



# CAL OSHA SAFETY REQUIREMENTS

For Companies with 10 or More  
Employees

HR

SAFETY

TRAINING

RECRUITING

PRESENTED BY



# WORKERS COMPENSATION

- High Mode Rate of 1.25 or Higher
- Workers Compensation is costly without a safety plan
- Manual rate \$4.50/\$100 of payroll

Payroll \$1,000,000 X 4.50 = \$45,000

ExMOD 1.25 X \$4,500 = \$56,250

ExMOD 2.00 X \$4,500 = \$90,000

# CAL OSHA FEES - ExMOD

## Annual Fee for ExMOD of 1.25 or Higher

Payroll	Fees
Amount Less than \$250,000	\$100
\$250,001 to \$500,000	\$200
\$500,001 to \$750,000	\$400
\$750,001 to \$1,000,000	\$600
<b>\$1,000,001 to \$1,500,000</b>	<b>\$800</b>
\$1,500,001 to \$2,000,000	\$1,000
\$2,000,001 to \$2,500,000	\$1,500

The total maximum an employer can be assessed in 2010 is \$10,000, rather up from \$2500 in 2009.

# COST TO EMPLOYER

## Cost to Business without a Safety Plan:

WC Premium due to ExMOD of 1.25 **\$11,250**

TICF Fee **\$ 800**

**Additional Out of Pocket** **\$12,050**

ExMOD of 1.25 or higher puts the business on  
CAL OSHA's target list!

# CAL OSHA SAFETY REQUIREMENTS

## Injury & Illness Prevention Program — CCR Title 8 Section 3203:

- Written Plan Required of all companies with **10 or more employees;**
- Must be company specific;
- Training is essential;
- Recordkeeping is essential; and
- Must be update and kept current.

# INJURY & ILLNESS PREVENTION PROGRAM

## Training Requirements

- When the program is first established;
- To all new employees;
- To all employees given new job assignments for which training has not previously been received;
- Whenever new substances, processes, procedures or equipment are introduced to the workplace and represent a new hazard;
- Employer is made aware of a new or previously unrecognized hazard; and
- For supervisors to familiarize themselves with the safety and health hazards to which employees under their immediate direction and control may be exposed.

# CAL OSHA SAFETY REQUIREMENTS

## Chemical Hazards Communication Program— CCR Title 8 Section 5194:

- Required of all companies with **10 or more employees**;
- This section requires all employers to provide information to their employees about the hazardous substances to which they may be exposed, by means of a hazard communication program, labels and other forms of warning, material safety data sheets, and information and training;
- Must be company specific;
- Recordkeeping is essential; and
- Must be update and kept current.

# CHEMICAL HAZARDS COMMUNICATION PROGRAM

## Training Requirements

- Initial assignment or hire, and whenever a new hazard is introduced into their work area. Information and training may relate to general classes of hazardous substances to the extent appropriate and related to reasonably foreseeable exposures of the job;
- Employees shall be trained in the methods and observations that may be used to detect the presence or release of a hazardous substance in the work area (such as visual appearance or odor of hazardous substances when being released, etc.).



# CAL OSHA SAFETY REQUIREMENTS

## Emergency Action Plan – CCR Title 8 Section 3220 & 3221

- This section applies to all emergency action plans. The emergency action plan shall be in writing and shall cover those designated actions employers and employees must take to ensure employee safety from fire, earthquakes and other emergencies; and
- Required of all companies with **10 or more employees.**

# EMERGENCY ACTION PLAN

## Training Requirements

- The employer shall designate and train a sufficient number of persons to assist in the safe and orderly emergency evacuation of employees;
- Initially when the plan is developed;
- Whenever the plan is changed; and
- The employer shall review with each employee upon initial assignment those parts of the plan which the employee must know to protect the employee in the event of an emergency. The written plan shall be kept at the workplace and made available for employee review.

