interesting. And so, so I do think that as stakeholders, right, you know, here in California, obviously you know we must be as least as effective as the feds. Right? But they also have the opportunity for you guys to be able to attend meetings or, you know, get some clarification. You know, we don't do letters of interpretation here at, you know, at, you know, DIR or the division. But it's, you know, it's good to be able to get some of that in writing so it helps us understand what they mean, so that we know how to interpret it into our regulations. And so, I do encourage you guys, if you do have the opportunity, to work with anyone that you have you know, on getting that information and sharing it with us. So yeah, so we won't be looking at 1716.2 today, but I did think that we had a little bit of time to look at 1671.3, which is a new section that Kevin is proposing. And it would address some of the things that we're talking about right now and going back to where the plan is a template, right? And, and so there are some certain things that we need people to do for them to be in compliance with this plan and that's what they've outlined in this section here, which I think, you know, is good. But we also want to look at it to see, right, like, where are the gaps and where are the concerns? What kind of things make sense and don't make sense. And ultimately this would be something that we would put together from the board side and send out to all the stakeholders to review but we do have, like, you know. a draft from Kevin that, you know, Kevin put together that we could look at today, if you guys want to. So let me go to Bruce, and then I'll go to Kevin, and then move on from there.

Bruce Wick

Yeah, we'd like to look at that, Simone, and I do want to say thank you, Simone. This is a lot of work and coordinating all these people and different viewpoints it's we appreciate your... calm, even-handedness as you've walked us through it. As Kevin said, we've asked for 18 years now or more, to have a meeting with Fed OSHA. It can be by Zoom; it can be in per... whatever. We believe at least 30,000 carpenters in California every day are doing housing production work. And they deserve I believe, federal OSHA to take 2 hours in a meeting, whether it's by Zoom or something, and walk through these key things. That's been so frustrating for us, how... How people could just disregard 30,000 carpenters who are giving the lifeblood of you know, housing to the people of California, we need to get that meeting with them, and they need to really, get together with us and walk through these issues. It's that important.

Simone S. -OSHSB

Thank you, Ruth. Yes, Kevin?

Kevin D. Bland

Yeah, I just... I want to push back just a little bit on this, not looking at, 1716.2, and I'm reading... I'm looking at the... the order itself. Although it doesn't specifically refer to 1716.2, it doesn't refer to any section number, and it's talking about fall protection and clarifications, Appendix E, and specific fall protection plan address interior work on framing activities, which 1716.2 has areas in there that deal specifically with that that need to be addressed and adjusted and that's the... we're not talking about change in 1716.2 outside of those specific areas that were actually identified in the final order for the advisory committee and that was what I was wanting to look at in 1716.2.

Simone S. -OSHSB

Okay. Well, we also must talk about the additional training requirements. So... and that's... and that's called out in it, so we do need to kind of touch that. So maybe let's go over that, and then if we still have time, we can... we can, you know, catch everything else, right? So, going back to what we... let's see, what... what screen am I sharing right now? Are we still on the 1671.2? Controlled access zones? Maybe? Yeah? Someone gives me a sign

Russell Duren

Yeah, that's what's visible.

Simone S. -OSHSB

Okay, awesome, okay. So, so we've kind of gone over this, the requirements for the safety monitoring systems, right? And... You know, kind of have already come to the same conclusion that we need some clarification on this, and how effect... when it applies, and when it's going to be effective. When it comes down to the training

