

DEPARTMENT OF INDUSTRIAL RELATIONS
Occupational Safety and Health Standards Board
2520 Venture Oaks Way, Suite 350
Sacramento, CA 95833
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SECOND NOTICE OF PROPOSED MODIFICATIONS TO

CALIFORNIA CODE OF REGULATIONS

TITLE 8: Section 1512 of the Construction Safety Orders and Section 3400 of the General Industry Safety Orders

First Aid

Pursuant to Government Code section 11346.8(c), the Occupational Safety and Health Standards Board (Board) gives notice of the opportunity to submit written comments on the above named standards in which modifications are being considered as a result of public comments and/or Board staff consideration.

On April 21, 2022, the Board held a Public Hearing to consider revisions to title 8, section 1512 of the Construction Safety Orders and section 3400 of the General Industry Safety Orders. The Board received oral and written comments on the proposed revisions. As a result of these comments, the standards were modified and a first 15-day Notice was issued on October 12, 2022.

As a result of the oral and written comments received during the first 15-day Notice period and additional Board consideration, further changes were made to the standards for this second 15-day Notice. Modifications include the following:

- Removal of requirements in section 1512(c)(1) pertaining to the use of ANSI/ISEA Z308.1-2021 Type IV containers.
- Text changes in section 1512(c)(1) of the first-aid kit inspection requirements to comport more precisely with the relevant federal OSHA language.
- Removal of the phrase, "...including employees at remote worksite or in work vehicles" in section 1512(c)(1), retaining the sentence as: "All employees shall have ready access to a first-aid kit."
- Removal of requirements in section 3400(c)(1) pertaining to the use of ANSI/ISEA Z308.1-2021 Type I, II, III or IV container.
- Removal of the phrase, "...including employees at remote worksites or in work vehicles" in section 3400(c)(1), retaining the sentence as: "All employee shall have ready access to a first-aid kit."

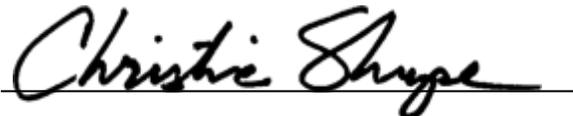
A copy of the full text of the standard, with the modifications clearly indicated, is attached for your information. Anything that has been added is indicated by a bold double underline, and anything that has been removed is indicated by a bold double strikethrough.

Any written comments on these modifications must be received by 5:00 p.m. on **December 16, 2022** at the Occupational Safety and Health Standards Board, 2520 Venture Oaks Way, Suite 350, Sacramento, California 95833 or e-mailed to oshsb@dir.ca.gov. Please confine your comments to the modification of the text. This proposal will be scheduled for adoption at a future business meeting of the Board.

The Board's rulemaking files on the proposed action are open to public inspection BY APPOINTMENT Monday through Friday, from 8:00 a.m. to 4:30 p.m., at the Board's office at 2520 Venture Oaks Way, Suite 350, Sacramento, California 95833. Appointments can be scheduled via email at oshsb@dir.ca.gov or by calling (916) 274-5721.

Inquiries concerning the proposed changes may be directed to the Executive Officer, Christina Shupe, at (916) 274-5721.

OCCUPATIONAL SAFETY AND HEALTH
STANDARDS BOARD

A handwritten signature in black ink that reads "Christina Shupe". The signature is written in a cursive style and is positioned above a solid horizontal line.

Christina Shupe, Executive Officer

Date: November 30, 2022

PROPOSED MODIFICATIONS

**(Deleted regulatory language is shown in bold double strikethrough
and new regulatory language is shown in bold double underline.)**

**STANDARDS PRESENTATION
TO
CALIFORNIA OCCUPATIONAL SAFETY AND HEALTH STANDARDS BOARD**

PROPOSED STATE STANDARD,
TITLE 8, DIVISION 1, CHAPTER 4

Amend Section 1512 to read:

§1512. ~~Emergency~~**Emergency** Medical Services and First Aid.