# HOW DO I GET ON OSHA'S "RADAR SCREEN"

- Health Department Reports you to OSHA
- WC Modification rates of **125%** or more;
  - Special "taxation" applies
- Reportable injury to OSHA – **within 8 hours;**
  - Employee, citizen, or ex-employee contacts Cal OSHA
  - May be anonymous (disgruntle employee)
  - May be a "concerned citizen" or subcontractor
  - OSHA has various ways and time frames to respond to complaints

# OSHA FINE STRUCTURE

The amount of the **civil** penalty (monetary fine) depends in part on the classification of the violation because the classification determines the maximum penalty amount that can be assessed. The penalty limits for the different classifications are:

<u>Classification</u>	<u>Maximum</u>
Other Than Serious (General)	\$ 7,000
Serious	\$ 25,000
Repeat	\$ 70,000
Willful	\$ 70,000
Unabated	\$ 15,000 per day

# OSHA FINE STRUCTURE

## Egregious Penalties

In egregious cases, OSHA will fine the employer for each instance of the violation even though they apply to the same standard. OSHA FIRM § IV-C-3; OSHA FIRM § III-C-5-c-(4). The egregious penalty structure is also referred to as “per-instance” or “violation-by-violation” penalties.

# PROPOSITION 65 REQUIREMENTS

A business found to be in violation of Proposition 65 is subject to civil penalties of up to \$2,500 per day for each violation. In addition, the business may be ordered by a court of law to stop committing the violation. In most cases a settlement is reached in which the alleged violators must stop violating, pay a civil penalty, and pay the attorney fees.



# PROPOSTION 65 REQUIREMENTS

## Why are Hotels & Restaurants Affected?

### Employment side:

- Exposure to such chemicals as:
  - Petrochemicals
  - Cleaning solutions; and
  - Medications such as aspirin
- **Customer side:**
  - Selling of alcoholic beverages; and
  - Selling of certain seafood containing mercury.

# JOB SPECIFIC SAFETY CONSIDERATIONS

# SPECIFIC SAFETY CONSIDERATIONS



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# JOB SPECIFIC SAFETY CONSIDERATIONS

## Bloodborne Pathogens:

- Changing sheets which might be contaminated with bodily fluids may expose an employee to bloodborne pathogen.
- Cleaning bathrooms provides exposure that requires special Personal Protective Equipment.

# JOB SPECIFIC SAFETY CONSIDERATIONS

## Personal Protective Equipment – CCR Title 8 Section 3380(c):

- The employer shall assure that the employee is trained and uses protective equipment in accordance with the manufacturer's instructions;
- All personal protective equipment must comply with the applicable Title 8 standards for the equipment. The employer shall assure this equipment is maintained in a safe, sanitary condition; and
- PPE can include gloves, protective clothing against burns and scalds, and splash-proof eyewear when working around hot grease and hot liquids.

# JOB SPECIFIC SAFETY CONSIDERATIONS

## Ergonomics – CCR Title 8 Section 5110:

- Proper lifting techniques;
- Slip and falls;
- Repetitive motion injuries; and
- Strains and sprains.

# JOB SPECIFIC SAFETY CONSIDERATIONS

## Violence in the Workplace

- Thefts;
- Robberies;
- Domestic violence;
- Customer acts violence;
- Harassment and/or discrimination in the workplace;
- Employee arguments and fights; and
- Emergency Action Plan coordination of these events.

# THE END RESULT

## **A safety committee/team with both management and employee involvement to work with:**

- Workers Compensation Company/Broker;
- Safety Consultant; and
- Claims Monitoring Specialist.

## **In an attempt to:**

- Increase Productivity;
- Reduce Employee Injuries;
- Reduce Workers Compensation Premiums;
- Keep Employees Safe; and
- Limit the Company's Liability.



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**Contact Us At:**

Deisy Bach

[DBach@HRIdeas.com](mailto:DBach@HRIdeas.com)

(925) 556-4404 (phone)

[www.RestaurantHRI.com](http://www.RestaurantHRI.com)

[www.HRIdeas.com](http://www.HRIdeas.com)

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# Thank You

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**Thanks so much for your time.** Please don't hesitate to contact us if we can be of assistance to you in the future.



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