requirements for the site-specific fall protection plans. So, as we were going through the template, and some of the other things that we talked about today, clearly training is key here, but where do we emphasize that within the requirements so that we can make sure that everyone's getting the same training, the right training and the same training, right? Because as you guys said, right, it needs to be consistent. You know, these are employees who are moving around, you know, they're doing the same type of work for different employers, but, you know, we want to make sure everyone's doing the same way and looking at the thing's kind of in the same... same light. And I think with the site-specific protection... site-specific fall protection plans, you know, a lot of people believe, like, just reviewing it with the person, that that is considered training, but it's the elements within the plan that the employees have to be trained on. And so, all the different things that you guys talked about that they would have to do, and that they would have to use, right, those all have... they have to be properly trained on. And I know that we have a lot of people coming out of the training halls, right, through the unions, who go through a very, very good training program that includes a lot of best practices, and things that aren't written into the regulations. But everyone doesn't go through that training, right? And so, where do we... what... what do we pull, and where do we put it so we can make sure that it's consistent within the industry? So, we want to kind of talk about... a little bit about training and what we're looking at as far as, you know, what challenges we have and what we need to do you know, from a regulation standpoint, to make sure that that's all covered. Kevin, and then Russell.

Kevin D. Bland

Yeah, we addressed, that in 1671.3 proposal under Section A of training topics, recognition of fall hazards in the framing zone, avoidance of falls in the framing zone using established work practices within the residential plan. Recognition of unsafe practices or working conditions that could lead to a fall, such as windy conditions or something like that, as an example. And then the safe procedures for the installation, which those are all our procedures, making sure they're ironclad on the procedural aspect of their craft in their particular type of task. And we... that's where we addressed it in our proposal, which was 1671.3.

Simone S. -OSHSB

Okay. But other than what you proposed, right, do we have anything that exists right now that... kind of, you know... addresses some of that, or is this completely something that we need to add because it doesn't exist anywhere? We don't have any overlaps, or...

Kevin D. Bland

I think there's... that's a double-edged question, because do we have, you know, our training covers all this stuff. We have, you know, besides this, we have it in that we had a training book that was developed with Cal OSHA years ago, where jointly on 1716.2 and all these processes, that has been part of our training now for years, which is

basically similar to, if not identical, to the... on the process side of this, the installation side, and when we talk about this, it isn't quality of installation, it's process to make sure you're safe working at that height. And that's the way this has been geared for us, and same thing with the Union Hall training. But as far as a regulation, we have 3203 that says train everybody and then they'll second-guess us on when they give them a question in the interview process. You know?

Simone S. -OSHSB

Alright, Russell?

Russell Duren

Yeah, I don't... I don't know Title 8 inside and out, but basically what stood out to me is the only... the relevant training citations were in 1510 construction orders here in 1671, and then there's a little bit in 1716.2. I... I think where point... where, Kevin, where your .3 is going is totally on the right track. Where this originally stood out to me in today's conversation was going back to the template, back to the sample template that you had developed, someone stepped into my office during the conversation on the brief training paragraph but here is a massive opportunity for you guys to show that you're at least as effective, one of the revision to 359.2, Z359.2, created an allowance for an annual hands-on evaluation of the assigned control methods by a program administrator. Now, what you've described in the union halls it's probably already meeting that. But if you want to show that whether someone is skilled or unskilled, we're making sure they have effective training, there's a great opportunity either in the template and or this new .3 to provide for an annual skills check of using the assigned procedures.

Simone S. -OSHSB

Thank you, Russell. Yeah, so I think that was kind of my point, because I think that was something that I observed, was that the training is really not addressed, and I think that that's a huge gap in the industry right now, where we have people coming through, you know, these third-party union halls, where they have amazing training programs, and then we have people who don't. And you're on the same job site sometimes. And so, you know, we're not... you know, and then... and then, you know, whatever the excuse is, right? You know, I gave them training, but it's not the same type of training. And if there's elements and things that we could learn from your guys' people, right? That are basic, how do you say, best practices that everyone should just be doing, maybe those are things that we consider trying to put into this section so that everyone can just be on the same page. Obviously, you know, we want... we want everyone to... to be as safe as possible, right? And not just be... how do you say? You know, because of lack of training, right? That's... that's all they knew. So, so I do... I do think that there might be some room and so I've... I've changed my screen. Can you guys now see proposed new section, 1671.3? All right. So, this is... this is a document that, Kevin also just recently submitted to us with the proposed language for a new section. And like I said, you know, we don't have to go through all of this today, since we have

maybe some other things we want to talk about, but, you know, I think it is a good food for thought for everybody to think about outside the box, what else can we add here, since we know that these framing folks are going to probably be using this site-specific fall protection plan going forward. What else can we put here that would help keep them safe you know... without restricting them, right? And making it easy for enforcement. to be able to distinguish, right, whether or not they're in compliance, since, you know, it's going to deviate between industries. So, I can send this out to everybody after the meeting, like I said, and you guys can kind of go over it, and we can talk about it, or we can talk about it now. What do you guys want to do? Yes, okay.

