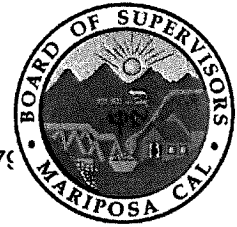




MARIPOSA COUNTY

Human Resources/Risk Management • (209) 742-1379



RESOLUTION - ACTION REQUESTED 2015-329

MEETING: July 7, 2015

TO: The Board of Supervisors

FROM: Steve Johnson, Human Resources Director - Risk Manager

RE: Amend County Injury, Illness and Prevention Program

RECOMMENDATION

AND

JUSTIFICATION:

Approve amendments to the County's Injury, Illness and Prevention program ("IIPP").

The County's current IIPP was approved by the Board of Supervisors in February, 2005. Since that time, many changes in State and Federal law have occurred that affect injury, illness and safety practices in the workplace. In order to address these changes, the staff in the County's Human Resources/Risk Management Department engaged the services of the Travis Clemmer, Senior Loss Prevention Specialist with the County's insurance and loss prevention Agency California State Association of Counties - Excess Insurance Authority (CSAC-EIA), to review the County's existing IIPP and make recommended corrections and changes where needed to comply with legal requirements and corresponding best practices.

In addition to Mr. Clemmer's review, staff also engaged in a review process of the updated IIPP with all of the County's Department Heads, bargaining unit representatives and County Supervisors Kevin Cann and John Carrier (who make up the County Board of Supervisors, Board Liaison, General Government, for Human Resources). The result is the revised and attached updated Policy that is presented for the Board's review and approval.

This updated Policy contains the following major changes to the existing 10 year old IIPP:

- Identifies that the IIPP will be administered by the County Administrative Officer and the Human Resources/Risk Management Director or designee, instead of the now defunct County Safety Officer position.
- Indicates that all new employees will receive information regarding safe work practices as part of their County and/or Department new hire Orientation.
- Clarifies that safety training records will be maintained for at least three years.
- States that an investigation shall be conducted within 24 hours after an accident, occupational injury or illness, or hazardous unusual occurrence is reported.

If the Board of Supervisors' approve the updated IIPP, staff will: 1) distribute this Policy to all County employees, along with a form that will require their signature to indicate that they have received and understand the Policy (attached), and 2) post the

Policy on the Human Resources/Risk Management portion of the County's website.

BACKGROUND AND HISTORY OF BOARD ACTIONS:

In 1991 and February, 2005, the Board approved Resolution numbers 91-181 and 05-44 which, respectively, created a County Ad Hoc Safety Committee, and then established an IIPP for the County.

ALTERNATIVES AND CONSEQUENCES OF NEGATIVE ACTION:

As the current IIPP is inconsistent with existing legal requirements and best practices, continued dependence on the existing IIPP, without making the appropriate corrections, will cause the County to be legally out-of-compliance.

FINANCIAL IMPACT:

None-the cost of Mr. Clemmer's time is included in the cost that the County pays as part of its administrative fee to CSAC-EIA.

ATTACHMENTS:

Draft IIPP (DOCX)

Acknowledgment of Mariposa_Injury, Illness and Prevention Program(DOC)

CAO RECOMMENDATION

Requested Action Recommended

Mary Hodson

Mary Hodson, CAO

7/1/2015

RESULT: ADOPTED BY CONSENT VOTE [UNANIMOUS]

MOVER: Kevin Cann, District IV Supervisor

SECONDER: Marshall Long, District III Supervisor

AYES: Smallcombe, Jones, Long, Cann, Carrier

MARIPOSA COUNTY INJURY, ILLNESS & PREVENTION PROGRAM

PURPOSE

Every employer in the State of California is required to establish, implement and maintain an effective Injury, Illness & Prevention Program ("IIPP"). California Code of Regulations specifies what employers must do to comply with the IIPP. This document provides an overview on how each of the requirements set forth in the Cal/OSHA IIPP Regulation is met by Mariposa County.

POLICY

It is the Policy of the Board of Supervisors of Mariposa County to establish guidelines and procedures for the maintenance of an on-going IIPP, in compliance with the California Code of Regulations. This is accomplished through safety and health inspections, employee training, accident investigation and Department Safety Representatives. Response to safety concerns will be given the highest priority at every level of the County.