(a) Provision of Services. Where more than one employer is involved in a single construction project on a given construction site, each employer is responsible to ensure the availability of emergency medical services for its employees. The employers on the project may agree to ensure employee access to emergency medical services for the combined work force present at the job site. Such an emergency medical service program shall be adequate to service the combined work force present, but only one emergency medical program need be established at such site.

(b) Appropriately Trained Person. Each employer shall ensure the availability of a suitable number of appropriately trained persons to render first aid. Where more than one employer is involved in a single construction project on a given construction site, the employers may form a pool of appropriately trained persons. However, such pool shall be large enough to service the combined work forces of such employers.

EXCEPTION: Engineering contractors or service providers on a job site not engaged in construction activity (e.g., operation of tools, equipment or machinery directly associated with construction) that are in compliance with the requirements of ~~§~~section 3400(b) of the General Industry Safety Orders.

(c) First-Aid Kit.

(1) Every employer working on or furnishing personnel on a construction project, on line crews and on other short duration or transient jobs shall provide at least one first-aid kit in a weatherproof ~~container~~**American National Standards Institute, Inc. (ANSI)/International Safety Equipment Association (ISEA) 7308-1, American National Standard for Minimum Requirements for Workplace First Aid Kits and Supplies, 2021 Edition, Type IV container** ~~suitable for conditions on the job site or vehicle container~~. The contents of the first-aid kit shall be **checked by the employer before being sent out on each job and inspected at least weekly on each job inspected regularly** to ensure that the expended items are promptly replaced. The contents of the first-aid kit shall be arranged to be quickly found and remain sanitary. **All employees shall have ready access to a first-aid kit, including employees at remote worksites or in work vehicles. The location of each first-aid kit shall be clearly indicated.** First-aid dressings shall be sterile in individually sealed packages for each item. The

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minimum first-aid supplies shall be determined by an employer-authorized, ~~licensed~~ physician **or other licensed health care professional (PLHCP) as defined in section 5144, or shall meet the minimum requirements listed in Table 1 of this section for Class A first-aid kits specified within ANSI/ISEA Z308.1, American National Standard for Minimum Requirements for Workplace First Aid Kits and Supplies, 2021 Edition, which is hereby incorporated by reference, in accordance with the following Table:**

<i>Supplies for First Aid</i>	<i>Type of Supply Required by Number of Employees</i>			
	<i>1-5</i>	<i>6-15</i>	<i>16-200</i>	<i>over 200</i>
Dressings and other materials in adequate quantities consisting of:				
1. Adhesive dressings	X	X	X	X
2. Adhesive tape rolls, 1-inch wide	X	X	X	X
3. Eye dressing packet	X	X	X	X
4. 1-inch gauze bandage roll or compress		X	X	X
5. 2-inch gauze bandage roll or compress	X	X	X	X
6. 4-inch gauze bandage roll or compress		X	X	X
7. Sterile gauze pads, 2-inch square	X	X	X	X
8. Sterile gauze pads, 4-inch square	X	X	X	X
9. Sterile surgical pads suitable for pressure dressings			X	X
10. Triangular bandages	X	X	X	X
11. Safety pins <u>Medical exam gloves</u>	X	X	X	X
12. Tweezers and scissors	X	X	X	X
* Additional equipment in adequate quantities consisting of:				
13. Cotton-tipped applicators			X	X
14. Forceps <u>Antibiotic treatment, single-use application</u>	X	X	X	X
15. Emesis basin <u>Antiseptic, single-use application</u>	X	X	X	X
16. Flashlight			X	X

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17. Magnifying glass			X	X
18. Portable oxygen and its breathing equipment				
<u>Single-use disposable barrier device for CPR in workplaces where performance of CPR may be required</u>	X	X	X	X
19. Tongue depressors				X
19. Appropriate record forms	X	X	X	X
20. Up to date 'standard' or 'advanced' first-aid textbook, manual or Equivalent	X	X	X	X

*To be readily available but not necessarily within the first aid kit.

