

State of California
Department of Industrial Relations
Occupational Safety and Health Standards Board

Petition File No. 610

Board Staff Evaluation
Submitted by Cha Yang
March 9, 2026



State of California
Gavin Newsom, Governor

INTRODUCTION

Petition 610 (the “Petition”) was originally submitted by Shourish Mukherjee (the “Petitioner”) on December 29, 2025. The Petition requests revisions to the current standards governing signage at construction sites. Subsequently, on January 2, 2026, the Petitioner submitted an amended petition, proposing modifications to a reference listed in Appendix A (Non-Mandatory) of Section 3345.

REQUESTED ACTION

Part A

The Petitioner proposes to add a new subsection to 5144(a) “Permissible Practice,” to require signage at all construction sites where respiratory protection is required, to read as follows:

- 5144(a)(3) “In construction operations where respiratory protection is required under this section, the employer shall post clearly visible and conspicuous signage (including infographics) at all points of entry to the affected work area. Signs shall meet the visibility requirement of Section 3340. Such signs shall notify employees and entrants of the respiratory hazards. Signs shall be in English and the dominant language(s) of the workforce.”

Part B

The Petitioner proposes to amend the reference material in Appendix A (Non-Mandatory) section of 3345 titled “Working Safer and easier for Janitors, Custodians, and Housekeepers.”

- Modify Chapter 13 under the section “Hazardous chemical can make you sick” to “Those solvents pose many hazards: from mild health effects, such as skin and eye irritation, to long-term diseases, such as heart and kidney failures, disease of respiratory track, sterility, or cancer.”
- Modify Chapter 15 to add a new section titled “Respiratory Protection” and add the following to this section.
 - Add pictures showing janitors wearing masks while cleaning floors, walls, bathrooms, handling garbage and cleaning supplies, and performing their duties.
 - Modify and move the following statement to this new section: “For ~~some~~ all tasks you ~~may~~ will need respiratory protection, which requires specialized procedures and training.”

BACKGROUND/HISTORY

The Petitioner has requested the addition of a new subsection, 5144(a)(3), to specifically address respiratory hazard signage at construction sites.

The following existing federal regulations related to respiratory hazard signage in the construction industry include:

- 29 CFR 1926.103 – Respiratory Protection (Construction Industry)
- 29 CFR 1926.200 – Accident Prevention Signs and Tags
- 29 CFR 1926.1101 – Asbestos in Construction
- 29 CFR 1926.1153 – Respirable Crystalline Silica
- 29 CFR 1910.134 – Respiratory Protection (General Industry)

The following are California regulations under Title 8 of the California Code of Regulations (CCR):

- Section 3340 – Accident Prevention Signs, Tags, and Labels
- Section 1529 – Asbestos
- Section 1532.1 – Lead
- Section 1532.3 – Silica
- Section 1544 – Respiratory Protection
- Section 5194 – Hazard Communication

Specifically:

- Section 3340 establishes the general standards for accident prevention signs, tags, and labels.
- Sections 1529 and 1532.1 require signage in areas with potential exposure to asbestos or lead, such as “Warning: Asbestos” or “Danger: Lead Work Area.”
- Section 5194 outlines signage requirements for inhalation hazards more broadly, ensuring employees are aware of chemical and airborne respiratory risks.

Together, these standards form the foundation for respiratory hazard communication and signage in the construction industry, providing context for the proposed addition of subsection 5144(a)(3).

PETITIONER’S ASSERTIONS

The Petitioner’s request has two unrelated parts; each submitted on different dates.

The first request, submitted on December 29, 2025, is to add subsection 5144(a)(3) to require employers to post signage at all construction sites where respiratory hazards are present, including dust, respirable crystalline silica, fumes, vapors, asbestos fibers, and gases.

The second request, submitted on January 2, 2026, is to revise the document titled “Working Safer and Easier for Janitors, Custodians, and Housekeepers,” which is referenced in Appendix A (Non-Mandatory) of Section 3345 (Hotel Housekeeping Musculoskeletal Injury Prevention).

The Petitioner asserts that these signage requirements and document revisions would enhance hazard awareness among employees, contractors, and transient workers. The proposed changes would also help align practices with other title 8 CCR standards, including those governing asbestos, silica, personal protective equipment, respiratory protection, and aerosol transmissible diseases. Furthermore, the inclusion of infographics is intended to overcome language barriers and ensure that employers communicate respiratory hazards effectively to all workers.

STAFF EVALUATION

Board staff reviewed federal OSHA, Cal/OSHA, and various national consensus standards related to workplace signage, respiratory protection, respirable crystalline silica, fumes, vapors, asbestos, hazard communication, and other relevant requirements addressing signage, respiratory protection, and airborne hazards in the construction industry.