Mariposa County expects each of its employees to participate in creating a safe work environment by observing Mariposa County's safe work practices, policies and procedures at all times. Mariposa County employees must not engage in any work practice that is not safe or is contrary to law, County policy or procedure, or accepted safe work practice. Employees must report any unsafe condition to their supervisor immediately.

OBJECTIVE

To provide guidelines and procedures for the establishment and maintenance of an on-going IIPP throughout County Operations. Mariposa County is committed to the safety, health and environmental compliance of all employees, and recognizes the need to comply with regulations governing injury and occupational illnesses prevention and employee safety and health.

SCOPE

All full-time, permanent part-time, extra-help and emergency hire employees.

STATUTORY REQUIREMENTS

To protect the health and safety of Mariposa County's employees, and to comply with the provisions of California Senate Bill 198 (SB-198) and California OSHA regulations, including California Code of Regulations, Title 8, Subchapter 4, Section 1509, Construction Safety Orders (CSO) and California Code of Regulations, Title 8, Subchapter 4, Section 3203 General Industry Safety Orders (GISO).

The IIPP must be written and contain the following provisions:

Program Implementation - Title 8, CCR § 3203(a) (1)

Employers must designate and specify the person(s) responsible for implementing their IIPP;

Employee Compliance - Title 8, CCR § 3203(a) (2)

Employers must establish a system for ensuring that employees comply with safe and healthy work practices, and "such a system may include (provisions for) disciplinary action";

Health and Safety Communications - Title 8, CCR § 3203(a) (3)

Employers must establish a system for communicating health and safety information to employees and encouraging employees to inform the employer of perceived hazards "without fear of reprisal";

Hazard Identification and Evaluation - Title 8, CCR § 3203(a) (4)

Employers must establish a system for identifying and evaluating workplace hazards and that identification system must include scheduled periodic inspections "to identify unsafe conditions and work practices";

Occupational Injury/Illness Investigation - Title 8, CCR § 3203(a) (5)

Employers must establish a procedure to investigate occupational injuries and/or illnesses;

Hazard Correction - Title 8, CCR § 3203(a) (6)

Employers must adopt methods and procedures for correcting unsafe or unhealthy conditions and work practices, and must ensure that such conditions and work practices are corrected "in a timely manner based on the severity of the hazard";

Health and Safety Training - Title 8, CCR § 3203(a) (7)

Employers must institute an occupational health and safety program "designed to instruct employees in general safe and healthy work practices and to provide specific instructions with respect to hazards specific to each employee's job assignment". The employer must train all employees when the program is established, and thereafter train:

- All new employees;
- All existing employees when "new substances, procedures or equipment is introduced into the workplace and represents a new hazard"; and
- All existing employees whenever the employer learns of a new, previously unrecognized hazard.

Recordkeeping - Title 8, CCR § 3203(b). Section 3203

Requires that records be maintained of all scheduled and periodic inspections conducted to identify unsafe conditions and work practices, as well as, records of employee safety and health training.

Program Implementation - GISO Title 8, CCR § 3203(a) (1)

The authority and responsibility for implementing the IIPP under the direction of the Human Resources Director/Risk Manager or designee and County Administrative Officer is:

- Department Heads
- Department Safety Representatives
- Supervisors
- Employees

HUMAN RESOURCES DIRECTOR/RISK MANAGER OR DESIGNEE

1. Direction of the overall County Safety Program, under the supervision of the County Administrative Officer.
2. Act as safety advisor for the County by advising all Department Heads and Department Safety Representatives of changes in regulations, policies and department responsibilities.
3. Prepare County safety memorandums and distribute to affected Department Safety Representatives for their information, implementation, and/or to be posted on Safety Bulletin Boards or equivalent.
4. Prepare periodic reports and studies on the effectiveness of the County Safety and Accident Prevention Program.
5. Develop safety and accident prevention programs with the assistance of the Department Safety Representative to meet the specific needs for each department as required by the California Code of Regulations (CCR), Title 8.
6. Assist departments in identifying safety and accident prevention training needs and ensure those safety training needs are met.
7. Coordinate County safety matters with necessary enforcement agencies, civic groups, and private organizations, as may be necessary as approved by the County Administrative Officer.
8. Develop and distribute accident/injury statistics for County operations and specific data to each department.
9. Work closely with the Safety Committee and Department Safety Representatives to ensure consistency within the County.
10. Meet regularly with Department Safety Representatives regarding safety issues.
11. Refer departmental accident/injury reports to County Safety Committee for review.
12. Conduct workplace safety inspections under the supervision of the CSAC-EIA on a regular basis to ensure compliance with the provisions of the County Safety Program.