Kevin D. Bland

We're happy to talk about it. Simone, I just wanted to clarify, this was submitted with our original petition, too.

Simone S. -OSHSB

It was, it was, yes, it was submitted with your original petition, and...

Kevin D. Bland

I may have given you a little updated version.

Simone S. -OSHSB

Yes, this one is different. The one that you did... that you submitted. You know, it was... there were certain elements that they cited in there that, you know, did... that conflict or were not as least effective, I think. And so... but this is... but this is different, so that's why we're talking about it, right? So yeah, so maybe this will be something I send out to everybody now that you guys have an understanding of what we're doing, what we're looking at, kind of, you know, the challenges and, and you know, just all the different options that we have that we can incorporate, right, will help you maybe, put together some language, or, you know, in this case, right, help modify some of the language that we've kind of looked at already, and get it going. So, alright, so that's what we'll do with that one, right? We won't look at it today, right? Because I'm going to do Kevin a solid and look at 1716.2 right?

Kevin D. Bland

Awesome.

Simone S. -OSHSB

Someone owes me... Lunch.

Kevin D. Bland

Oh, yeah, I'll take care of you.

Simone S. -OSHSB

Alright, let me find it, let me find it. Okay, so we're gonna look at the ones that you sent over that have the proposed changes.

Kevin D. Bland

Yeah, the red line, what we call the red line version?

Simone S. -OSHSB

Let's see, did you have red lines in here? Oh yeah, you have red lines here. Okay, perfect. Alright, so you guys can all see this. So, like I said, for those of you who have been following this project for the last few years, right, you guys are familiar with 1716.2. We had some changes proposed to this, recently and you know sounds like we might have some challenges as it's going into effect. And so, Kevin went through it and went ahead and proposed some changes, right? And so. Again, right, first thing that we're going to look at here is, you know, taking out the requirement for the safety monitors and the controlled access zones. Once again, I think that once we get clarification from Fed OSHA, right, it'll make it easy to figure out if this is something we can do or not. Right? And if we can't do it, right, then what... then what are we going to do? Right? What are our options there? So, but, that's the first change that he proposed there, was to take that part out and then, ref... reference the new section that we would be putting together, 1671.3, right? And so, when you are looking at that section, when I send it to you, right, remember, right, that we do have... we do refer back and forth to different sections, so you will go back to, you know, these other sections and look at, well, what's here, and what are they talking about? What are we doing here? How are we connecting this? because I'm not going to send you all the existing language that's already posted online, right? I'm just going to send you guys the stuff that we're potentially thinking about changing. And then, same thing here, right? The second red line that you had here, safety monitors, controlled access zones, the same deal, we just got to figure that out. This one here? Employees?

Kevin D. Bland

Let me, yeah, let me explain, see. If, because of... this was, the section that dealt with fall protection plans. And it was understood at the time that side or edge meant the perimeter of the structure and there's been a lot of confusion on that. And if you read it in context, because this is under Section 2, you can't... you can't... if you're on a top plate there's no way that side or edge could be considered, you must stay 6 feet, they'd have to stand in the air. You know, and so the interpretation of this should be perimeter structure, which it was intended to be to begin with. So, this is really a non-substantive change to make sure it's clarified in the context of the... of the safety plan system. Because if you're standing on a top plate, or working on a joist, or working on... there's

