

**OCCUPATIONAL SAFETY  
AND HEALTH STANDARDS BOARD**

2520 Venture Oaks Way, Suite 350  
Sacramento, CA 95833  
(916) 274-5721  
[www.dir.ca.gov/oshsb](http://www.dir.ca.gov/oshsb)

**MISSION STATEMENT**

*The mission of the Occupational Safety and Health Standards Board is to promote, adopt, and maintain reasonable and enforceable standards that will ensure a safe and healthy workplace for California workers.*

**AGENDA****OCCUPATIONAL SAFETY AND HEALTH STANDARDS BOARD  
BOARD MEETING**

**PLEASE NOTE:** In accordance with section 11123 of the Government Code, Board members as well as members of the public may elect to participate via videoconference.

**AUGUST 15, 2024  
10:00 a.m.**

**In-person:**

County Administration Center – Room 310  
1600 Pacific Highway  
San Diego, CA 92101

**Videoconference:**

1. Go to [www.webex.com](http://www.webex.com)
2. Select “Join a Meeting”
3. Enter the meeting number: **1469 63 6425**
4. Join the meeting through the WebEx application **OR** web browser
5. Videoconference will be opened to the public at 9:50 a.m.

**Teleconference:**

1. Dial (844) 992-4726
2. Enter the meeting number **1469 63 6425** and follow the prompts
3. Teleconference will be opened to the public at 9:50 a.m.  
Note: Please mute your phone by pressing \*6 when not speaking.  
If you are to provide a comment, press \*6 to unmute.

**Live video stream and audio stream (English and Spanish):**

1. Go to <https://videobookcase.com/california/oshsb/>
2. Video stream and audio stream will launch as the meeting starts at 10:00 a.m.

**Public Comment Queue:**

If attending the Occupational Safety and Health Standards Board (Board) meeting in-person, you will be added to the public comment queue upon completing a comment card on the day of the meeting.

If attending the meeting remotely and wish to comment on agenda items, you may submit a request to be added to the public comment queue either in advance of or during the meeting through one of the following methods:

**ONLINE:** Provide your information through the online comment queue portal at <https://videobookcase.org/oshsb/public-comment-queue-form/>

**PHONE:** Call **(510) 868-2730** to access the automated comment queue voicemail and provide†: 1) your name as you would like it listed; 2) your affiliation or organization; and 3) the topic you would like to comment on.

† *Information requested is voluntary and not required to address the Board.*

I. **CALL TO ORDER AND INTRODUCTIONS**

A. Spanish translation instructions

II. **REMARKS FROM THE CHAIR**

III. **BUSINESS MEETING**

**Note:** The purpose of the Business Meeting is for the Board to conduct its monthly business. All matters on this agenda are subject to discussion and action as determine to be appropriate by the Board Chair.

For items A through C below, Public comment will be limited to two minutes per speaker or four minutes for speakers requiring concurrent English translation.

Any individual or group wishing to make a presentation during the Public Meeting is requested to contact Sarah Money, Executive Assistant, at (916) 274-5721 at least three weeks prior to the meeting to address any logistical concerns.

A. **PROPOSED EMERGENCY SAFETY ORDER FOR READOPTION (GOV. CODE SEC. 11346.1)**

1. **TITLE 8:** **GENERAL INDUSTRY SAFETY ORDERS**  
Chapter 4, subchapter 7, revised section 5204  
[Occupational Exposures to Respirable Crystalline Silica](#)

- Public comment on Occupational Exposures to Respirable Crystalline Silica Emergency Safety Order Readoption

- Board discussion and vote

**B. PROPOSED SAFETY ORDER FOR ADOPTION**

1. TITLE 8:     **CONSTRUCTION SAFETY ORDERS**  
Sections 1671.1, 1716.2, 1730 and 1731  
**Fall Protection in Residential Construction**

- Public comment on Fall Protection in Residential Construction
- Board discussion and vote

**C. PROPOSED PETITION DECISION FOR ADOPTION**

1. Ricardo Beas  
Safety Professional  
**Petition File No. 603**

Petitioner requests to rescind the COVID-19 Prevention Non-Emergency Regulations (Title 8 sections 3205 through 3205.3), based on new information provided by confirmed scientific studies and federal health authorities. The Petitioner contends that recent findings by the federal Center for Disease Control and other scientific authorities have reduced the recommendations for Covid-19 protection. Therefore, the current Title 8 standards for Covid-19 are no longer needed.

