

**MINUTES FROM COMMISSION ON HEALTH AND SAFETY AND WORKERS'  
COMPENSATION (CHSWC) PUBLIC MEETING**

**Friday, February 28, 2025**

**Elihu Harris State Building,**

**Auditorium**

**1515 Clay Street,**

**Oakland, CA**

**(And Virtual)**

The Commission on Health and Safety and Workers' Compensation meeting was called to order at 10 a.m. by Chair Steiger. A quorum of members was present.

Members present: Jen Hamelin, Shelley Kessler, Kristi Montoya, Nicholas Roxborough, Mitch Steiger, Meagan Subers, Sidharth Voorakkara.

Members absent: Chris Pedroza.

(Note: Please note that the order of the agenda was changed at the meeting and these minutes reflect the order in which the subjects were actually discussed and the order that actions were taken.)

**I. Approval of the Minutes**

On motion by Commissioner Subers and seconded by Commissioner Roxborough, the minutes from December 13, 2024, and January 23, 2025 meetings were approved by unanimous consent of all members in attendance.

**III. Overview of the RFI/RFP Process**

*Presented by Ed Scholte, Chief Business Management Office and  
Laurie Oineza, Contracts and Procurement Branch Chief, DIR*

Slides: <https://www.dir.ca.gov/chswc/Meetings/2025/02-28-2025-Contract-Training.pdf>

Chair Steiger introduced the topic by saying that as part of their duty, the Commission awards significant public dollars to assist in studying various issues related to workers' compensation and health and safety systems. He said that in the past they have had issues with the studies not being conducted as envisioned by the Commissioners and at times they (on the Labor side) have felt that workers were not involved in the process enough as well as the Commissioners themselves not being involved in the process enough. The discussion on this topic is to make that process work better in the future.

Oineza presented an introduction to contracts. Cal eProcure ([www.Caleprocure.ca.gov](http://www.Caleprocure.ca.gov)) was identified and described as the State site where Requests for Proposals (RFPs) are posted. Contracts with a public entity do not require such postings, and the University of California and Cal State campuses were described as potential examples exempt from advertising an RFP.

### **Questions or Comments from Commissioners**

Commissioner Roxborough asked whether there was a program to help smaller businesses know that these opportunities are available. The answer given is that there is no program but that there is a Q&A period where questions about the contract details can be forwarded. A follow up question was about marketing of the RFPs. Cal eProcure has a subscribe function to be alerted to RFPs by various categories. In addition, the preparer/submitter of the RFP can submit a list of contractors or vendors that they want informed as a courtesy. Commissioner Roxborough commented that there was an issue for the Commissioners that in the past the same vendor kept getting the contracts. Further generalizations about CHSWC studies and vendors were made and the Branch Chief described the process as public and transparent, including the Cal eProcure website.

Commissioner Kessler commented on the Scope of Work and timeframes appropriate to the type of vendor who might be interested in bidding on an RFP. She indicated that there are some entities that do health and safety work but who have bureaucratic “hoops” or need enough time to apply. The Branch Chief said that there was no restriction on how long an RFP can be posted; there is only a minimum amount of time. She said that the only downside to that is that an undue delay may forego some interest by bidders who cannot wait a long time for an award determination.

The Branch Chief described the duration of the process as on average a six (6) month period from release to award.

As part of the description of the RFP, Scope of Work, Budget, Review, Scoring of Proposals and Awarding the Contract, Primary vs. Secondary RFPs were described. A Primary RFP is awarded to the lowest cost bidder; a Secondary RFP is awarded to the highest overall score based on specified criteria and is typical of research projects such as those that CHSWC conducts. The Branch Chief said the criteria are typically technical approach, staff qualifications, and past work samples. Commissioner Voorakkara requested the Branch Chief provide an example of the different criteria that typically make up the different areas that are scored in a secondary RFP.

A Request for Information (RFI) was described as a way to obtain input about market conditions or other details and feedback about the services requested; this information can then be used to help develop and finalize an RFP. Contract management was also described as part of monitoring the project and determining if any amendments might be needed, and there are limitations on what is subject to amendment. One key takeaway slide stated that only specific people are authorized to be part of the review and scoring panel for an RFP. Specific contracting rules must be followed.