no way that you can be 6 feet away from the edge of that, or the side of that, could you be standing in air. And... but the interpretation that's been tried to play by general contractors, some compliance officers, consultation. you name it, they're trying to say, well, that means you gotta be sick, so therefore it makes... you can't ever use a fall protection plan, even though it says you can. And so that's why we wanted to make sure this change was addressed to... to be what it was intended and meant to be at the time when we made this rule. Because it's been butchered out there. And so, parameter structure is what the intended term was supposed to mean from day one, but for some reason that didn't get corrected by Amalia whenever that was in there, they left side or edge, but when you read it in context... top plate, joists, rafters, trusses, beams, other structural members, that's what that applies to and modifies. There's no way that you could even ever stand on those if you must stand 6 feet away from it. So that's why we want to get the, a clarifying language in there that, that is applied when we do this... this modification, if we do, on the fall protection plan and system. It's... it's really a kind of a non-issue in the context of change. It's a big issue in the context of the way people have been misinterpreting it out in the field.

Simone S. -OSHSB

Okay, thank you. Jason Denning?

Jason Denning - Cal/OSHA

Yeah, and I think some of the confusion for this perimeter of the structure, where that came from is... is a... like elements of the building, such as a courtyard, and I think that's why the edge or the side or edge was used. For example, if you say perimeter. And there's a courtyard in the center. Is the perimeter just the outside? Or is there an internal perimeter? So, we might need to... if we use perimeter of the structure, we may need to go into a little bit of a definition for that, just to clarify it. So, it just doesn't mean the absolute outside of the structure, it also means any edge. I was considering that, and maybe you could use something to maybe to the effect where the portions of the building where internal framing does not occur. Because then, that takes into no matter where it is you could define it something like that. Because then, if you're not... everything interior is interior of what we're talking about, interior framing, if that's not occurring, that's outside the perimeter.

Kevin D. Bland

But yeah.

Jason Denning - Cal/OSHA

Yes, that was just a suggestion.

Kevin D. Bland

Courtyard is confusing me a little bit, because the courtyard is not the structure. The frame structure is open, so that's an exterior wall, so that's the perimeter of the structure. The courtyard is outside the perimeter of the structure. Even though it may be surrounded, and I know, I think we're talking about, like, sometimes they'll have, apartments, it's... it's a circle, if you will, or an octagon, and the center is open, that's still... for everyone that's in construction understands that that's an exterior wall, that's the perimeter of the structure. The courtyard is not the interior of the frame project. That may be the interior of the architectural features, but it's not the interior of the structure. Basically, you can't hang a... you're not gonna hang a picture on the wall on the court where you are on the outside of it, for your bedroom, you know? So, I think that... I know what you're saying, but... and maybe we can come up with a better name, but we've understood, and it's always been enforced for 25 years, a perimeter's a perimeter, basically an exterior wall. Right? on, on this thing.

Simone S. -OSHSB

Okay.

Jason Denning - Cal/OSHA

Yeah, I know, I just... I think that's where that came from. I understand. And I would... I would... I would argue that the perimeter includes maybe all internal parts of the building. I'm just saying, just for clarification, because we're not dealing with just with those who are... You know, in the industry, you're also dealing with compliance officers who may argue this is not the perimeter. You know, I mean, there are, you know there is a perimeter, like in steel direction, there's a perimeter guardrail, right? You have the perimeter cables, right? But you still must protect all your internal holes, too.

Kevin D. Bland

Right, and we have that, well, at least in our fall protection plan and in 17610.2, where it talks about, floor openings still need to be protected regardless, I think over 6 feet.

Jason Denning - Cal/OSHA

Yeah, it's, you know, it's just, just an idea, that's why I think, or just an explanation as to why side or edge was retained, and I believe it was because of that issue, because perimeter could be just construed as only the outside of a building. Outside of, you know, the outside of the entire footprint, that is, rather than, you know, the interior structures that might be open, like atriums and stuff like that.

Kevin D. Bland

Duh.