Board staff reviewed and summarized the following title 8 sections as part of their evaluation:

California Code of Regulations Title 8, Section 3340. Accident Prevention Signs.

This standard establishes requirements for the design, classification, and use of accident prevention signs in workplaces to warn employees and the public of hazards that could cause injury, death, or property damage. The regulation requires that safety signs be clearly visible, properly maintained, and used only where specific hazards exist. It defines several categories of signs—Danger (immediate hazards that could cause death or serious injury), Warning (potentially hazardous situations), Caution (minor hazards or unsafe practices), General Safety Instructions (safety reminders such as PPE requirements), and Biological Hazard signs. The standard also specifies color schemes, wording, and design features to ensure signs are easily recognized and understood, helping workers quickly identify hazard severity and take appropriate precautions.

California Code of Regulations Title 8, Section 1532.1. Lead.

This standard establishes requirements to protect employees from occupational exposure to lead in construction activities. The standard applies to tasks such as demolition, renovation, painting, sanding, abrasive blasting, and other operations that may generate lead dust or fumes. Employers must post warning signs at each entrance to areas where employee exposure to lead exceeds the Permissible Exposure Limit (PEL). Cal/OSHA requires clearly posted “WARNING – LEAD WORK AREA – POISON – NO SMOKING OR EATING” signs at entrances to regulated lead areas to alert workers and restrict activities that could increase exposure. Signs must be clearly visible and legible to employees and others entering the regulated area. Signs must be posted at all access points to the lead work area. The signs must warn workers of lead exposure hazards and contamination risks. The purpose is to ensure employees do not eat, drink, or smoke in areas where lead contamination may occur.

California Code of Regulations Title 8, Section 1529. Asbestos.

This standard establishes requirements to protect workers from exposure to asbestos during construction activities such as demolition, renovation, maintenance, and removal of asbestos-containing materials. The standard requires employers to identify asbestos hazards, assess employee exposure, implement engineering and work practice controls, provide respiratory protection and personal protective equipment, conduct air monitoring, and establish regulated areas where asbestos exposure may exceed permissible limits. When a regulated area is established due to asbestos exposure above the permissible exposure limit (PEL), employers must post warning signs at all entrances and approaches to the area. These signs must be clearly visible and readable to anyone entering the area. Signage must read “DANGER ASBESTOS CANCER AND LUNG DISEASE HAZARD AUTHORIZED PERSONNEL ONLY RESPIRATORS AND PROTECTIVE CLOTHING ARE REQUIRED IN THIS AREA.” Signs must be posted at each entrance to the regulated asbestos work area. Wording must be legible and prominently displayed. Signs must warn workers and restrict access to authorized personnel only. The signage must communicate the serious health risks associated with asbestos exposure and the requirement for protective equipment.

California Code of Regulations Title 8, Section 1532.3. Occupational Exposures to Respirable Crystalline Silica.

This standard establishes requirements to protect workers from exposure to respirable crystalline silica during construction activities such as cutting, drilling, grinding, or crushing materials like concrete, brick, stone, and mortar. When a regulated area is established because employee exposure to respirable crystalline silica may exceed the PEL, employers must post warning signs at all entrances to the regulated area. Signage must read “DANGER RESPIRABLE CRYSTALLINE SILICA MAY CAUSE CANCER CAUSES DAMAGE TO LUNGS WEAR RESPIRATORY PROTECTION IN THIS AREA AUTHORIZED PERSONNEL ONLY.” Signs must be clearly visible and legible.

Signs must be placed at all entrances and access points to the regulated area. The purpose is to warn workers and restrict access to authorized personnel who are trained and properly protected. The signage must communicate the health hazards and required respiratory protection.

California Code of Regulations Title 8, Section 5194. Hazard Communication.

This standard requires employers to inform employees about hazardous chemicals that may create health risks, including respiratory hazards. In construction environments, respiratory hazards can arise from exposure to chemicals such as solvents, coatings, adhesives, fuels, and other substances that release vapors, fumes, mists, or dusts that may harm the respiratory system. While section 5194 focuses mainly on chemical labeling, it also requires clear hazard communication through labels and warnings that identify respiratory hazards. Employers must ensure employees are aware of areas where airborne chemical hazards may exist. Typical workplace signage may include warnings such as “WARNING RESPIRATORY HAZARD AUTHORIZED PERSONNEL ONLY RESPIRATORY PROTECTION MAY BE REQUIRED.”

RELEVANT STANDARDS

Federal Standards

Several federal construction standards from the Occupational Safety and Health Administration (OSHA) address respiratory hazards and require warning signage on construction sites. Federal OSHA requires construction employers to identify and control respiratory hazards such as asbestos, lead, silica, and chemical vapors. When exposures exceed safe levels or regulated areas are established, employers must post warning signs at entrances to hazard areas, communicate respiratory risks, restrict access to authorized personnel, and ensure workers use appropriate respiratory protection. These standards are primarily found in 29 CFR Part 1926 (Construction) and related health standards. While this standard focuses on respiratory protection programs, warning signs may be posted where respiratory protection is required, such as “DANGER RESPIRATORY PROTECTION REQUIRED AUTHORIZED PERSONNEL ONLY.”

