

PETITION FOR REGULATORY ACTION

TO:

Occupational Safety and Health Standards Board (OSHSB)
Department of Industrial Relations
2520 Venture Oaks Way, Suite 350
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Email: oshsb@dir.ca.gov

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I. PETITIONER INFORMATION

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II. SUMMARY OF REQUESTED REGULATORY ACTION

The Petitioner formally requests that the Occupational Safety and Health Standards Board amend **Title 8, California Code of Regulations (8 CCR)**—specifically targeting Title 8 construction standards (e.g., Section 1509 *Injury and Illness Prevention Program*)—to mandate the following:

Mandatory Workplace Safety Infographics: Requirement for employers on *residential* construction worksites to post visible, durable safety signs encouraging voluntary and required respirator/N95 mask usage to protect against respiratory hazards (silica, wood dust, drywall dust, tile dust, etc.), and mandate inclusion of scannable QR codes in an understandable language.

- **Scannable QR Codes:** Inclusion of standard, scannable QR codes on all such posted signage.
- **Direct DIR Linkage:** The QR codes must link directly to official California Department of Industrial Relations (DIR) / Cal/OSHA educational media, the specifics of which are to be decided by CAL/OSHA experts.
- **Printed URL Alternative:** Including a printed link alongside the QR code provides a physical alternative, ensuring workers without mobile devices can access the materials without requiring companies to compensate them for personal device use or time.
- **Voluntary Worker Access:** Worker participation in scanning or viewing the materials remains voluntary, relieving employers of any requirement to pay additional compensation.

III. PROPOSED REGULATORY TEXT

Title 8, California Code of Regulations, Section 1509.1 (Proposed Addition)

- **(a) Scope & Application:** This section applies to all employers engaged in residential construction and residential remodeling activities where workers are exposed to airborne particulate hazards, including but not limited to crystalline silica, wood dust, insulation fibers, and drywall dust.

- **(b) Mandatory Advisory Signage:** Employers shall post advisory safety notices at prominent, accessible locations on the jobsite (e.g., main jobsite entrance, tool staging areas, or break areas). Posting of this advisory signage is mandatory for employers; however, accessing or scanning the signage material by employees is voluntary and not mandated.
- **(c) Signage Contents:**
 - (1) The sign shall explicitly encourage workers to utilize respiratory protection (such as N95 filtering facepiece respirators) during dust-generating or particulate-heavy activities.
 - (2) The sign must include standard, high-contrast, scannable QR codes along with a printed URL link in an understandable language. The printed link provides a physical alternative ensuring employees without mobile devices can access the material and employers are not required to provide compensation for device access or time.
 - (3) The QR codes and printed URL shall link directly to official California Department of Industrial Relations (DIR) / Cal/OSHA educational media and video resources to be determined by CAL/OSHA experts.

IV. REASON FOR PROPOSED ACTION & SUPPORTING RATIONALE

1. Real-Time Access to Critical Safety Knowledge

Workplace signage acts as a *supplement* to existing Cal/OSHA requirements about workers training, reinforcing critical safety topics right at the jobsite while helping Cal/OSHA directly disseminate its own regulatory requirements and guidelines to employees. Placing QR codes directly at point-of-exposure allows workers to instantly stream video demonstrations on mask safety checks right on their smartphones before starting a task. This direct, point-of-use approach aligns with implementation data from health intervention studies; for instance, research published in *BMC Health Services Research* demonstrated that static QR codes placed in high-visibility physical spaces generated nearly 40% of all user engagement, outperforming traditional printed material by *catching the target audience at the exact moment and place of interaction*. By placing scannable codes on signs at or near hazardous zones, safety protocols transition from passive documentation into dynamic, on-demand resources that reach workers when and where compliance and safety matter most.

2. Equity and Linguistic Accessibility

According to ACS Census data, 59% of California's construction workforce is Hispanic/Latino, with over 70% speaking Spanish at home and an estimated 73% of immigrant workers experiencing Limited English Proficiency (LEP). [1]

The health consequences of ineffective safety communication are well-documented: CDPH surveillance data reveals an ongoing respiratory epidemic in California, with over 430 confirmed cases of advanced silicosis, of which up to 98% occurred among Latino immigrant men. Diagnosed at a median age of just 46, over 38% of these workers present with advanced progressive massive fibrosis, resulting in dozens of deaths and lung transplants statewide. [2]

Because Cal/OSHA workplace sampling shows that over 51% of inspected sites exceed permissible dust exposure limits, providing immediate, scannable, bilingual video instruction on N95 fitting directly at the site entrance is a low-cost, life-saving intervention. [2]

These signage requirements would enhance hazard awareness among employees, contractors, and transient workers. The inclusion of the QR code is intended to overcome language barriers and ensure that job sites communicate respiratory hazards effectively to all workers.

3. Low-Cost, High-Impact Hazard Prevention

An ill-fitting N95 respirator offers false security. Proper donning and user seal checks are crucial to preventing occupational silicosis, chronic bronchitis, and long-term lung disease. Printed signage with QR codes places zero operational burden on the Department, while giving employers a straightforward tool to raise workplace health standard compliance.

V. IMPACT AND COST ANALYSIS

- **Cost to Employers:** Minimal (Estimated under \$15-\$25 per job site for weatherproof sign printing).
- **Cost to the State:** Negligible (Cal/DIR already produces and hosts N95 instructional videos in English and Spanish; cost of producing videos in other languages can be minimized through using AI).
- **Benefit:** Substantial reduction in long-term worker disability claims, respiratory illness costs, and jobsite hazard incidents.

VI. SIGNATURE

Respectfully Submitted,

Shourish Mukherjee

Citations:

1:

Karia, C. T., Hughes, A., & Carr, S. (2019). Uses of quick response codes in healthcare education: a scoping review. *BMC Medical Education*, 19(1), 456.

<https://doi.org/10.1186/s12909-019-1876-4>

2:

Fazio, J. C., Gandhi, S. A., Flattery, J., Heinzerling, A., Kamangar, N., Afif, N., Cummings, K. J., & Harrison, R. J. (2023). Silicosis among immigrant engineered stone (Quartz)

countertop fabrication workers in California. *JAMA Internal Medicine*, 183(9), 991.

<https://doi.org/10.1001/jamainternmed.2023.3295>

3:

Bonilla, M. (2026, May 20). *State of Latinos in California, 2026: Unlocking California's potential by Closing Latino Opportunity Gaps* | *Latino Policy & Politics Institute*. Latino Policy & Politics Institute. <https://latino.ucla.edu/research/state-of-latinos-in-ca-2026/>