

October 29, 2010  
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Safety and Health Standards Board  
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**OCCUPATIONAL SAFETY AND HEALTH  
STANDARDS BOARD**

Attn: Board Members

Re: Proposed revision to First Aid regulation  
Title 8 CCR 3400(c)

Dear Sirs,

Pursuant to your policy of considering public suggestions for new Cal-OSHA regulations or revisions to existing regulations, I hereby petition the Safety and Health Standards Board to consider the following change to the existing general industry First Aid regulation, Title 8 CCR 3400(c). Presently this subsection reads as follows:

**(c) There shall be adequate first-aid materials, approved by the consulting physician, readily available for employees on every job. Such materials shall be kept in a sanitary and usable condition. A frequent inspection shall be made of all first-aid materials, which shall be replenished as necessary.**

The purpose of this regulation is to ensure that employers maintain an adequate type and amount of first aid supplies for possible injured employees. The existing regulation is deficient in that it does not clearly spell out what the requirement for this supply is, based on type of employer operations or size of workforce in any particular onsite or offsite location.

To require an employee to contact a consulting physician and have such physician determine exactly what type of supplies may be necessary under all possible circumstances is subject to different interpretations by any physician consulted, who would need to be fully knowledgeable of the employers operations, including its location. Here is an example of the types of thing such physician would have to consider:

1. How many employees are found at any one time at any particular location
2. What type of injuries can be expected
  - a. What type of machinery, equipment, tools, chemicals are being used
  - b. How many people can possibly get hurt at the same time while doing certain activities

3. Is the facility located in areas where earthquakes are common, like California's Imperial County
  - a. How many people can be injured in a small earthquake
  - b. How many people can be injured in a large earthquake
4. Is the facility located in areas where fires are common
  - a. How many people can be hurt in a small fire
  - b. How many people can be hurt in a large fire
5. To what degree can injuries be expected to happen, small scraps, crushes, amputations, etc.

All of the above are examples of the many different circumstances under which injuries can result, and the amount/type of first aid supplies necessary for each such situation can vary substantially. Based on all the possible scenarios and related combinations of injury seriousness and number of possible injured employees, it would be almost impossible to get two physicians to agree on the amount of first aid supplies that may be recommended by such physicians.

Presently the related First Aid construction requirement for first aid supplies, Title 8 CCR 1512(c)(1) requires that such employers either consult a physician or that they provide at a minimum the supplies listed in the table associated with this section.

There is no reason why the Standards board cannot modify the general industry requirement for first aid to be similar to the construction requirement, with a specific table that can be used as a guide for the type of first aid supplies OSHA expects general industry employers to carry on stock.

The federal OSHA First Aid requirement, Title 29 CFR 151, recommends that employers follow the American National Standard (ANSI) Z308.1-1998 "Minimum Requirements for Workplace First-aid Kits," and thus give a clear example to be followed, without the need of a physician's recommendation, and I believe this Board should do the same.

Therefore and otherwise, I request that Title 8 CCR, section 3400(c) be revised to allow for employers to look at other sources, other than a physician, to determine their particular needs for First Aid supplies, including the above cited ANSI standard, and that a similar table as used in the construction regulation be used and included in the revision, preferably following the guidelines of the above ANSI standard.

Respectfully submitted,



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Safety Consultant