

**REGULAR**  
NOTICE PUBLICATION/REGULATIONS SUBMISSION

(See instructions on reverse)

For use by Secretary of State only

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IN THE OFFICE OF

2014 DEC -1 PM 1:49

*Debra Bowen*  
DEBRA BOWEN  
CLERK, SECRETARY OF STATE

|  |   |                  |
|--|---|------------------|
| STANDARD FILE NUMBER<br><b>2-2014-0218-09</b>                        | REGULATORY ACTION NUMBER<br><b>2014-1016-045</b>        | EMERGENCY NUMBER |
| For use by Office of Administrative Law (OAL) only                   |   |                  |
| RECEIVED FOR FILING PUBLICATION DATE<br><br>FEB 18 '14    FEB 28 '14 | 2014 OCT 16 PM 4:49<br><br>OFFICE OF ADMINISTRATIVE LAW |                  |
| Office of Administrative Law   | REGULATIONS   |                  |

AGENCY WITH RULEMAKING AUTHORITY: Occupational Safety and Health Standards Board

**A. PUBLICATION OF NOTICE (Complete for publication in Notice Register)**

|   |  |                                    |  |
|---|--|------------------------------------|--|
| 1. SUBJECT OF NOTICE<br>CSO Section 1514 and GISO 3380  | TITLE(S)<br>Title 8  | FIRST SECTION AFFECTED<br>1514     | 2. REQUESTED PUBLICATION DATE<br>February 28, 2014 |
| 3. NOTICE TYPE<br><input checked="" type="checkbox"/> Notice re Proposed Regulatory Action<br><input type="checkbox"/> Other                                      | 4. AGENCY CONTACT PERSON<br>Marley Hart, Executive Officer | TELEPHONE NUMBER<br>(916)-274-5721 | FAX NUMBER (Optional)<br>(916)-274-5743            |
| OAL USE ONLY<br><input type="checkbox"/> Approved as Submitted<br><input type="checkbox"/> Approved as Modified<br><input type="checkbox"/> Disapproved/Withdrawn | NOTICE REGISTER NUMBER<br>2014, 92                         |                                    | PUBLICATION DATE<br>2/28/2014                      |

**B. SUBMISSION OF REGULATIONS (Complete when submitting regulations)**

1a. SUBJECT OF REGULATION(S): Personal Protective Devices and Safeguards

1b. ALL PREVIOUS RELATED OAL REGULATORY ACTION NUMBER(S)

2. SPECIFY CALIFORNIA CODE OF REGULATIONS TITLE(S) AND SECTION(S) (including title 26, if toxics related)

|  |  |
|--|--|
| SECTION(S) AFFECTED<br>(List all section number(s) individually. Attach additional sheet if needed.) | ADOPT                                  |
|  | AMEND<br>Section 1514 and Section 3380 |
| TITLE(S)<br>8  | REPEAL                                 |

3. TYPE OF FILING

|   |   |   |   |
|---|---|---|---|
| <input checked="" type="checkbox"/> Regular Rulemaking (Gov. Code §11346)   | <input type="checkbox"/> Certificate of Compliance: The agency officer named below certifies that this agency complied with the provisions of Gov. Code §511346.2-11347.3 either before the emergency regulation was adopted or within the time period required by statute. | <input type="checkbox"/> Emergency Readopt (Gov. Code, §11346.1(h)) | <input type="checkbox"/> Changes Without Regulatory Effect (Cal. Code Regs., title 1, §100) |
| <input type="checkbox"/> Resubmittal of disapproved or withdrawn nonemergency filing (Gov. Code §511349.3, 11349.4) | <input type="checkbox"/> Resubmittal of disapproved or withdrawn emergency filing (Gov. Code, §11346.1(b))  | <input type="checkbox"/> File & Print                               | <input type="checkbox"/> Print Only   |
| <input type="checkbox"/> Emergency (Gov. Code, §11346.1(b))   | <input type="checkbox"/> Other (Specify)  |   |   |

4. ALL BEGINNING AND ENDING DATES OF AVAILABILITY OF MODIFIED REGULATIONS AND/OR MATERIAL ADDED TO THE RULEMAKING FILE (Cal. Code Regs. title 1, §44 and Gov. Code §11347.1)

July 25, 2014 through August 11, 2014

5. EFFECTIVE DATE OF CHANGES (Gov. Code, §§ 11343.4, 11346.1(d); Cal. Code Regs., title 1, §100)

Effective January 1, April 1, July 1, or October 1 (Gov. Code §11343.4(a))