Simone S. -OSHSB

Okay, well, yeah, well, I guess if anyone has any suggestions for... for that, other than what we've already discussed, go ahead and send that over, but I do think that sounds like there is some room for... change there. And then the next change, again, was in regard to safety monitors and control access zones, this one as well, this one as well. Kevin doesn't like safety monitors. Right? Okay. And then, down here, right, where we're talking about the toe boards, right? Says 2x6 or a larger toe board shall be secured on edge parallel to the outer rail unless scaffold has a third lower rail.

Kevin D. Bland

Alright.

Simone S. -OSHSB

Explain that?

Kevin D. Bland

This was a... yeah, this was an issue that came up once or twice, because all along, we've... the bracket scaffold it's been... that's one of the most common used, perimeter, protections. And in those, it has 3 rails it doesn't have a toe board, to where the toe board was intended for, the stack scaffold, because they only have 2 rail systems for edge protection, and that was a, making sure that was, clear moving forward.

Simone S. -OSHSB

Okay. Does anyone have any comments or questions about that one? Jason, do you think that do you see any issues with adding that in there?

Jason Denning - Cal/OSHA

Yeah, I'm kind of... I'm kind of confused as to how that third lower rail would take... The place of a toe board... I mean, unless it... had a third lower rail. I think there's one of those things I'd have to see a picture.

Kevin D. Bland

Yeah, so, yeah, Jason, so this is for whenever you're using scaffold as your edge protection platform, in other words, like bracket scaffold.

Jason Denning - Cal/OSHA

Yeah.

Kevin D. Bland

And have you seen... have you seen bracket scaffold out in the fields? Kind of hangs off the...

Jason Denning - Cal/OSHA

Yeah, I know, I know bracket scaffold.

Kevin D. Bland

So those have three rails and so the idea of the third rail is if someone had fallen off the structure, you'd have something so they can't roll underneath the mid-rail, right? So, you needed another block there to protect that. And so, on stack scaffold, they don't... none of them were manufactured with 3 rails they had 2, and so, when we were in the advisory committee and doing this with Larry, we said, hey, on the stacked scaffold, folks who want to use that need something to keep people from rolling off. underneath that mid-rail, so we put, hey, let's make a requirement for a toe board to go all around. It's a 6-inch toe board, so that will keep and protect that portion below the mid-rail and the bracket scaffolders manufactured had a third rail down low, and so that accomplished that. It's not... it's not taking anything away from scaffold when it talks about egress and ingress. You still must have a toe board if you... over the areas where people go in and out of the building because the scaffold regulations still intact. This was just particular to this regulation when it comes from edge protection platform which was for 1716.2, and this is existing language. It's just there was some confusion a couple times with some of the compliance officers, over the years that we've run up against where they couldn't get their head around the third rail issue on the brackets, and we thought we'd be ironclad. Now, the citations didn't go forward, because they probably talked to Larry or something, but I just wanted to make it clear in here, we have an opportunity, we're working on dealing with this, and the way we get this dovetailed in under this rulemaking is because into the fall protection plan, we're still requiring exterior fall protection, and this is a form of exterior fall protection, and so that's how I dovetail this into addressing the exterior and fall protection plan issues.

Jason Denning - Cal/OSHA

Yeah, I think, yeah, I, couple, I mean, comments for that would be just, the... it has a third lower rail is really undefined as to any kind of measurements, so I think you have to put into some specificity as to how that rail must be positioned so that it is as effective as a toe board. And of course, you know, toe boards are going to be required if you have the falling object hazard anyway as well for scaffolds, anyway, so if you... just, you know, just keep that in mind, if there's... so things don't roll off it. I know it's used for fall protection in this case, but I'm sure they're used for other things, too, sometimes. You know, people will be storing things on them, so...

Kevin D. Bland

Yeah, that's understood, because it's still, like I said, if you're using it for a scaffold where you have, like, a door egress and ingress under the scaffold, you still have to protect for falling objects, that hasn't changed.

Jason Denning - Cal/OSHA

Yeah.