13. Respond to employee complaints regarding workplace safety while maintaining total confidentiality regarding the source of any complaints whenever so requested to ensure that employees have an avenue for lodging complaints "without fear of reprisal".

DEPARTMENT RESPONSIBILITIES

Each department is responsible for implementing an effective safety program, with all levels of management contributing to ensure that employees are aware of the safe operation/condition of their job assignment and work area. Departments are responsible for maintaining a minimal-risk work environment in the areas under their control. The degree of effort and focus needed will vary depending on the nature of the work performed. While Department Heads and managers may assign responsibility and delegate authority to others, they are accountable to higher management for those preventable oversights and errors within their areas that result in injury, illness, or property damage affecting employees, the general public or County/private property.

Each Department Head shall be responsible for implementation of this Policy by:

1. The appointment of a permanent Department Safety Representative and an alternate for that department.
2. Ensuring that workplace hazards are identified and evaluated, including investigating the cause of accidents, illness and exposures.
3. Ensuring that workplace hazards are corrected once identified.
4. Instituting an occupational training program covering hazards basic to all types of employment and those unique to each worker's job assignment.
5. Enabling employees to freely communicate safety and health related information through supervisors, Department Safety Representatives and safety meetings.
6. Holding employees accountable for adhering to established safe and healthful work practices and training requirements.
7. Maintaining a recordkeeping system for documenting implementation, operation and a periodic review of the plan.
8. Reporting results of inspection and corrective action to the Human Resources Director/Risk Manager or designee.
9. Reporting hazardous substances and equipment to the Human Resources Director/Risk Manager or designee.

DEPARTMENT SAFETY REPRESENTATIVE RESPONSIBILITIES

Under the direction of the Department Head and Human Resources Director/Risk Manager or designee to:

1. Manage, administer and coordinate department safety activities.
2. Serve as a source of information on safety policies and procedures and industrial injury/illness record keeping and reporting.
3. Review accident response to determine types of injuries/illnesses and their causes and maintain department copy of accident report and submit copy to the Human Resources Director/Risk Manager or designee.
4. Act as safety program advisor to the Department Head. Prepare periodic and special response regarding department injuries and illnesses; identify trends or changes that call for attention and recommend corrective action where appropriate.
5. Recommend means to eliminate or control hazardous physical conditions as well as dangerous work operations, recommending remedial action.
6. Recommend safety training efforts within the department and assist in the development, coordination, documentation and training as necessary.
7. Forward Cal/OSHA citations received by the department to the Human Resources Director/Risk Manager or designee and interface with the Human Resources Director/Risk Manager or designee to verify corrective action.
8. Act as department liaison with the Human Resources Director/Risk Manager or designee, disseminating information relating to safety and health matters; collecting, reviewing, and transmitting information from their department to the Human Resources Director/Risk Manager or designee.
9. Assist department management and supervisors in the promotion of safety awareness and education programs.
10. Recommend department safety policies, procedures, rules, and standards to ensure safe working conditions and safe work practices.
11. For those departments that have more than one location it may be necessary to appoint Assistant Department Safety Representatives. In this event, the Assistant Department Safety Representative shall assume the Department Safety Representative responsibilities for their location as well as conferring with the Department Safety Representative and the Human Resources Director/Risk Manager or designee as necessary.
12. Post OSHA 300A log summary sheet on Safety Bulletin Board from February 1 to April 30 annually.
13. Conducts work site safety inspections and makes recommendations for correction of hazards when found.

14. Maintain a Safety and Health Bulletin Board with current information, such as bulletins, posters, minutes of safety meetings and any other pertinent information regarding Safety and Health. This information shall be disseminated to satellite locations.