Effective on filing with Secretary of State

§100 Changes Without Regulatory Effect

Effective other (Specify)

6. CHECK IF THESE REGULATIONS REQUIRE NOTICE TO, OR REVIEW, CONSULTATION, APPROVAL OR CONCURRENCE BY, ANOTHER AGENCY OR ENTITY

Department of Finance (Form STD. 399) (SAM 56650)

Fair Political Practices Commission

State Fire Marshal

Other (Specify)

7. CONTACT PERSON: Marley Hart

TELEPHONE NUMBER: (916) 274-5721

FAX NUMBER (Optional): (916) 274-5743

E-MAIL ADDRESS (Optional): mhart@dir.ca.gov

8. I certify that the attached copy of the regulation(s) is a true and correct copy of the regulation(s) identified on this form, that the information specified on this form is true and correct, and that I am the head of the agency taking this action, or a designee of the head of the agency, and am authorized to make this certification.

SIGNATURE OF AGENCY HEAD OR DESIGNEE: *Marley Hart*

DATE: 10/16/14

TYPED NAME AND TITLE OF SIGNATORY: Marley Hart, Executive Officer

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ENDORSED APPROVED

DEC 01 2014

Office of Administrative Law

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

Attachment No. 1

Page 1 of 2

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

Construction Safety Orders  
Amend Section 1514 to read as follows:

§1514. Personal Protective Devices.

(a) The employer shall require employees to use the required personal protective equipment.

(b) Personal protective equipment required by these orders shall be approved for its intended use as provided in Section 1505 and distinctly marked so as to facilitate identification of the manufacturer.

EXCEPTION: Employer manufactured shields, barriers, etc.

(c) Personal protective equipment shall be used in accordance with the manufacturer's instructions.

~~(d) The employer shall assure that employee-owned personal protective equipment complies with these regulations and that this equipment is maintained in a safe, sanitary condition.~~

(d) The employer shall assure that all required safety devices and safeguards, whether employer or employee provided, including personal protective equipment for the eyes, face, head, hand, foot, and extremities (limbs), protective clothing, respiratory protection, protective shields and barriers, comply with the applicable Title 8 standards and are maintained in a safe, sanitary condition.

(e) Protectors shall be of such design, fit and durability as to provide adequate protection against the hazards for which they are designed. They shall be reasonably comfortable and shall not unduly encumber the employee's movements necessary to perform his or her work.

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

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

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

General Industry Safety Orders  
Amend Section 3380 to read as follows:

§3380. Personal Protective Devices.

(a)(1) ~~The terms Protection~~ “protection” and “protective” where modified by the words head, eye, body, hand, ~~and~~ foot ~~and as used in subsection (d), as required by~~ per the orders in this article means the safeguarding obtained by ~~means of~~ safety devices and safeguards of the proper type for the exposure and of such design, strength and quality as to eliminate, preclude or mitigate the hazard.

~~NOTE: In order that safety devices or safeguards, which may include personal protective equipment, be acceptable as to proper type, design, strength and quality they shall be at least equivalent to those complying with the standards approved by The American National Standards Institute, Bureau of Standards, or other recognized authorities, except that where no authoritative standard exists for a safety device or safeguard, the use of such safeguard or safety device shall be subject to inspection and acceptance or rejection by the Division.~~

(2) Personal protective equipment shall be approved for its intended use as provided in Section 3206 of these Orders.

(b) Protective equipment shall be distinctly marked so as to facilitate identification of the manufacturer.

EXCEPTON: Employer manufactured shields, barriers, etc.

(c) The employer shall assure that the employee is instructed and uses protective equipment in accordance with the manufacturer's instructions.

(d) The employer shall assure that all required safety devices and safeguards, whether employer or employee provided, including personal protective equipment for the eyes, face, head, hand, foot, and extremities (limbs), protective clothing, respiratory protection, protective shields and barriers, whether employer provided or employee provided, complies comply with the applicable Title 8 standards ~~for the equipment. The employer shall assure this equipment is~~ and are maintained in a safe, sanitary condition.

(e) Protectors shall be of such design, fit and durability as to provide adequate protection against the hazards for which they are designed. They shall be reasonably comfortable and shall not unduly encumber the employee's movements necessary to perform his or her work.

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