29 CFR 1926.1101 (Asbestos)

This standard protects workers from exposure to airborne asbestos fibers during demolition, renovation, and asbestos removal. Employers must post warning signs at entrances to regulated areas may include “DANGER ASBESTOS CANCER AND LUNG DISEASE HAZARD AUTHORIZED PERSONNEL ONLY RESPIRATORS AND PROTECTIVE CLOTHING ARE REQUIRED IN THIS AREA.”

29 CFR 1926.62 (Lead)

This standard protects workers exposed to lead during activities such as paint removal, demolition, and abrasive blasting. Signage may read “WARNING LEAD WORK AREA POISON NO SMOKING OR EATING.”

29 CFR 1926.1153 (Respirable Crystalline Silica)

These standard limits worker exposure to respirable crystalline silica generated during cutting, drilling, or grinding materials like concrete and brick. If a regulated area is established due to high silica exposure, warning signs must be posted to read “DANGER RESPIRABLE CRYSTALLINE SILICA MAY CAUSE CANCER CAUSES DAMAGE TO LUNGS WEAR RESPIRATORY PROTECTION IN THIS AREA AUTHORIZED PERSONNEL ONLY.”

California Standards

California Code of Regulations Title 8, Section 3340. Accident Prevention Signs.

This is the primary Cal/OSHA standard governing safety signage. Employers must use signs, tags, or accident-prevention symbols to warn employees of hazards that may cause injury or illness.

California Code of Regulations Title 8, Section 1511. General Safety Precautions.

This standard includes general requirements for hazard communication on construction sites and requires employers to post warning signs where hazards exist, including restricted areas or dangerous operations. The sign must be maintained and clearly visible to workers and the public.

California Code of Regulations Title 8, Section 1529. Asbestos.

This standard pertains to construction activities involving asbestos require specific hazard signage.

California Code of Regulations Title 8 Section 1532.1. Lead.

This standard applies to construction activities involving lead exposure. Signage Requirements: Signs must be posted at entrances to regulated areas.

California Code of Regulations Title 8, Section 1532.3. Occupational Exposures to Respirable Crystalline Silica.

This standard outline signage requirement when silica exposures exceed permissible limits.

Although the following are not related to respiratory hazard, there are various other Title 8 standards that require signage in construction industry. They include:

- California Code of Regulations title 8, Section 1541 requires warning signs or barricades around excavations and trenches.
- California Code of Regulations title 8, Section 2940.2 requires signs warning of high-voltage hazards and minimum approach distances.
- California Code of Regulations title 8, Section 3203 requires communication of hazards, which may include signage.

Consensus Standards

The American National Standards Institute (ANSI) is a private, non-profit organization that oversees the development of voluntary consensus standards for products, services, processes, and systems in the U.S. The following are ANSI consensus standards outlining signage guidance for respiratory hazard in the construction industry.

ANSI Z535.1 – Safety Colors

This consensus standard defines the colors used for safety signs, labels, and markings. The color code includes:

- Red – Danger or fire protection equipment
- Orange – Warning (hazardous machinery, parts)
- Yellow – Caution (slip, trip hazards)
- Green – Safety equipment or first aid
- Blue – General information or mandatory actions

ANSI Z535.2 – Environmental and Facility Safety Signs

This standard covers the sign design, wording, and layout for worksites, including construction areas. The standard ensures that signs are legible, standardized, and convey hazard severity effectively.

ANSI Z535.3 – Criteria for Safety Symbols

This standard provides guidelines for pictograms/symbols that can communicate respiratory hazards without text (e.g., respirator required symbol). Symbol use enhances comprehension across languages and literacy levels.

ANSI Z535.4 & Z535.5 – Product and Tag Standards

This standard covers labels on equipment relating to hazards (e.g., machines that emit airborne contaminants).

International Organization for Standard (ISO) 3864 / ISO 7010

This standard is not a standard developed by the United States but is an international consensus standard but recognized globally for safety sign design and symbols. ANSI Z535 aligns with ISO principles and can be used to improve signage comprehensibility, including respiratory hazard symbols

National Fire Protection Agency (NFPA) 704 - Hazard Identification System

NFPA 704 is a United States fire protection consensus standard that helps communicate hazards on facilities and may overlap with respiratory hazard warnings in specific contexts (e.g., chemical storage with respiratory hazards).