15. Shall set an example for other employees to follow.

SUPERVISOR RESPONSIBILITIES

Under the direction of their department and in coordination with the Department Safety Representative:

1. Shall train employees in job safety and health practices as determined necessary by worksite and job hazard analyses and maintain related training documentation.
2. Shall investigate promptly and thoroughly every accident, to determine cause and to prevent recurrence.
3. Shall document all injuries/illnesses and send reports to the Department Safety Representative.
4. Shall require all employees to comply with the Occupational Safety and Health Standards and all other rules or regulations.
5. Shall conduct workplace safety inspections in accordance with County and Cal/OSHA rules, regulations and standards, and implement corrective action as necessary.
6. Shall set an example for other employees to follow and shall encourage the proper attitudes toward safe job performance in their subordinates.

EMPLOYEE RESPONSIBILITIES

County employees are responsible for ensuring their own safety and the safety of others on the work site by:

1. Learning and following the standards and procedures that applies to each job assignment.
2. Discontinuing any specific activity that the employee believes or knows has an undue risk or injury, illness or damage to property, and promptly seeking guidance from his/her supervisor regarding the operation.
3. Wearing or using the prescribed personnel protective equipment (PPE) needed for a particular job.
4. Bringing to the supervisor's attention any activity, behavior or unsafe condition that could cause injury or illness to others or damage to property.
5. Promptly reporting any occupational injury, illness, or property damage to their supervisor.

6. Report any emergencies; assist, when safe and appropriate to do so, until emergency response personnel arrive.
7. Set an example for other employees to follow.

Employee Compliance - GISO Title 8, CCR § 3203 (a) (2)

Employees have been notified of their responsibilities regarding safe work practices by the following methods:

1. As part of their County and department new hire orientation;
2. Training;
3. Written guidelines for safety;
4. Bulletin boards or equivalent;

Employees understand they are accountable to exercise safe work practices. These practices will be enforced by:

1. Recognition/incentives for compliance; employees may be recognized on their Performance Evaluation forms for their safe work practices.
2. Corrective action for non-compliance, which may include comments on unsatisfactory safety practices being placed on an employee Performance Evaluation form and/or other appropriate disciplinary action as deemed by the seriousness of the infraction. Any action taken would be in compliance with the procedures outlined in the respective negotiated MOU.
3. In instances where a County employee's conduct is such that it endangers his/her life or creates a condition where there is a risk of serious physical harm to themselves or others or the conduct endangers the life of other persons, the employee may be subject to immediate disciplinary action pursuant to the MCMCO, SEIU, DSA and SMA MOU's, respectively.

Health and Safety Communications - GISO Title 8, CCR § 3203 (a) (3)

The following methods will be used to effectively communicate with County employees regarding health and safety issues:

Safety and Health Committee:

The County agrees to establish a Safety Committee. The Committee is comprised of up to 15 employees, including representatives from rank and file, management and employee bargaining units, and alternates. The duties of the Committee, as set forth by Cal/OSHA, shall include but not be limited to:

1. Meet regularly, but not less than quarterly.

2. Prepare and make available to the affected employees, written agendas and minutes of the committee meetings. These records must be maintained for at least one year.
3. Review results of periodic worksite safety inspections.
4. Review investigations of occupational accidents and causes of incidents resulting in occupational injury, occupational illness, or exposure to hazardous substances and, where appropriate, submit suggestions to the County Administrative Officer for correction and prevention of future incidents.
5. Review investigations of alleged hazardous conditions brought to the attention of any committee member. The committee may conduct its own inspection and investigation to assist remedial solutions.
6. Submit recommendations to assist in the evaluation of employee safety suggestions.
7. Upon request from Cal/OSHA, verify abatement action taken by employer to abate citations issued by Cal/OSHA.
8. Provide safety resource information and training.

COMMUNICATION/TRAINING

1. Regular employee safety training in accordance with this document shall be considered one way in which the employer communicates with the employees.
2. Safety and Health bulletin boards or equivalent should be established in each department. When a department has various work areas, each area should maintain a safety and health bulletin board or equivalent. This board should contain the Cal/OSHA poster along with the Worker's Compensation poster, Cal/OSHA Form 300A (only from February 1 to April 30), safety bulletins, procedures for filing safety and health complaints and any other information to communicate with employees concerning safety and health.
3. The Human Resources Director/Risk Manager or designee shall maintain an open door policy. Employees may contact the Human Resources Director/Risk Manager or designee personally or anonymously, if they so desire, either in person, by telephone, or in writing regarding any safety concerns. The Human Resources Director/Risk Manager or designee will respond to all inquiries in a timely manner. The employees are to be made aware that it is the Board of Supervisors policy that they are encouraged to report unsafe conditions "without fear of reprisal".

