

CAL/OSHA SAFETY INSPECTIONS AND NOTIFICATION

- AUTHORITY:** California Code of Regulations, Title 8, General Industry Safety Orders Administrative Directive
- RESCINDS:** Procedure Manual Item 1-4-204, dated **10/26/2018**
- FORMS:** None County of Orange Safety & Loss Prevention (Attachment)
Manual – Document 1001 and 1002
- PURPOSE:** To provide a procedure for handling Cal/OSHA safety inspections at Probation Department facilities and to establish procedures for reporting of Fatal Injuries or Serious Injuries to Cal/OSHA within **eight (8)** hours of the incident.

I. GENERAL INFORMATION

CAL/OSHA Compliance Officers may visit any Probation Department facility at any time; they do not call ahead and advise. Any contact (in person or writing) must be communicated immediately to the **Facilities and Safety Manager**. An inspection may be conducted as a result of a serious accident, injury, illness, employee complaint, administrative request, or at the request of the **Facilities and Safety Manager**.

II. PROCEDURE

A. Before the Inspection

1. The receptionist or other person initially greeting the inspector(s) should:
 - a. Review credentials to verify the inspector is from CAL/OSHA.
 - b. Log in the inspector; **the inspector should be signed in using the visitor log.**
 - c. Ask what the purpose of the inspection is, and attempt to determine the scope of the inspection (i.e., what area(s) the inspector will need to examine).
 - d. Notify the Building Safety Officer. If the Building Safety Officer is not available, notify the Building Manager or Division Director.
 - e. Notify **the Facilities and Safety Manager**.
 - f. Ask the inspector(s) to wait pending notification of the Building Safety Officer. Do not allow the inspector to begin the inspection without the Building Safety Officer present.

2. The Building Safety Officer or Department **Facilities and Safety Manager** should:
 - a. Notify the County Safety Manager at (714) 285-5535, Monday through Friday, 8:00 a.m. - 5:00 p.m. If voice mail **is reached**, follow the recorded message for assistance. After normal working hours, notify the Sheriff/ Communications Watch Commander at **(714) 628-7000** and request they contact the County Safety Manager. Once contacted, the County Safety Manager (or designee) will respond to the location to accompany the inspector.
 - b. Review the inspector's credentials.
 - c. Determine the purpose and scope of the inspection.
 - d. Wait for the arrival of the County Safety Officer before beginning the inspection. The CAL/OSHA Inspectors have previously agreed to wait 30-45 minutes for the County Safety Officer to arrive.
 - e. Contact **the appropriate union** representative **A union** representative shall be allowed to accompany the inspector while the inspector is in the employee's Department.

B. During the Inspection, **the Building Safety Officer should:**

1. Make appropriate records available for the inspector. The inspector usually will first request a review of the Department's CAL/OSHA 300 Log, which is maintained by the Facilities and Safety Manager.
2. Accompany the inspector throughout the inspection.
3. Record all questions, comments, and suggestions made by the inspector(s).
4. Record names of any employee with whom the inspector speaks. If the inspector requests to interview an employee privately, obtain the employee's permission, explaining to the employee that he/she has the right to:
 - a. Be interviewed in private.
 - b. Be interviewed in the presence of the Building or County Safety Officer (or other designee).
 - c. Refuse to be interviewed.
 - d. Be interviewed in the presence of a **union** representative.
5. Any statements made to the inspector by non-supervisory employees do not constitute **an** admission by the County. Statements made by supervisory or management employees may constitute an admission by the County. Supervisory and management employees should exercise caution and good judgment when speaking with the inspector, and should refrain from any non-essential conversations.

6. Retain duplicates of all samples, photographs, records, or other materials obtained by the inspector, **when practical**.

C. After the **walk-around portion of the inspection**, the inspector will discuss the results of the inspection. The Building Safety Officer should:

1. Obtain as much information as possible from the inspector regarding the results of the inspection, including:
 - a. The strengths and weaknesses of the Department's Injury and Illness Prevention Program.
 - b. The areas and items the inspector plans to recommend for citations, if any.
 - c. Any hazards created by violations observed by the inspector.
 - d. Whether the inspection is completed; if not, what remains to be completed.
2. Make reasonable efforts to immediately correct any violations cited by the inspector.
3. Make a report summarizing CAL/OSHA's findings via telephone to the Director of **Administrative & Fiscal Division (AFD)** and to the appropriate Division Director(s) on the same day as the inspection. If the County Safety **Officer** is not available at the time of the inspection, the **AFD** Director will make a report via telephone to the CEO/Risk Manager. If the **AFD** Director is unavailable, the responsible Director will notify the CEO/Risk Manager.
4. Complete a written summary of the inspection and results, and send to:
 - a. **AFD** Director
 - b. **The appropriate** Chief Deputy Probation Officer(s)
 - c. **Assistant Chief Probation Officer**
 - d. Chief Probation Officer
5. Within three (**3**) working days, send a written report to the **AFD** Director and the appropriate Division Director(s). The report should include:
 - a. Copy of any employee complaint letter(s).
 - b. Description of any unhealthful/hazardous working conditions cited by the inspector.
 - c. What was done to correct the unhealthful/hazardous condition.
 - d. Names of all employees who participated in the inspection, including any employees interviewed by the inspector.

- e. Comments and any documentation received from the inspector.
 - f. Copies of all samples, photographs, records, or other materials obtained by or provided to the inspector, **when practical**.
6. Any citation received from CAL/OSHA must be posted at or near the deficiency **site** for a period of three **(3)** days or until the deficiency has been corrected, whichever is longer.
- D. Notification to Cal/OSHA within **eight (8)** hours of a serious injury or incident.
- 1. All fatal or serious injuries and illnesses shall be reported to Cal/OSHA. Staff shall NOT report directly to Cal/OSHA; reports shall be made to the County Safety Officer via the **Facilities and Safety Manager** within **eight (8)** hours of the incident and in turn will notify Cal/OSHA on behalf of the County. **It** is imperative that reports be made timely to prevent monetary penalties levied against the Probation Department. Failure to report a serious injury or fatality within **eight (8)** hours can result in a minimum civil penalty of \$5,000.
 - 2. Cal/OSHA defines a serious injury or illness as:
 - a. A County employee **or volunteer** who is hospitalized for a period in excess of twenty-four **(24)** hours, other than for medical observation.
 - b. A County employee who suffers any serious degree of permanent disfigurement or amputation of any part of his / her body.
 - c. A County employee who is killed while in the performance of his / her duties.

NOTE: If you are unsure at the time when the employee is transported to the hospital whether it would be classified as a serious injury, report the incident to the Safety Office via **Human Resource Services** and they will investigate and determine whether it should be reported to Cal/OSHA or not.

REFERENCES:

Procedures:	1-4-113	Injury and Illness Prevention Program
Policy:	A-1	Policy, Procedure and the Law
	A-2	Upholding Departmental Philosophy and Principles
	A-21	Liability
	G-3	Building Security and Safety

V. Sanchez

APPROVED BY: