

January 26, 2016

Marley Hart, Executive Officer  
Occupational Safety and Health Standards Board  
2520 Venture Oaks Way, Suite 350  
Sacramento, CA 95833

SUBJECT: Petition for clarification of employee access to the Injury and Illness Prevention Program

Ms. Hart:

Please consider these small but important changes (underlined) to Sections 3203(a) and 3203(a)(3) of the Injury and Illness Prevent Program ("IIPP" or "program").

*3203(a) Effective July 1, 1991, every employer shall establish, implement, ~~and~~ maintain and allow employee access to an effective Injury and Illness Prevention Program (Program). The Program shall be in writing and, shall, at a minimum:*

*3203(a)(3) Include a system for communicating with employees in a form readily understandable by all affected employees on matters relating to occupational safety and health, including provisions designed to encourage employees to inform the employer of hazards at the worksite without fear of reprisal. Substantial compliance with this provision includes meetings, training programs, posting, written communications, a system of anonymous notification by employees about hazards, labor/management safety and health committees, means of access to the program, or any other means that ensures communication with employees.*

While the IIPP is generally a tool and resource for the employer and its supervisors to follow as a roadmap for safety in the workplace, from time to time employees may wish to review the program. This small but important change to 3203 for General Industry will clarify whether employees have a right to access the employer's IIPP if they so choose.

I submit this petition as an individual long engaged in Cal/OSHA rulemaking. I have been a steady advocate for the application of Administrative Procedure Act rulemaking standards such as necessity and clarity.

While I represent a number of clients before the board, including clients who may well support this petition, this petition is not on their behalf. I am the sole petitioner. I look forward to working with you and your staff on moving this petition forward, I hope, into rulemaking. Please contact me at (916) 832-5677 or Dan@Leacox.net.

Sincerely,

Dan Leacox