WHAT AN EMPLOYER MUST DO:
All employers must provide work and workplaces that are safe and healthful. In other words, an employer with Title 8 of the California Code of Regulations must follow Cal/OSHA’s rules for ensuring job safety and health. Failure to do so can result in the threat to life or health of employees, and substantial monetary penalties.

You must display the poster so everyone on the job can be aware of basic rights and responsibilities.

You must have a written and effective injury and illness prevention program for your employees.

You must be aware of hazards, your employees face on the job and keep records showing that each employee has been trained in the hazards unique to each job assignment.

You must correct any hazardous condition that you know may result in serious injury to employees. Failure to do so could result in criminal charges, monetary penalties, and even incarceration.

You must notify the nearest Cal/OSHA office of any serious injury or fatality occurring on the job. Be sure to do this immediately after calling for emergency help to assist the injured employee. Failure to report a serious injury or fatality within 8 hours can result in a minimum civil penalty of $5,000.

WHAT AN EMPLOYER MUST NEVER DO:
Never permit an employee to do work that violates Cal/OSHA law.

Never permit an employee to be exposed to harmful substances without providing adequate protection.

Do not allow an untrained employee to perform hazardous work.

EMPLOYEES HAVE CERTAIN RIGHTS IN WORKPLACE SAFETY & HEALTH:
As an employee, you (or someone acting for you) have the right to file a complaint and require a workplace inspection if conditions there are unsafe or unhealthful. This is done by contacting the local district office of the Division of Occupational Safety and Health (see list of offices). Your name is not revealed by Cal/OSHA, unless otherwise directed.

You also have the right to bring unsafe or unhealthful conditions to the attention of the Cal/OSHA investigator making an inspection of your workplace. Upon request, Cal/OSHA will file the names of employees who submit or make statements during an inspection or investigation.

Any employer has the right to refuse to perform work that would violate a Cal/OSHA or any occupational safety or health standard or order where such violation would create a real and apparent hazard to the employee or other employees.

You may not be fired or punished in any way for filing a complaint about unsafe or unhealthful working conditions, or using any other right given to you by Cal/OSHA law. If you feel you have been fired or punished for exercising your rights, you may file a complaint about this type of discrimination by contacting the nearest office of the Department of Industrial Relations. Division of Labor Standards Enforcement (State Labor Commissioner or the San Francisco office of the U.S. Department of Labor, Occupational Safety and Health Administration. (Employees of state or local agencies may file these complaints with the State Labor Commissioner.) Consult your local telephone directory for the office nearest you.

EMPLOYEES ALSO HAVE RESPONSIBILITIES:
To keep the workplace and your coworkers safe, you should tell your employer about any hazard that could result in an injury or illness to people on the job.

While working, you must always obey state job safety and health laws.

HELP IS AVAILABLE:
Call the FREE Worker Information Hotline - 1-866-924-9757

Call the FREE Worker Information Hotline - 1-866-924-9757

OFFICES OF THE DIVISION OF OCCUPATIONAL SAFETY AND HEALTH
HEADQUARTERS: 1515 Clay Street, Ste. 1901, Oakland, CA 94612 — Telephone (510) 286-7000

District Offices
American Canyon 3419 Broadway St., Ste. H, American Canyon 94503
Bakersfield 7718 Meany Ave., Bakersfield 93308
Foster City 1065 East Hillsdale Blvd. Suite 310, Foster City 94040
Fremont 3914 Civic Center Dr. Suite 310, Fremont 94538 (510) 794-2521
Modesto 2424 Arden Way Suite 3, Modesto 95356 (209) 548-9710
Oakland 1515 Clay St. Suite 1303, Oakland 94612 (510) 622-2916
Redwood City 354 El Camino Real Suite 200, Redwood City 94063 (650) 574-4743
Sacramento 2424 Arden Way Suite 165, Sacramento 95820 (916) 263-2360
San Bernardino 646 West Fourth St. Suite 332, San Bernardino 92401 (909) 383-4321
San Diego 2424 Arden Way Suite 207, San Diego 92108 (619) 767-2280
San Francisco 455 Golden Gate Ave. Rm. 9516, San Francisco 94102 (415) 557-0300
Santa Ana 2000 E. McDadden Ave. Ste. 122, Santa Ana 92705 (714) 901-5403 (626) 472-0047
West Covina 1901 West Garvey Ave. S. Suite 200, West Covina 91790

Regional Offices
San Francisco 455 Golden Gate Ave., Rm 9516, San Francisco 94102 (415) 557-0300
Sacramento 2424 Arden Way Ste. 300, Sacramento 95825 (916) 263-2803
San Jose 380 E. McFadden Ave, Rm. 9516, San Jose 95134 (408) 463-3527
Monrovia 750 Royal Oaks Drive, Ste. 104, Monrovia 91016 (626) 471-9212

