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### **Injury and Illness Prevention Program (CCR 3203)**

**The purpose of your Injury and Illness Prevention Program is to address your company's safety and health policies and procedures, in light of hazards that exist in your operation. It is your company's own personal safety program document.**

**A Bit of History:** In 1991, the California State Senate passed a Senate Bill designed to more accurately outline the scope of OSHA's Employer's Safety Program requirement. That bill was SB198, otherwise known as the Injury and Illness Prevention Plan.

What made this law unique; what that it introduced management organization and structural principles into employer Safety Programs. Until then, basic Safety Programs had revolved around 2 fundamental principles:

- A requirement for safety training and
- the necessity of safety inspections.

After this law was passed; it upgraded the requirements in the existing CCR 3203 law, to reflect a more specific 7 point requirement and addressed the need for more complete recordkeeping. In doing so, it outlined the parameters of what a safety program actually needed to include, to be considered functional and complete.

**Who's Included:** Each employer is required, by CCR 3203 (California Code of Regulations), to establish an Injury and Illness Prevention Program, in writing. Thereafter, it must be implemented and maintained. Please note that several of the provisions discussed below, make exceptions for those employers with 10 employees or less and other categories of employer. Even though all employers are responsible to comply with this regulation, those fall under the exception may not need to maintain the level of documentation as defined here.

**But consider this:** Complying with these requirements is one thing. *Proving that you do*, is quite another. Therefore, we recommend that all employers at least maintain documentation of their safety and health activities as described; except if specific OSHA requirements specify that your operations should exceed them. **In any case, keep records for at least one year unless otherwise stated in Cal/OSHA regulations.**

**What's Included:** There are 3 basic sections to CCR 3203: Injury and Illness Prevention Programs.

#### **What's Required**

- ✓ **Section (a):** The basic 7 points describing those points each employer needs to address in the document, are in Part 1.
  1. **Identify The Person(s) Responsible For Safety Program Implementation:** Since we are all responsible for safety in our respective organizations, this list should begin with the President of your organization and end with "Line Employees". Between those two positions, include your chain of command structure and their titles.
  2. **Ensure That Employees Comply With Safe And Healthy Work Practices:** Here you are given a list of actions that OSHA recognizes, which will assist in this effort. See the attached form. You need to inform your employees via posters, written documentation or other appropriate methods; to ensure that they are complying with safe and healthy ways of performing their job.
  3. **Communicate With Affected Employees On Safety And Health Matters And Encourage Them To Inform You Of Hazards At Your Company, Without Fear Of Reprisal:** Your employees need to have a secure way of communicating, when the conditions, work practices

or work procedures; are creating a hazard. Look at it this way: offering your employees the ability to communicate safety and health concerns to you, in a secure way, means that you have many sets of eyes and ears working for you. You don't have to figure your safety and health program out, all on your own.

And, even though the news that you have to address a hazard may not be welcome at the time, the potential cost savings for handling that condition *before* an accident, on your own priority schedule and incorporated into your operating budget; is a cost saver. Preventative action is, for the most part, less stressful and far less costly, than having to make a correction or dealing with an emergency.

Also, keep in mind that the difference between communication and training; is that communication allows for a free and open exchange between your employees and line staff. The list of actions under this provision, here reflect that principle.

Finally, note that your communication methods are required to be in a form that is readily understandable by all affected employees. If there is a language issue in your company, you as the employer, are responsible to overcome that so that employees received adequate training and are able to participate in the company's safety program.

4. **Develop Procedures Of Identifying And Evaluating Workplace Hazards:** Here is your inspection requirement. Remember that what you are inspecting, must be under consistent review. Though certain dangers remain the same from job to job, specific hazards may change as jobs change. You are responsible to develop procedures to account for new hazards and address them.
5. **Describe Your Company's Procedures To Investigate Occupational Injuries And Illnesses:** The focus here is to make sure that your procedures are complete enough to prevent recurrence. That goes beyond the simple work of reporting your accidents to your insurance company – you need to investigate them. This is not only an OSHA emphasis. It cuts costs.
6. **Correct Unsafe Or Unhealthy Conditions, Work Practices And Work Procedures In A Timely Manner. Prioritize Recommendations Based On Hazard Severity:** This requirement is tied to #4, above. It's not enough to identify and evaluate hazards – you need to take action to correct them. Additionally, OSHA recognizes that certain conditions, work practices and procedures; create greater dangers, by their very nature, than others. OSHA expects each organization to develop procedures so that your employees can prioritize those greater hazards, so that they can be addressed in a more timely fashion.
7. **Provide Safety Training And Instruction:** Here's your training requirement. It needs to be specific, it needs to address your general hazards and those specific hazards that you expect will arise in your operation. It also requires that you specify those kinds of supervisory safety training you will provide, as well as line employee training.

**Under each point, Cal/OSHA has included a set of items that comprise substantial compliance. You will find this information on the attached form.**

#### **Pulling it All Together**

**Section (b):** Addresses how inspections and training are to be documented. This section targets the two main areas of OSHA's concerns, prior to the 1991 upgrade of CCR 3203: The requirement for documented safety inspections and safety training.

**So, in addition to the requirements stated in Section (a) above, your company must maintain documentation of its safety activities. Document the following and keep records for at least one year.**

**Here is how it all ties in together:**

- ✓ **Inspections: The requirement is to have scheduled, periodic inspections to identify unsafe conditions and work practices. You are required to:**

- identify the person conducting the inspection.
- identify and evaluate your workplace hazards from unsafe conditions and work practices (Point #4 above).
- take action to correct your hazards.

