

Data on Cal/OSHA Inspections

LEGISLATIVE ANALYST'S OFFICE

Presented To:
Senate Budget and Fiscal Review
Subcommittee No. 3
Hon. Denise Moreno Ducheny, Chair





Background

- ☑ On April 27, 2006, the subcommittee heard from representatives of the Department of Industrial Relations (DIR) and the California Association of Professional Scientists (CAPS) on the number of Cal/OSHA inspectors and CAPS' proposal to increase the number of inspectors by 100.

- ☑ The DIR administers Cal/OSHA, which is supported in part with grants from the federal Occupational Safety and Health Administration (OSHA).
 - California is one of 21 states with authorized plans deemed by federal regulators to be "at least as effective" as federal OSHA in enforcing occupational health and safety standards in public and private sector workplaces. (These are known as "state plans.")

- ☑ The subcommittee asked the Legislative Analyst's Office (LAO) to reconcile differences in testimony concerning the number of existing inspectors and the state's inspection of workplaces.



How Many Inspectors Are There?

- CAPS' Position:
 - Number of compliance safety and health officers "conducting inspections in the field," as of April 2006: 182.
 - Vacant positions: 25.

- DIR's Position:
 - Authorized field enforcement positions, as of February 2006: 235
 - Filled positions: 210.
 - Vacant positions: 25.

- Reconciling the Positions:
 - Difference of 28 positions.
 - DIR includes the following that do not appear to be in CAPS' numbers: 12 principal, senior, and headquarters personnel; 6 senior special investigators (involved in criminal prosecutions); 1 nurse consultant; and 6 positions in the process of being filled (offers made and accepted).
 - Unable to reconcile the remaining three positions.

- LAO Comments:
 - DIR's data is used in the state's federal grant application.
 - Federal data sources tend to concur with DIR's data and compare states based on authorized positions.
 - The AFL-CIO's 2006 annual report on workplace safety agrees with DIR's data on the number of authorized inspectors.
 - Most vacancies are in authorized industrial hygienist classes, which have lower salaries than Cal/OSHA safety engineers.



Does California Have Fewer Inspectors Than Other States?

- CAPS' Position:
 - According to CAPS, California's occupational safety and health inspector-to-worker ratios are below those of Oregon, Washington, other states, Canadian provinces, and federal OSHA.

- LAO Findings (using federal inspector data and 2006 workforce data).
 - California has 74,013 workers per Cal/OSHA inspector, which is a lower concentration of inspectors than the national average (66,354).

Figure 1 Workers Per Occupational Safety and Health Administration (OSHA) Inspector	
State	Workers Per Inspector
Oregon	22,239
Washington	26,904
Nevada	33,706
Average of "State Plan" OSHA states	50,166
Average of all states	66,354
California	74,013
Average of federal OSHA states	74,896
Arizona	97,021

- To reach the national average by this measure, California would need to add 25-30 additional staff (inspectors and support). This would cost approximately \$3 million (General Fund) annually.



Are Job Sites Inspected as Often in California as in Other States?

- According to federal and AFL-CIO data, Cal/OSHA inspections cover a smaller percentage of job sites each year than the national average.
- As a result, the AFL-CIO identifies California as ranking sixth highest in “years needed for OSHA to inspect all job sites.”

Figure 2 Years Needed for OSHA to Inspect All Job Sites	
State	Years Needed for OSHA to Inspect All Job Sites
Oregon	23
Nevada	24
Washington	28
Arizona	83
National median	99
California	144
Iowa	149
Georgia	167
Louisiana	187
Delaware	204
Florida	210

- Given current levels of productivity, about 110 additional inspectors and support staff would be required for California to approach the national median by this measure.
 - This would cost approximately \$11 million (General Fund) annually.



How Does California Workplace Safety Compare to Other States?

- ☑ California had 4.9 occupational injuries and illnesses per 100 workers in 2004 (17th lowest among the states), according to federal and AFL-CIO data.
 - About the same as the national average of 4.8, despite having fewer authorized inspectors per worker than the nation.
 - Tied for seventh among the 21 state plan OSHA states, despite a significantly lower concentration of inspectors.
 - Of the six state plan OSHA states with lower injury/illness rates, two have lower concentrations of inspectors.
 - Arizona and New Mexico (the states with the fewest inspectors per worker).
 - Lower injury/illness rate than 18 of the 29 federal OSHA states.

- ☑ Injuries and illnesses are largely self reported. This results in undercounting, but this is a data problem that affects all states to some extent.

- ☑ California had the sixth lowest rate of workplace fatalities in 2004 (2.4 per 100,000 workers), according to federal data.
 - Well below national average of 4.1 per 100,000 workers.
 - Four of the states ranking higher are federal OSHA states.
 - One (Vermont) is a state plan state, with a greater concentration of authorized inspectors.