



Occupational Health & Safety Pundit

July 14, 2015

Attn: Dave Thomas, Chairman
Occupational Safety & Health Standards Board
2520 Venture Oaks Way, Suite 350
Sacramento, CA 95833

Dear Mr. Thomas:

On behalf of the over 2.4 million government employees who work in the state of California please take serious consideration to this request to modify title 8 (CCR) amending Subchapter 7 (GISO) General Industry Safety Orders & adopting the new. **(OHSP-SMS)** Occupational Health & Safety Pundits'- Safety Management System designed to eliminate contributory negligence known to be the cause work-related accidents & injuries throughout the U.S.

I'm writing this petition not only on behalf of my fellow safety professionals but to also on behalf of the employees who work directly with the state of California. Featuring two fundamental issues which tightly couple health & safety's impact on productivity & profitability sculpting our quality of living today.

1: Contributory Negligence has triggered costly casualties generating extensive liabilities throughout the U.S. as local government agencies continuously use venerable outdated safety standards that have been passed down over the years operating on the costly effects of work-related accidents, illness, injuries & death typically ignoring the cause of work-related incidents.

2: Major U.S. employers & business coalitions, agree that poor health alone costs the economy \$576 billion per year. According to the 2014 (AFL-CIO death of the job report) of that amount, 39% or \$227 billion is from lost productivity & employee "**absenteeism**" due to illness or what researchers called "**presenteeism**". It's when employees report to work, but illness keeps them from performing at their best.

The two reasons above clarify the basis of everyone worries about the economy & the rising cost of health care. Advising politicians, policy makers, economist & major business coalitions to equally support investment subsidizing evidence based medical evaluations & preventive safety standards, eliminating work-related casualties with costs exceeding \$250 billion dollars per year in the U.S.

This estimate is drawn using 2011-2014 data from the U.S. Bureau of Labor Statistics that shows 128.3 million people in the U.S. workforce & their total wages & benefits of more than \$7 Trillion dollars which coincide with BLS "benchmarking data based on 60,000 U.S. employers." Government agencies, major corporations & employee's support reducing the remaining \$576 billion tallied in the cost of wage replacement.

For example absences due to illness cost over \$117 billion in workers' compensation considering both short & long term disability cases claims. Meanwhile, another \$232 billion for health costs, medical treatment & pharmacy related issues due in part to chronic conditions like diabetes, heart disease or depression & stress which can all lead to a prolonged illness & poor health please consider the proposed **modifications** on page 2.

The OHSP-SMS systematic review components applies four unique aspects surveying Jobsites, processes & products considering site specific safety agreements, including calamity controls this Injury Illness Prevention Program enhancing previously existing 3203 standards (a) complying with the model requirements of ETools (1), (2), (3), (4).

1: (The Universal Standard of Safety Protocols–USSP) an innovative & dynamic safety protocol with guidelines based on improving the overall health & safety of employees & their families exclusively using evidence based medical evaluations & health technology assessments amplifying health & safety lowering the cost of health care.

2: (The Management of Hazardous Hierarchies–MHH) is a controlled management system used in the health & safety industry to minimize & eliminate exposure to hazardous environments. This analysis identifies & corrects predictable & preventable incidents in a work-related command structure.

3: (Detailed Commentary Verities–DCV) a sentence structure employing true statements based on known facts solely using evidence based solutions & evidence based conclusions including times, dates & data source reducing the cost of labor.

4: (J-peg Data) a digital photographic format displaying work-related hazardous behavioral habits causing extensive accidents & injuries.

Revealing approximately 99,434 unreported accident, injuries per year generating over 150 calamities per day directly resulting in 14,000 work-related deaths in 2014 with an average cost of \$1,375,000 per employee = \$19,250,000 x 365.242 this additional cost of over 7 billion dollars per year considering indirect cost alone.

The Safety Pundit's – Safety Management System is of such a special & a unique nature that it must be contracted pursuant to Article 4 standards concerning the use of personal service contracts Section (19130) of the Government Code paragraph (3) subdivision (b).

Pursuant to section (1) of (SB-863) line (h) describing the need for Independent, unbiased findings & determinations that requires this new state function to be contracted pursuant to paragraph (2) subdivision (b) Section 19130 of the Government Code.

Returning to the fellow-servant rule of law in the 14th Amendment concerning departures in the Lochner, Coppage & Adkins cases this philosophy neutrality allocates the responsibility of health & safety equally among employers & employees as peers.

Respectfully,



Dennis J Evans
Chief Executive Officer
Toss Business Solutions| LLC

If there are any questions or concerns please contact #510-838-6001

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