Kevin D. Bland

But as far as the specification we can find out, because they're all manufactured identical, I think. Alex, you can weigh in on that, because our... one of the framers that used these brackets, I think they're all, identical distance from and if we're... if we get into a dogfight over that, then we're gonna make about 90% of the fall protection that's used now obsolete. Yeah.

Simone S. -OSHSB

No, I think it's just a question, just making sure that, you know, we have the specifications so that if someone is looking at it and let's pretend it didn't come with the third lower rail, and someone decided to make one up, or whatever, that, you know, it's meeting some type of specification. Because even though it should come with it, like you said, if it's not, or maybe, you know, we get a new manufacturer who's...

Jason Denning - Cal/OSHA

Exactly. Different.

Simone S. -OSHSB

It needs to have, like, a little bit more specs on there, so that's the only... that's what I... that was my question on that, so thank you, Jason for bringing that up. So, Kevin, more homework for you. And look at that! That was the end of that one! Whoa, guys! Alex?

Alex Mercier

Yeah, I was just going to say I use the Wayland Jack system. It's in that video that we submitted, and those are actually my brackets that I let them use for the demonstration. But all the bracket scaffold you know has to get approved by OSHA to be sold as compliant, and it all comes with that third rail. I didn't tell them where to put it, it was there. But I understand what you're saying about... I guess if you were going to manufacture your own, which I can't see why anyone would, but I guess we could clarify that.

Simone S. -OSHSB

Well, I think... I think all of that stuff is, they're designed, to ANSI standards, right? Because OSHA doesn't approve anything, but if they're incorporating a specific ANSI standard, and you end up purchasing something that's... let's pretend, like, it's built to a different standard and that's not what we accept, right, as far as our regs are concerned, the specifications will help you figure out whether or not you can use it, right? If those standards start to deviate on those. manufacturer specs. If you're really looking at the details, right? So... But I think the specifications would be good enough, probably.

Okay, any other questions or comments on this document here? Great! Okay, so let's do a quick little recap about what we're going to be doing going forward. And hopefully... We can get ourselves a timeline because obviously this is a petition that you know, we're going to have to go back to the board and kind of give them an update on what we did during this meeting and kind of what our findings were, and what we think that we should do. And so, from my perspective right now, I do see value in generating a template, specifically for this type of work. We have some work to do as far as the language is concerned, but I do think that there is value in it. And I do think that, you know, if, you know, we have anyone who wants to chime in, right? The new section is probably, you know, might be something that we want to consider once we get that plan done. But we'll work on it at the same time, right? Try to make this as efficient as we can, because we know it takes a long time to get these things done, and so for those of you who are involved in the process, right? You know, because there's a little bit of overlap, maybe we can, you know, as we're going through, asking questions, looking for more information, right? Consider what we can add, not just to this plan but to this new section to help it make sense. I also know that you know, these new proposed changes went into effect last July, and I think we're waiting to see how that's affecting the industry and what type of feedback and concerns and, you know, challenges people are having. And since you guys are a part of that and you know, right, you know, it'd be good to kind of have some discussions about what you guys are seeing. And if this project here can help alleviate or answer some of those questions, right, maybe we, you know, kind of pencil that in and try to address some of it. But I do think that we have a plan as far as going forward is to get this template out to everybody, along with, you know, some of this proposed language, have everyone look at it. If everyone is in agreement as far as you know, wanting to move forward with adding this to our Title 8 requirements, that is what we'll ask our, board to do. And then after that, what'll happen is that if they do, you know, grant us the opportunity to do it, right, then we move forward with drafting the documents, you know, we could have another advisory committee if we need to, you know, but, you know, we don't have to, right? We've already met, we have a group, you know, we have... a list of stakeholders who can help give us more information to help us complete, like I said, the cost information, some of the impacts that we are going to have to document. But, you know, I do see a path moving forward and would like, you know, your feedback on what you guys think and, you know, just... Whatever you guys wanna... wanna share. Lots of quiet people on the call. I won't call anybody out.

Kevin D. Bland

There's a lot of chats. There are 9 chats I haven't seen.