Hazard Identification and Evaluation - GISO Title 8, CCR § 3203 (a) (4)

A hazard is something in the workplace that has the potential to cause injury to an employee or member of the public, or cause property damage. Hazards must be reported to the appropriate Department Head using an appropriate reporting form on the same day the hazard is identified or soon as practical. The Department Head or his/her designee will in-turn provide the form to the Human Resources Director/Risk Manager or designee immediately. .

Workplace inspections will be performed:

1. Whenever new substances, processes, procedures, or equipment are introduced to the workplace which represent a new occupational safety and health hazard.
2. Whenever the employer is made aware of a new or previously unrecognized hazard.
3. Otherwise, inspections will be conducted by the Department Head or designee at least annually.

Occupational Injury/Illness Investigation-GISO Title 8, CCR § 3203 (a) (5)

Investigations shall be conducted within 24 hours after an accident, occupational injury or illness, or hazardous unusual occurrence is reported.

The investigation shall be documented in writing.

Any serious injury will be reviewed by the Human Resources Director/Risk Manager or designee. For this provision, serious injury shall be defined as: loss of life, limb, eyesight, finger or toe, brain trauma, spinal fracture, or any other injury the County Administrative Officer or the Human Resources Director/Risk Manager or designee deem to be serious under this provision. Required reporting to Cal/OSHA pursuant to Title 8 CCR 342 will also occur.

Hazard Correction — GISO Title 8, CCR § 3203 (a) (6)

Certain methods and procedures will be used to correct unsafe or unhealthy conditions, work practices and work procedures. The following categories will be utilized:

Less severe hazards shall be corrected in a timely manner by the responsible Department Head. The more hazardous exposures shall be given priority.

When a serious or imminent hazard is found, the employees must be protected against the hazard until it is corrected. This could include shutting down the job until the hazard has been corrected, removing tools or equipment from service, or relocating employees to an alternate safe worksite.

When an unsafe or unhealthy condition is identified, the Department Head or designee will take appropriate corrective action.

Health and Safety Training - GISO Title 8, CCR § 3203 (a) (7)

Each department shall develop a training program to ensure that their employees receive adequate safety and health training for their specific job site and tasks. This program shall include:

1. Instruction to employees in general safe and healthful work practices and specific instructions with respect to hazards unique to the employee's job assignment.

2. New employees shall be provided initial safety training within 60 days after hire.
3. Employees will be provided safety training when assigned a new task or job for which training has not been received; when new substances, procedures or equipment are introduced into the workplace and represent a new hazard; and when the department learns of a new, previously unrecognized hazard.
4. Supervisors will be trained on hazards and safe practices in their area of responsibility.

All training will be documented and maintained in writing. Departments are to retain the training documents for at least three years.

Extra help, emergency hire and permanent part-time employees are required to have the same training as the full-time employees performing the same job. The supervisor is also responsible to alert temporary employees of any hazards unique to their assignments. Documentation is required for these employees.

Recordkeeping – GISO, Title 8, CCR § 3203 (b)

Section 3203 requires that records be maintained of all scheduled and periodic inspections conducted to identify unsafe conditions and work practices (as required by § 3203(a) (4)). The records must identify:

1. The person(s) who conducted the inspection.
2. Any unsafe conditions and work practices which were identified during the inspection.
3. Any corrective measures taken to control the identified unsafe conditions and work practices.

These inspection records must be maintained for at least one year.

Records of employee safety and health training must also be documented for each employee. The records must include:

1. The name of the employee or some other type of identifier.
2. Training dates.
3. Type of training.
4. The identity of the instructor(s).

The training records must be maintained for at least three years.

**Acknowledgment Receipt
Of a Copy of the
Mariposa County Policy Regarding
Injury, Illness and Prevention Program**

This certifies that I have received a copy of the *Mariposa County Injury, Illness and Prevention Program*.

I understand and agree that it is my responsibility to read and familiarize myself with the County's Policy and agree to abide by its terms as a condition of employment with the County, or as a condition of my continued representation of the County.

Signed: _____ Date: _____

Printed
Name: _____

Department: _____