Cal/OSHA Consultation Service
Headquarters: 2000 E. McDadden Ave. #214, Santa Ana, CA 92705 (714) 558-4411

Area & Field Offices
• Fresno/Central Valley
  • 1901 North Gateway Blvd. Bldg. 300, Fresno 93727 (559) 454-1295
• Oakland/Bay Area
  • 1515 Clay St. Suite 1103 Oakland 94612 (510) 622-2891
• Sacramento/Northern CA
  • 2424 Arden Way Suite 410 Sacramento 95825 (916) 263-0704
• San Bernardino
  • 464 West Fourth St. Suite 339 San Bernardino 92401 (909) 383-4567
• San Diego/Imperial Counties
  • 7575 Metropolitan Drive Ste. 204 San Diego 92108 (619) 767-2280
• San Fernando Valley
  • 6150 Van Nuys Blvd. Suite 307 Van Nuys 91401 (818) 901-5754
• La Palma/Los Angeles/Orange County
  • 1 Centerpointe Dr. Suite 150 La Palma 90623 (714) 562-5525

SPECIAL RULES APPLY IN WORK AROUND HAZARDOUS SUBSTANCES:
Employees who use any substance listed as a hazardous substance in Section 339 of Title 8 of the California Code of Regulations, or subject to the Hazard Communication Standard (T8 CCR Section 5194), must provide employees with information on the contents on Data Sheets (SDS), or equivalent, on any information about the substance that employees use to use the substance safely.

Employers shall make available on a timely and reasonable basis a Safety Data Sheet on each hazardous substance in the workplace upon request of an employee, an employee collective bargaining representative, or an employee’s physician. Employers have the right to see and copy their medical records and records of exposure to potentially toxic materials or physical hazardous agents. Employees must allow access by employees or their representatives to accurate records of exposure to potentially toxic materials or hazardous physical agents, and notify employees of any exposures in concentration or levels exceeding the exposure limits allowed by Cal/OSHA standards.

Any employee has the right to observe monitoring or measuring of employee exposure to hazards conducted pursuant to Cal/OSHA regulations.

WHEN CAL/OSHA COMES TO THE WORKPLACE:
A trained Cal/OSHA safety engineer or industrial hygienist may periodically visit the workplace to make sure you are complying job safety and health laws.

An inspection will also be conducted when a legitimate complaint is filed by an employee with the Division of Occupational Safety and Health. Cal/OSHA also goes to the workplace to investigate a serious injury or fatality.

When an inspection begins, the Cal/OSHA investigator will show official identification from the Division of Occupational Safety and Health.

The employer, or someone the employer chooses, will be given an opportunity to accompany the investigator during the inspection. A representative of the employees will be given the same opportunity. Where there is no authorized employee representative, the investigator will talk to a reasonable number of employees about safety and health conditions at the workplace.

VIOLATIONS, CITATIONS & PENALTIES:
If the investigation shows that the employer violated a safety and health standard or order, then the Division of Occupational Safety and Health issues a citation. Each citation specifies a date by which the violation must be abated. A notice which carries a monetary penalty, may be issued in lieu of a citation for certain non-serious violations.

Citations carry penalties of up to $7,000 for each regulatory or general violation and up to $25,000 for each serious violation. Additional penalties of up to $7,000 per day for regulatory or general violations and up to $15,000 per day for serious violations may be proposed for each failure to correct a violation by the abatement date shown on the citation. A penalty of not less than $5,000 nor more than $70,000 may be assessed an employer who willfully violates any occupational safety and health standard or order. The maximum civil penalty that can be assessed for each repeat violation is $70,000. A willful violation that causes death or permanent impairment of the body of any employee results, upon conviction, in a fine of not more than $250,000 or imprisonment to the county jail, or both and if the employer is a corporation or limited liability company the fine may not exceed $1.5 million.

The law provides that employers may appeal citations within 15 working days of receipt of the Occupational Safety and Health Appeals Board.

An employer who receives a citation, Order, Take Special Action, or Special Order must post it prominently at or near the place of the violation for three working days, or until the unsafe condition is corrected, whichever is longer, to warn employees of the danger that may exist there. Any employee may protest the time allowed for correction of the violation to the Division of Occupational Safety and Health or the Occupational Safety and Health Appeals Board.

Enforcement of Cal/OSHA job safety and health standards is carried out by the Division of Occupational Safety and Health, under the California Department of Industrial Relations, which has primary responsibility for administering the Cal/OSHA program. Safety and health standards are promulgated by the Occupational Safety and Health Standards Board. Anyone desiring to register a complaint alleging nonadherence in the administration of the California Occupational Safety and Health Plan may do so by contacting the San Francisco Regional Office of the Occupational Safety and Health Administration (OSHA), U.S. Department of Labor (Tel: 415-975-4310). OSHA monitors the operation of state plans to assure that continued approval is merited.

August 2014