However, in order to get the requirements of this section completed effectively; however, you're going to have to develop other procedures as well:

- Creating a format for recording your inspections of said hazards. to maintain a record of your efforts
- Developing a system for correcting your unsafe and unhealthy conditions, work practices and work procedures. And you need to do this in such a way, that it reflects an identified order (or priority) for doing so; that your supervisors and line employees recognize. (Point #6, above).
- And, if you've had an accident, you need to investigate it. The outcome of your effort is to reach a practical, viable and workable recommendation(s); on the best way to prevent recurrence. (Point #5, above). To follow up effectively, might require that you inspect to make sure that the recommendation(s) has been implemented.

✓ **Training:** You are required to include the following information *for each training session*(Point #7):

- Type of Training (training topic),
- Trainer's Name,
- Employee's Name (with Signature) and
- Training Date(s).

Your training should emphasize such issues as:

- Your training should include general rules, but also need to address specific ones; to deal with the more specific hazards in your operation, so that you can communicate them to your employees and ensure compliance (Point #2 and #3, above).
- When it comes to training, you need to provide appropriate training, performed by trainers with knowledge and/or experience, of the topic. (Point #7, Above)
- Depending on the regulation, the definition of an appropriate trainer may be more specifically spelled out in some regulations than with others. (Point #7, Above)
- Supervisory Training: Your managers, supervisors and leads; might need to have additional training. After all, they are in a leadership position. They need to know about every aspect of the operation under their control. After all, it won't do, to have them directing operations and making decisions that are fundamentally dangerous to the employees they are leading. (Point #7, Above)

Your documentation should also include procedures to ensure that your employees comply with safe and healthy work practices (Point #2) and the methods you use to communicate with affected employees on safety and health matters (Point #3).

Once again, inspection and training efforts need to be documented. And those documents must be kept for at least one year. However, if the training requirement on any specific topic allows you to extend re-training to a time period over one year (per OSHA regulations); you should maintain those older records as well. Finally, if specialized OSHA training or medical pre-qualifiers are required for certain operations; you should be keeping those records for the length of time identified by the specific OSHA standard which covers them.

### **Labor Management Committees**

**Section (c):** Focuses on complying with the **Communication Requirement**, *when employer's elect to use Management/Labor Committees to fulfill it* (Section (a), Point #4). **Here are the specifics:**

**OSHA has placed a procedural requirement for instances when Labor/Management Committees are used to comply with the Communication Requirement. Here are the specifics:**

1. **Your committee must meet at least quarterly (every 3 months);** but as always, more often if necessary to adequately address your safety and health needs.
2. **Prepare written records of the safety and health issues discussed at the committee meetings and make them available to affected employees.** This generates communication between the safety committee and employees. Records must be kept for at least one year.
3. **Review results of the periodic, scheduled worksite inspections:** Here is the inspection requirement.
4. **Review occupational accidents and their causes, occupational illnesses or exposure to hazardous substances; and submits suggestions to prevent recurrence.** Here is the requirement to develop a plan of action to prevent accident recurrence.
5. **Address investigations of alleged hazardous conditions brought to the attention of any committee member.** This requires the committee to inspect, investigate, and follow through on complaints that it receives. It makes the committee's efforts more interactive with employees.
6. **Submit recommendations to assist in the evaluation of employee suggestions.**
7. **And finally, your committee must verify abatement action taken to address outstanding OSHA citations.** This addresses instances where an OSHA inspection has taken place.

As you can see, these requirements mirror those stated in Sections 1 & 2.

#### **Getting Started on the CCR 3203 Requirement**

Keep in mind that CCR 3203 addresses the Safety Management portion of your program. It's purpose is to direct your efforts to the kinds of documentation you should have included in it. In and of itself, it by no means, is intended to completely cover all the safety and health hazards created by your company's operation. Think of it this way.....

Just as with any operation, you have your management procedures which cover how you run your business and then you have additional procedures covering how you actually produce the goods you create or service you offer.

CCR 3203 is the document that addresses your procedures for effective safety and health management. Keep in mind that the next step in this requirement, is to actually address your operation's specific hazards; and provide appropriate inspection and training; in addition to completing CCR 3203. With this combined effort, you're in a better position to target those safety and health challenges which may arise out of or in the course of doing your business; that could lead to unsafe or unhealthy conditions, work practices and work procedures.

#### **Where to Find Assistance**

To assist you in getting started, we've attached a working outline. We've also posted an extended version of this newsletter on the S.C.B.A., Inc. website, to explain this requirement more fully. These guides are intended to help you organize your thoughts and to personalize your own Injury and Illness Prevention Program, to your operations. The form allows you to check off those points that you currently participate in; to substantially comply with CCR 3203, while providing a framework for future improvement to your Safety Program.

**But remember - the attached form is *only* an outline of your program: Each box you check, needs to have accompanying documentation describing the specifics of your program; to be considered complete.**

#### **Where you can find additional help in complying with this regulation:**

- E-Mail the S.C.B.A. with your questions. Please indicate if you would be willing to have us publish your question in the Punch List, to assist others.
- Consult the Law at the California Code of Regulations CCR 3203.
- Contact you Worker's Compensation Insurance Carrier directly (or have your broker do so); and ask for the Loss Control Department. They should be able to provide you with more in-depth assistance to expand your Injury and Illness Prevention Program.