Simone S. -OSHSB

Oh yeah, we have a lot of stuff in the chat. I think, oh gosh, this was, like, a while ago, too. Well, you guys answered each other's questions in the chat, so thanks. Look at you, guys! Love it, love it. Got the right people here, I think, to... to help move this along. But like I said, you know, you know, this is a... this is an open... an open, discussion, right? We welcome feedback from everybody, comments from everybody. And you know, don't be shy, right? If you have information that you think might be relevant, please send it over. You know, I am more than happy to set up other meetings to go over, perhaps, like, some of the things that we talked about in detail. If there are things that, you know, come up later, you know, we can have a meeting. And we'll share everything with the committee members. I think you guys know, right? There is a page for the Advisory Committee on our website. On that page is the documents that we used for this meeting, and I'll tell you right, the documents that we were... we had at the point when we scheduled the meeting. But after the meeting, right, we will post the rest of these documents. And so, Kevin, I will let you, if you can get those documents updated and sent to me sooner than later, right, then we can post those on the website as well. But that, you know, we want to send those out to the committee so we can start just chatting about it. And then I will work with my manager, Kevin, on the next steps on moving this along. So...

Kevin D. Bland

Okay. If, if we got them to you in two, two weeks from today? Would that be enough time?

Simone S. -OSHSB

That, yep, that's fine. I mean, you know, you guys, you know, I like, you know, I like to, you know, get things done, right? But I think we've got 30 days, but yeah, 2 weeks is great, I think.

Kevin D. Bland

Okay, well, our goal is to... we'll get together and get some language put together and a working group just getting all the bodies around on our end, and make sure that it's all based on what we talked about today and Amy took copious notes of things we need to address, so...

Simone S. -OSHSB

Awesome. And then, like I said, I might have other questions that might be in regard to, you know, just, you know language clarification on behalf of our, you know, OAL team, and questions from Department of Finance, right? Like I said, they were on the call

today, thank you so much for being here. You know, but they might have some questions too, right? So, I'll reach out to you guys to, you know, address some of those things, because I do think it's good for us to work on this together. You know, at the same time, I do think it makes it a little bit more efficient. And also, you know, it helps us understand what's going on because if we just get bits and pieces, it's kind of hard, but if we kind of keep everyone in the loop, it's a lot easier to process at the end. So, I really appreciate everyone being here. And, you know, like I said, reach out, let me know if you guys have any questions, but we'll go ahead and end this meeting, and hopefully I'll see a bunch of you guys' next month at ASSP Anaheim. I think there's a whole bunch of people going from this call.

Kevin D. Bland

I think I'm speaking at it. Thank you, Simone. We've been through a lot of these, and you did a great job, seasoned professional. We've been through some that weren't so good. This was in the... this is... you made the top 5 list, and maybe even the top 1 or 2. So, good, good... well, results still matter, so we'll see how we get. But as far as the organization for running the meeting, you did a phenomenal job.

Simone S. -OSHSB

No, thank you, thank you. Yes, results do matter, and I am results-driven, let's be real, right? I think you guys know that. You know, I do want to see us, get... if this is something that we need to do, I think we need to get it done. So, you know, and like I said, I mean, I don't want to rush, right? I don't want to, how do you say? You know, I don't want to have a broken product, right? But, I mean, sometimes you just gotta start somewhere, right? And if we're seeing a need for this right now, right, let's just get... let's get this ball rolling and see what we can put together. And then we'll tweak it, right? Like 1716.2, right? We'll tweak it, as we go along, right? At the end of the day, right, as long as we keep, keep practicing those, best practices, right? We can do our best do a really good job at keeping people safe, but I mean, you know, it is difficult when the language is not clear. We have some things that kind of overlap and that create some hazards that we weren't anticipating. So, I appreciate everyone's feedback. And yeah, I'll see you guys soon!

Kevin D. Bland

Alright, thanks, Simone. Thank you very much. Yeah, thank you.

Simone S. -OSHSB

Bye!

Kevin D. Bland

Bye.

