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Re: Cal/OSHA – New Regulations
Assembly Bill 2774

To Our Valued Clients:

Assembly Bill 2774 became law in California on January 1, 2011. It is one of the most important pieces of occupational safety and health legislation since Cal/OSHA came into existence.

What does AB 2774 do? It makes significant revisions to the legal standard in the California Labor Code Section 6432 defining a serious violation. It reduces the burden of proof required to establish that the hazard of the violation created “a substantial probability” to “a realistic possibility” of a death or serious physical harm. It further expands the definition of a serious injury.

What will be the impact of AB 2774 for employers? An increased likelihood of receiving a serious citation when an employer’s Injury & Illness Prevention Plan (IIPP) is found to be inadequate. It will also be more likely that a serious citation and major fines associated with the citation will be upheld without reductions. There will be an increased focus by Cal/OSHA on the adequacy and implementation of an IIPP.

To avoid citations and fines, we are advising our clients to make sure they are in compliance with all of the Cal/OSHA regulations. This includes, but is not limited to, maintaining an updated IIPP. All of the Cal/OSHA regulations can be found at www.dir.ca.gov. Click on Cal/OSHA for a listing of helpful information. If you would like a sample IIPP, please contact our office.

Additionally, Cal/OSHA consultants are available to you free of charge! They will provide assistance on compliance through on site visits. They also have numerous training materials and technical information available.

Please note Cal/OSHA consultants are a NON-regulatory entity. They are not an enforcement agency. Therefore, they do not report any of their findings to the regulatory and enforcement departments. They are simply there to provide assistance to employers. They can be contacted at 1-800-963-9424.

Should you have any further questions, please contact our office at (800) 910-6535.