Table 1: ANSI/ISEA Z308.1-2021 Minimum Requirements for Class A First-Aid Kits

<u>First Aid Supply (Minimum Size or Volume)</u>	<u>Minimum Quantity</u>
<u>Adhesive bandage, 1 x 3 in. (2.5 x 7.5 cm)</u>	<u>16</u>
<u>Adhesive tape, 2.5 yd (2.3 m) total</u>	<u>1</u>
<u>Antibiotic application, 1/57 oz (0.5 g)</u>	<u>10</u>
<u>Antiseptic, 1/57 oz (0.5 g)</u>	<u>10</u>
<u>Breathing barrier</u>	<u>1</u>
<u>Burn dressing (gel soaked), 4 x 4 in. (10 x 10 cm)</u>	<u>1</u>
<u>Burn treatment, 1/32 oz (0.9 g)</u>	<u>10</u>
<u>Cold pack*, 4 x 5 in. (10 x 12.5 cm)</u>	<u>1</u>
<u>Eye covering w/means of attachment, 2.9 sq in. (19 sq cm)</u>	<u>2</u>
<u>Eye/skin wash, 1 fluid oz (29.6 ml) total</u>	<u>1</u>
<u>First-aid guide**</u>	<u>1</u>
<u>Foil blanket, 52 x 84 in. (132 x 213 cm)</u>	<u>1</u>
<u>Hand sanitizer, 1/32 oz (0.9 g)</u>	<u>10</u>
<u>Medical exam gloves</u>	<u>2 pair</u>
<u>Roller bandage, 2 in. x 4 yd (5 cm x 3.66 m)</u>	<u>1</u>
<u>Scissors***</u>	<u>1</u>
<u>Sterile pad, 3 x 3 in. (7.5 x 7.5 cm)</u>	<u>2</u>
<u>Trauma pad, 5 x 9 in. (12.7 x 22.9 cm)</u>	<u>2</u>
<u>Triangular bandage, 40 x 40 x 56 in. (101 x 101 x 142 cm)</u>	<u>1</u>

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*** In accordance with ANSI/ISEA Z308.1-2021, each cold pack shall reach a temperature between 20 and 40°F (-6 and 4°C) within 10 seconds of activation and shall maintain this temperature for a period of at least 10 minutes. Cold packs shall activate under normal hand pressure and shall not leak under normal conditions of use.**

**** Topics included in the first-aid guide shall consist of those listed in Appendix A of ANSI/ISEA Z308.1-2021.**

***** In accordance with ANSI/ISEA Z308.1-2021, scissors shall be autoclavable, at least 3.5 in. long (8.9 cm), capable of cutting through clothing, feature a blunt end to protect a person from accidental injury, and of medical professional quality.**

~~(2) Other supplies and equipment, when provided, shall be in accordance with the documented recommendations of an employer authorized, licensed physician upon consideration of the extent and type of emergency care to be given based upon the anticipated incidence and nature of injuries and illnesses and availability of transportation to medical care. Based upon its size and the types of hazards in the workplace, the employer shall evaluate the need for, and shall provide:~~

(A) Additional first-aid kits; and

(B) Additional types or quantities of first-aid equipment and/or supplies.

NOTE 1 to subsection (c)(2): The minimum list of supplies in Table 1 may not be adequate to address the injuries that may occur in some work environments. For example, where there are exposures to chemical hazards for which specific first-aid treatments are specified on the Safety Data Sheets or otherwise recommended (such as for hydrofluoric acid, phenol solutions and cyanide compounds), provision of first-aid supplies beyond the minimum list in Table 1 and appropriate for such chemical exposures may be necessary to achieve compliance with the requirements of this subsection. Similarly, those places of employment with larger numbers of employees or frequent injuries requiring first-aid treatment may find it necessary to stock larger quantities of materials than the amounts listed in Table 1 in order for first-aid supplies to be always readily available.

NOTE 2 to subsection (c)(2): Employers should be aware that whenever first-aid materials for the treatment of chemical injuries are included in first-aid kits, the requirements of subsection 5194(h)(2)(E) for training on emergency procedures are triggered.

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(3) Drugs, ~~antiseptics, eye irrigation solutions,~~ inhalants, medicines, or proprietary preparations shall not be included in first-aid kits unless specifically approved, in writing, by an employer-authorized, **PLHCPlicensed physician**.