STAFF ANALYSIS

The Petitioner's request has two parts. The first request pertains to signage in the construction industry, and the second request is to revise to various language in the document titled "Working Safer and Easier for Janitors, Custodians, and Housekeepers," which is referenced in Appendix A (Non-Mandatory) of Section 3345.

Part A - Section 5144: Enhancing Respiratory Hazard Signage on Construction Sites

The Petitioner seeks to amend title 8 of the California Code of Regulations (CCR), Section 5144, Respiratory Protection, Subsection (a), "Permissible Practices," by adding a new requirement for mandatory signage at all construction sites where respiratory hazards exist. Specifically, the Petitioner proposes adding a new paragraph, subsection (a)(3), to read as follows:

"In construction operations where respiratory protection is required under this section, the employer shall post clearly visible and conspicuous signage (including infographics) at all points of entry to the affected work area. Signs shall meet the visibility requirements of Section 3340. Such signs should notify employees and entrants of the respiratory hazard. Signs shall be in English and the dominant language(s) of the workforce."

Board staff believe that adequate health and safety regulations already exist regarding respiratory hazards and signage requirements in construction workplaces. While the Petitioner seeks to add a new subsection to Section 5144 requiring signage with infographics, California's title 8 regulations already incorporate federal OSHA standards and national consensus standards.

The following California's title 8 regulations discussed relevant respiratory hazards and workplace signage:

- Section 1529 – Asbestos
- Section 1532.1 – Lead
- Section 3340 – Accident Prevention Signs
- Section 5194 – Hazard Communication
- Section 5144 – Respiratory Protection

These sections already mandate hazard identification and the posting of signage where required. A new regulation could therefore be redundant, potentially contradictory, and provide little additional practical benefit. Current regulations specify the signage content, location, and language requirements for each hazard. Adding language to Section 5144 to require signage at all construction sites where respiratory hazards exist could conflict with these existing, hazard-specific requirements.

Additionally, Section 5144 is a general industry standard for respiratory protection, applicable across all industries, whereas the Petitioner specifically seeks to mandate signage only for construction sites, creating further inconsistency.

The Petitioner asserts that the inclusion of infographic signs would improve language accessibility. While Board staff do not dispute the potential value of infographics, there are alternative methods to enhance language accessibility. It is the responsibility of employers to provide routine, effective training in a language and vocabulary commonly understood by employees. Various title 8 California Code of Regulations mandate that safety training be delivered in a manner employees can understand. The following regulations outline that employers must provide effective training to employees in language and vocabulary commonly understood by their employees:

- Section 5194 – Hazard Communication
- Section 13821 – General Industry Safety Orders
- Section 1956 – Confined Spaces

These provisions ensure that training is effective for non-English speakers without requiring changes to Section 5144 signage requirements.

In conclusion, Board staff recommend that the Standards Board reject Part A of the petition, which seeks to amend Section 5144 by adding a new subsection requiring signage at construction sites where respiratory hazards exist, including infographics. This proposal contradicts the following title 8 regulations, which already establish specific requirements for signage related to respiratory hazards:

- Section 1529 – Asbestos
- Section 1532.1 – Lead
- Section 3340 – Accident Prevention Signs
- Section 5194 – Hazard Communication
- Section 5144 – Respiratory Protection

Part B - Section 3345: Revising the reference material Working Safer and Easier for Janitors, Custodians, and Housekeepers

The Petitioner seeks to make various changes to the non-mandatory reference material associated with Section 3345. Even if approved, this portion of the petition would not alter any regulatory language in title 8, Section 3345. The referenced document, “Working Safer and Easier for Janitors, Custodians, and Housekeepers,” is linked to Section 3345 as non-mandatory guidance produced by Cal/OSHA’s Publication Unit.

OSHSB Petition File No. 610
Board Staff Evaluation,
March 9, 2026

Board staff have consulted with the Cal/OSHA Publication Unit and determined that updating the reference material is possible, but any revisions would be subject to Cal/OSHA approval. This document is not a Standards Board publication, and the Board may lack the authority to revise it as the Petitioner requests.

Furthermore, the California Office of Administrative Law (OAL) has updated its practices to no longer permit footnotes in new California Code of Regulations. Historically, footnotes served as references or guidance and were not enforceable, and while the reference material in question is not a footnote, it is similarly non-mandatory and not legally binding. The OAL may therefore not support incorporating non-mandatory reference material into the regulation.

In conclusion, Board staff recommend that the Standards Board deny Part B of the petition. Part B does not propose changes to the actual regulatory language but instead seeks revisions to non-mandatory reference material in Section 3345. If the Petitioner wishes to pursue changes, they should contact Cal/OSHA to request updates to the document "Working Safer and Easier for Janitors, Custodians, and Housekeepers."

STAFF RECOMMENDATION

Board staff recommends Petition File No. 610 be DENIED.