### **Public Comments**

Janice O'Malley, Legislative Advocate for AFSCME, stated that when AFSCME passed Assembly Bill (AB)1400 in 2019, it required CHSWC to conduct a study of the risk of exposure to carcinogenic materials and incidence of cancer in mechanics who repair and clean firefighting vehicles. She said it is now four (4) years overdue. O'Malley asked that CHSWC prioritize bidders who have experience in health and safety, and have experience analyzing and evaluating employer safety standard operating procedures, and that current

and past union members are interviewed, job tasks and activities that lead to exposure are identified, and union participation in the development and implementation of the study is assured, among other requests.

Kevin Riley, Director of UCLA's Labor and Occupational Safety and Health program in Los Angeles. He spoke about the consideration of going to a public RFP or looking at public entities. He described two legislatively mandated Centers for Occupational and Environmental Health (COEH), one at UC-Berkeley and one at UCLA. He said that those Centers are established for the exact purpose of providing such research services that are being openly bid. He said the process of going to COEH is unclear to him; as an example, he said their programs are very aligned to take on the type of research mentioned above about cancer risk to firefighter mechanics. He said both campuses have faculty and researchers trained in these areas. He added that once the open bidding process is established, it is difficult or too late for universities such as the ones mentioned to apply. He explained that their Finance Departments are not established or set up to bid on such RFPs. He suggested that if the universities wanted to provide such research services, they would have to be engaged at a much earlier stage in the process.

#### **IV. Approval of Proposed 2025 CHSWC Meeting Dates and Locations**

*Presented by David Botelho, Acting Executive Officer*

Botelho proposed the 2025 CHSWC meeting dates and locations of April 16 in Sacramento, June 23 in Los Angeles (date updated since the live meeting), August 14 in Oakland, October 23 in Sacramento, and December 11 in Los Angeles.

**On motion by Commissioner Montoya and seconded by Commissioner Kessler, the Commission approved the 2025 CHSWC meeting dates and locations.** The votes were as follows:

AYES: Hamelin, Kessler, Montoya, Roxborough, Steiger, Subers, Voorakkara

NOES: None

ABSENT: Pedroza

#### **V. New Meeting Minutes Format Discussion**

*Presented by David Botelho, Acting Executive Officer*

Botelho explained that the December and January meeting minutes were prepared in an abbreviated format than previously provided. He explained the new version provides a summary of the decisions and the votes because previous minutes were overwhelming, lengthy, and difficult to follow. Botelho shared that the meetings' recorded videos are available upon request. The videos can be published on CHSWC's website and saved in CHSWC's files for as long as needed.

The Commissioners discussed their general interest in having a summary and not a transcript.

**On motion by Commissioner Subers and seconded by Commissioner Hamelin, the Commission approved a summary format for the meeting minutes.** The votes were as follows:

AYES: Hamelin, Montoya, Roxborough, Steiger, Subers, Voorakkara

NOES: Kessler

ABSENT: Pedroza

## **VI. Janitorial Time Motion Study**

*Presented by **Carisa Harris, Ph.D., CPE**, University of California San Francisco (UCSF), and Director Northern California Center of Occupational Environmental Health*

Slides: [CAjanitorWorkloadStudy\\_CHSWC\\_Overview\\_250228](#)

Dr. Harris gave an update on the Janitorial Time Motion Study which she said was a comprehensive overview of the workload, psychosocial stress and work climate that contribute to a high prevalence of negative health outcomes among California janitors. Harris discussed six objectives or “aims” of the study, as well as two of the three phases of the study, and the six primary findings. Harris emphasized that one of the adverse outcomes was severe musculoskeletal pain. She concluded her presentation by noting that each one of the following three factors: work pace/time allocation, work climate and workload needed to improve, especially when they overlap, for worker health to improve. Harris said janitors need additional support. Additionally, the State of Washington has a workload calculator, and Harris hopes to collaborate with them.

### **Questions or Comments by the Commissioners**

Commissioner Roxborough asked about union status, workload and pain. Commissioner Roxborough also asked detailed questions about the sample size used in this study, data reliability and whether this small sample size could be used for either policy decisions or to determine the problems California janitors faced. Harris replied that the sample size was small due to the many limitations of this study including financial limitations and access to janitors. Additionally, this study was not designed for policy decisions but to understand janitors’ problems and solutions to those problems. Commissioners Subers said recent CHSWC studies’ sample sizes have been small. Chair Steiger noted the sample size used in this study and said there was still value as it can guide policy decisions.