(i) Written Plan. The employer shall have a written plan to provide emergency medical services. The plan shall specify the means of implementing all applicable requirements in this section. When employers form a combined emergency medical services program with appropriately trained persons, one written plan will be considered acceptable to comply with the intent of this subsection.

NOTE:

The provisions of Ssection 1512 are not intended to exclude immediate treatment of minor injuries which do not require the services of a **PLHCPphysician**.

NOTE: Authority cited: Section 142.3, Labor Code. Reference: Section 142.3 and Section 2440, Labor Code.

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Amend Section 3400 to read:

§3400. **Emergency** Medical Services and First Aid.

(a) Employer shall ensure the ready availability of medical personnel for advice and consultation on matters of industrial health or injury.

(b) In the absence of an infirmary, clinic, or hospital, in near proximity to the workplace, which is used for the treatment of all injured employees, a person or persons shall be adequately trained to render first aid. Training shall be equal to that of the American Red Cross or the Mine Safety and Health Administration.

(c) ~~Employers shall evaluate the need for first-aid supplies and shall ensure that there are~~ There shall be adequate quantities and types of first-aid materials, ~~approved by the consulting physician,~~ readily available for employees on every job.

(1) Such materials shall be kept in a sanitary and usable condition ~~and shall be stored in an American National Standards Institute, Inc. (ANSI)/International Safety Equipment Association (ISEA) Z308.1, American National Standard for Minimum Requirements for Workplace First Aid Kits and Supplies, 2021 Edition, Type I, II, III, or IV container suitable for conditions on the job site or vehicle.~~ All employees shall have ready access to a first-aid kit, including employees at remote worksites or in work vehicles. The location of each first-aid kit shall be clearly indicated.

(2) A frequent inspection shall be made of all first-aid materials, which shall be replenished as necessary.

(3) At a minimum, employers shall furnish at least one first-aid kit containing the types and quantities of materials as determined by an employer-authorized, ~~licensed~~ physician or other licensed health care professional (PLHCP) as defined in section 5144, or as listed in Table 1, shall meet the minimum requirements listed in Table 1 of this section for Class A first-aid kits within ANSI/ISEA Z308.1, American National Standard for Minimum Requirements for Workplace First Aid Kits and Supplies, 2021 Edition, which is hereby incorporated by reference. Based upon its size and the types of hazards in the workplace, employers shall evaluate the need for, and shall provide:

(A) Additional first-~~kits~~aid kits; and

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(B) Additional types or quantities of first-aid equipment and/or supplies.

Table 1: ANSI/ISEA Z308.1-2021 Minimum Requirements for Class A First-Aid Kits-~~Materials~~

<u>Type of Supply and Minimum Size</u>	<u>Minimum Quantity</u>
<u>Absorbent Compress, 32 sq. in. (206 sq. cm), with no side smaller than 4 in. (10 cm)</u>	<u>1</u>
<u>Adhesive Bandages, 1 x 3 in. (2.5 x 7.5 cm)</u>	<u>16</u>
<u>Adhesive Tape, 3/8 in. x 2.5 yd. (2.3 m total)</u>	<u>1</u>
<u>Antibiotic Treatment, single use application</u>	<u>6</u>
<u>Antiseptic, single use application</u>	<u>10</u>
<u>Medical Exam Gloves</u>	<u>2 pairs</u>
<u>Sterile Pad, 3 x 3 in. (7.5 x 7.5 cm)</u>	<u>4</u>
<u>Triangular Bandage, 40 x 40 x 56 in. (101 x 101 x 142 cm)</u>	<u>1</u>
<u>Single use disposable barrier device for CPR in workplaces where performance of CPR may be required</u>	<u>1</u>