The Petitioner contends that the COVID-19 non-emergency regulations pose an inconvenient, time consuming, costly, and unnecessary burden on employers in the state of California and are no longer necessary. One concern is that the regulations refer to the recommendations of the California Department of Public Health which have continued to vary since the inception of this recent version of the regulations and have required employers to be aware of and take action on. The Petitioner further contends that all other states that have rescinded similar regulations pertaining to COVID-19 and requests that the Board do the same.

- Public comment on Petition 603
- Board discussion and vote

**D. PROPOSED VARIANCE DECISIONS FOR ADOPTION**

- **Consent Calendar**
- Vote on consent calendar

**E. REPORTS**

- Acting Executive Officer's Report
- Legislative Report
- Cal/OSHA Report

**F. PUBLIC COMMENT ON NON-AGENDA ITEMS OR TO PROPOSE NEW OR REVISED STANDARDS**

This portion of the meeting is open to any interested person proposing new or revised standards to the Board or commenting on occupational safety and health issues (Labor Code section 142.2). The Board is prohibited to act on items that are not on the noticed agenda but may refer items to staff for future consideration.

Public comment will be limited to two minutes per speaker or four minutes for speakers requiring concurrent English translation.

Any individual or group wishing to make a presentation during the Public Meeting is requested to contact Sarah Money, Executive Assistant, at (916) 274-5721 at least three weeks prior to the meeting to address any logistical concerns.

**G. COMMENTS BY BOARD MEMBERS**

Although any Board Member may identify a topic of interest, the Board may not substantially discuss or act on any matter raised during the meeting that is not included on this agenda, except to decide to place the matter on the agenda of a future meeting. (GC sections 11125 & 11125.7(a).).

**H. CLOSED SESSION**

- Public Comment on Closed Session Agenda Items

Pending Decisions

- Permanent Variance No. 20-V-096 (Tutor Perini/O&G JV)

Matters Pending Litigation

- Western States Petroleum Association (WSPA) v. California Occupational Safety and Health Standards Board (OSHSB), et al. United States District Court (Eastern District of California) Case No. 2:19-CV-01270
- WSPA v. OSHSB, et al., County of Sacramento, CA Superior Court Case No. 34-2019-00260210

Personnel**I. RETURN TO OPEN SESSION**

- Report from closed session

**J. ADJOURNMENT OF THE MEETING**

**Next Meeting:** September 19, 2024  
Rancho Cordova City Hall  
American River Room  
2729 Prospect Park Drive  
Rancho Cordova, CA 95670  
10:00 a.m.

**CLOSED SESSION**

- If necessary, consideration of personnel matters. (GC section 11126(a)(1)).
- If necessary, consideration of pending litigation pursuant to GC section 11126(e)(1).
- If necessary, to deliberate on a pending decision. (GC section 11126(c)(3)).

**PUBLIC COMMENT****Public Hearing**

During public hearings, members of the public may provide comments regarding standards that have been noticed to the public for a 45-day comment period. An individual wishing to comment must complete a speaker comment card. Efforts will be made to accommodate everyone who signs up to speak. However, given time constraints, there is no guarantee that all who have signed up will be able to address the Board.

Each individual who submits a comment card will get up to two minutes to speak. The Board Chair may extend the speaking time allotted when practical. The total time for public comment is 120 minutes unless extended by the Board Chair.

**Business Meeting Non-Agendized**

During the Public Meeting, members of the public can address the Board on items of interest that are either on the Business Meeting agenda or within the Board's jurisdiction but are not on the noticed agenda. The Board is not permitted to take action on items that are not on the noticed agenda but may refer items to staff for future consideration. The Board reserves the right to limit the time for speakers.

**DISABILITY ACCOMMODATION NOTICE**

Disability accommodation is available upon request. Any person with a disability requiring an accommodation, auxiliary aid or service, or a modification of policies or procedures to ensure effective communication and access to the public hearings/meetings of the Board should contact the Disability Accommodation Coordinator at (916) 274-5721 or the state-wide Disability Accommodation Coordinator at 1-866-326-1616 (toll free). The state-wide Coordinator can also be reached through the California Relay Service, by dialing 711 or 1 (800) 735-2929 (TTY) or 1 (800) 855-3000 (TTY-Spanish).

Accommodations can include modifications of policies or procedures or provision of auxiliary aids or services. Accommodations include, but are not limited to, an Assistive Listening System (ALS), a Computer-Aided Transcription System or Communication

Access Realtime Translation (CART), a sign-language interpreter, documents in Braille, large print or on computer disk, and audio cassette recording. Accommodation requests should be made as soon as possible. Requests for an ALS or CART should be made no later than five (5) days before the meeting.

**TRANSLATION**

Requests for translation services should be made no later than five (5) days before the meeting. Request may be made to by email to [oshsb@dir.ca.gov](mailto:oshsb@dir.ca.gov).