Chair Steiger said the system was failing these workers and they should not have this level of pain, and they need to take significant steps quickly to make their lives better.

Commissioner Kessler said that it was a thorough study, and it addressed wage theft, and retaliation as well as union status and proposed solutions for janitors’ mental and physical well-being. Both Commissioner Kessler and Chair Steiger asked whether workers in this

study had filed workers' compensation claims. Harris replied that the study did not ask about workers' compensation claims.

Commissioner Hamelin asked what types of industries and janitorial services were included; if Harris had access to medical records or were the janitors' subjective pain assessments subjective; and if they used any workers' compensation data to correlate and substantiate the janitors' pain assessment. Harris replied 70 percent of janitors worked in office buildings, and the other 30 percent worked in a variety of venues. There were significant differences in the risk assessments and the time motion study results based on venues. Harris said having access to janitors in a variety of venues and sectors would be helpful, but it will require a discussion. They spent a lot of time trying to get access for the time-motion study, but no one would give them access to office buildings and that included universities, state owned buildings and technology companies. For this study you needed to have permission from the owners of the buildings, the participants and the services, and getting all three permissions was extremely difficult. Harris said this study did not have medical examinations or access to medical records. Harris said they did not look at workers' compensation data because there is under-reporting in population like these. They did use a variety of other tools for assessments.

Commissioners Hamelin and Montoya asked about ergonomic programs. Commissioner Hamelin asked if certain OSHA standards were already in place that might be recommended in this study, but those standards were not implemented. Harris replied that the goal of the study was not to evaluate ergonomic programs, but an ergonomic standard was not apparent as it would have mitigated these risks. Commissioner Montoya also asked about an ergonomic model or standard. Harris replied that they were not aware of it.

Both Commissioner Voorakkara and Chair Steiger asked about Washington State and its janitor industry and its ergonomic standard. Harris replied that their labor and industry group do a lot of good work.

Commissioner Hamelin would like to have a follow-up study to this janitorial study to have an objective evaluation.

Commissioner Roxborough asked when the study started and when it will finish. Harris said it started in 2022, and the draft will be finalized soon.

### **Comments from the Public**

Dr. Monique Hosein, resident of El Cerrito, stated data should be discussed carefully and if there are significant adverse outcomes you may not even need a study. If there are multiple methods what can be extrapolated and if you are looking at qualitative and quantitative data how to take in data, how they think about data, what it means, and is it at a policy level.

Mark Chekal, Policy Advisor to DIR Director Katie Hagen, stated that Assembly Bill (AB) 2364, passed in September 2024 its sponsor was Service Employees International Union (SEIU); it is for another janitorial study and the University of California Los Angeles (UCLA) Labor Center has been given the contract for that study. UCLA was encouraged to work with UC Berkeley LOSH and UCSF. The study will be looking at production rates and contracts, various industries, ergonomic assessment, wage theft and ergonomic standards among other topics. Mr. Chekal will ask UCLA to give a presentation to CHSWC. There will also be an advisory board for this study. Commissioner Kessler said access outside of the workers' compensation system such as community-based

organizations that provide access for health care in their communities because they will find people may be going to religious institutions and community-based organizations to find access. This study should allow for getting outside of traditional or legal ways of seeking assistance. Mr. Chekal replied he was open to what UCLA should be reviewing in this study. The advisory board for this study will be formed in April, and suggestions can be given to UCLA about what to include. Mr. Chekal replied \$850,000 has been appropriated to UCLA for this study. Commissioner Roxborough said he would like UCLA to present.

David Swindle, Associate Director International Sanitary Supply Association (ISSA), said this study described the relationship between workload and pain, specifically production times and how much time was being allotted. However, there was no discussion about training and education to support frontline workers. In the future he would like the scope of the study to go beyond production time and include training. He has petitioned to be on the advisory panel of the UCLA study, and he liked Commissioner Hamlin's comments about a follow up study to look for specific ways to fix problems. ISSA would like to participate and be a resource. He liked CHSWC promoting workplace safety.