<u>First Aid Supply (Minimum Size or Volume)</u>	<u>Minimum Quantity</u>
<u>Adhesive bandage, 1 x 3 in. (2.5 x 7.5 cm)</u>	<u>16</u>
<u>Adhesive tape, 2.5 yd (2.3 m) total</u>	<u>1</u>
<u>Antibiotic application, 1/57 oz (0.5 g)</u>	<u>10</u>
<u>Antiseptic, 1/57 oz (0.5 g)</u>	<u>10</u>
<u>Breathing barrier</u>	<u>1</u>
<u>Burn dressing (gel soaked), 4 x 4 in. (10 x 10 cm)</u>	<u>1</u>
<u>Burn treatment, 1/32 oz (0.9 g)</u>	<u>10</u>
<u>Cold pack*, 4 x 5 in. (10 x 12.5 cm)</u>	<u>1</u>

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<u>Eye covering w/means of attachment, 2.9 sq in. (19 sq cm)</u>	<u>2</u>
<u>Eye/skin wash, 1 fluid oz (29.6 ml) total</u>	<u>1</u>
<u>First-aid guide**</u>	<u>1</u>
<u>Foil blanket, 52 x 84 in. (132 x 213 cm)</u>	<u>1</u>
<u>Hand sanitizer, 1/32 oz (0.9 g)</u>	<u>10</u>
<u>Medical exam gloves</u>	<u>2 pair</u>
<u>Roller bandage, 2 in. x 4 yd (5 cm x 3.66 m)</u>	<u>1</u>
<u>Scissors***</u>	<u>1</u>
<u>Sterile pad, 3 x 3 in. (7.5 x 7.5 cm)</u>	<u>2</u>
<u>Trauma pad, 5 x 9 in. (12.7 x 22.9 cm)</u>	<u>2</u>
<u>Triangular bandage, 40 x 40 x 56 in. (101 x 101 x 142 cm)</u>	<u>1</u>

*** In accordance with ANSI/ISEA Z308.1-2021, each cold pack shall reach a temperature between 20 and 40°F (-6 and 4°C) within 10 seconds of activation and shall maintain this temperature for a period of at least 10 minutes. Cold packs shall activate under normal hand pressure and shall not leak under normal conditions of use.**

**** Topics included in the first-aid guide shall consist of those listed in Appendix A of ANSI/ISEA Z308.1-2021.**

***** In accordance with ANSI/ISEA Z308.1-2021, scissors shall be autoclavable, at least 3.5 in. long (8.9 cm), capable of cutting through clothing, feature a blunt end to protect a person from accidental injury, and of medical professional quality.**

NOTE 1 to subsection (c)(3): The minimum list of supplies in Table 1 may not be adequate to address the injuries that may occur in some work environments. For example, where there are exposures to chemical hazards for which specific first-aid treatments are specified on the Safety Data Sheets or otherwise recommended (such as for hydrofluoric acid, phenol solutions and cyanide compounds), provision of first-aid supplies beyond the minimum list in Table 1 and appropriate for such chemical exposures may be necessary to achieve compliance with the requirements ~~in the first sentence of subsection 3400(c)~~. Similarly, those places of employment with larger numbers of employees or frequent injuries requiring first-aid treatment may find it necessary to stock larger quantities of materials than the amounts listed in Table 1 in order for first-aid supplies to be always readily available.

NOTE 2 to subsection (c)(3): Employers should be aware that whenever first-aid materials for the treatment of chemical injuries are included in first-aid kits, the requirement of ~~sub~~Section 5194(h)(2)(E) for training on emergency procedures ~~are may be~~ triggered.

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(f) Effective provisions shall be made in advance for prompt medical treatment in the event of serious injury or illness. This shall be accomplished by one or a combination of the following that will avoid unnecessary delay in treatment:

(1) A communication system for contacting a ~~doctor~~PLHCP or emergency medical service, such as access to 911 or equivalent telephone system. The communication system or employees using the system shall have the ability to direct emergency services to the location of the injured or ill employee.

(2) Readily accessible and available on-site treatment facilities suitable for treatment of reasonably anticipated injury and illness.

(3) Proper equipment for prompt medical transport when transportation of injured or ill employees is necessary and appropriate.

NOTE: Medical services and first aid provisions for electrical workers shall also comply with ~~S~~sections 2320.10 (Low-Voltage) and 2940.10 (High-Voltage) as applicable.

NOTE: Authority cited: Section 142.3, Labor Code. Reference: Section 142.3 and Section 2440, Labor Code.