## **VII. Workers' Occupational Health and Safety and Education and Training Program (WOSHTEP) Update**

*Presented by* Monique Hosein, Ph.D., LOHP, UC Berkeley,  
Heather Riden, M.A., WCAHS, UC Davis, and Kevin Riley, Ph.D., LOSH, UCLA  
Slides: [02-28-2025-WOSHTEP-Presentation.pdf](#)

Dr. Hosein, Ms. Riden and Dr. Riley gave an update on the WOSHTEP program which was established in 2002 and includes three different University of California centers: University of California Berkeley Labor Occupational Health Program (LOHP), University of California Davis Western Center for Agricultural Health and Safety (WCAHS) and University of California Los Angeles (LOSH). WOSHTEP's purpose is to reduce job related injuries and illnesses including fatal and non-fatal injuries among California workers. The program is administered by CHSWC. WOSHTEP programs include Awareness sessions focusing on specific health related topics that vary by industry, webinars, materials about wildfires, agricultural safety, heat and other current and emergent issues.

Hosein also shared information about the Young Worker Leadership Academy (YWLA), WOSH Specialist Training, and the Injury and Illness Prevention Program (IIPP) including the small business IIPP. WOSHTEP also develops a comprehensive health and safety plan in compliance with the California Division of Occupational Safety and Health (Cal/OSHA) standards.

### **Questions or Comments from the Commissioners**

Chair Steiger asked if employers came to WOSHTEP or did WOSHTEP go to the employers for IIPP training. Hosein replied WOSHTEP does both.

Commissioner Hamelin asked why the data Hosein presented noted the 300,000 work related illnesses with time away from work, job transfer, or restrictions and injuries reported in the private industry in 2023, but it did not list public sector industries. Hosein replied she

did not have an answer. Commissioner Hamelin stated that CHSWC staff should obtain data for public sector employers' injuries as well.

### **Comments from the Public**

There were none.

## **II. Election of the Chair**

*Presented by David Botelho, Acting Executive Officer*

**On motion by Commissioner Roxborough and seconded by Commissioner Voorakkara, the Commission elected Mitch Steiger to serve as Chair for the year 2025.** The votes were as follows:

AYES: Hamelin, Kessler, Montoya, Roxborough, Steiger, Subers, Voorakkara

NOES: None

ABSENT: Pedroza

## **VIII. Acting Executive Officer Report**

*Presented by David Botelho, Acting Executive Officer*

- i. A legislative summary report was provided. Reports will be provided for each meeting on an ongoing basis.
- ii. A candidate was selected to fill the CHSWC Executive Officer vacancy. The final approval is expected shortly.
- iii. Comments for the Janitorial Time and Motion study should be sent to David Botelho. He and CHSWC staff will forward these to the researcher.
- iv. **On motion by Commissioner Hamelin and seconded by Commissioner Roxborough, the Commission approved the 2024 CHSWC Annual Report and the 2024 WOSHTEP Advisory Board Annual Report.** The votes were as follows:

AYES: Hamelin, Kessler, Montoya, Roxborough, Steiger, Subers, Voorakkara

NOES: None

ABSENT: Pedroza

- v. **On motion by Commissioner Subers and seconded by Commissioner Kessler, the**

**Commission approved the formation of a subcommittee to review the Labor code statutes governing CHSWC.** The votes were as follows:

AYES: Hamelin, Kessler, Montoya, Roxborough, Steiger, Subers, Voorakkara

NOES: None

ABSENT: Pedroza

- vi. Commissioners discussed the April meeting agenda topics; the continuation of the discussion of the RFI/RFP contracting process and presentation on the Bagley-Keene Open Meeting Act requirements.
- vii. The Commissioners requested to be informed at future meetings when proposed legislation directs CHSWC to do a study, as well as when legislation impacts CHSWC, like the sunset requirement for hybrid meetings.

**IX. Other Business/Proposals/Public Questions and Comments**

There were none.

**X. Adjournment**

The meeting was adjourned by unanimous consent at 12:50 p.m.

Approved: \_\_\_\_\_  
Mitch Steiger, Chair Date

Respectfully submitted:

\_\_\_\_\_  
Melissa Flores, Executive Officer, CHSWC Date