

Introduced by Senator MonningFebruary 17, 2016

An act to amend Section 6354.7 of, and add Section 6354.8 to, the Labor Code, relating to occupational safety and health.

LEGISLATIVE COUNSEL'S DIGEST

SB 1100, as introduced, Monning. Worker occupational safety and health training and education program.

Existing law requires the Commission on Health and Safety and Workers' Compensation to establish and maintain a worker and occupational safety and health training and education program and requires the Director of Industrial Relations to establish an insurance loss control services coordinator position, to be funded from the Workers' Occupational Safety and Health Education Fund. Existing law requires the director to levy and collect fees from workers' compensation insurers for purposes of the program, with the fees to be deposited in the fund. Moneys in the fund are available for expenditure for the above purposes upon appropriation by the Legislature.

This bill would rename that fund the Workers' Occupational Safety and Health Injury and Illness Prevention Through Education, Research, and Treatment Fund.

The bill would require the Occupational Health Branch of the State Department of Public Health, by interagency agreement with the Division of Occupational Safety and Health, to provide administrative and programmatic oversight for the establishment, implementation, and evaluation of a California occupational research agenda and a community occupational health program.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. This act shall be known, and may be cited, as
 2 “The Dr. Julia Quint Program for Research, Prevention, and
 3 Treatment of Occupational Injuries and Illnesses.”

4 SEC. 2. Section 6354.7 of the Labor Code, as added by Section
 5 15 of Chapter 866 of the Statutes of 2002, is amended to read:

6 6354.7. (a) The Workers’ Occupational Safety and Health
 7 ~~Education~~ *Injury and Illness Prevention Through Education,*
 8 *Research, and Treatment* Fund is hereby created as a special
 9 account in the State Treasury. Proceeds of the fund may be
 10 expended, upon appropriation by the Legislature, by the
 11 Commission on Health and Safety and Workers’ Compensation
 12 for the purpose of establishing and maintaining ~~a worker~~
 13 ~~occupational safety and health training and education program~~ *the*
 14 *Worker Occupational Safety and Health Training and Education*
 15 *Program* and an insurance loss control services coordinator. The
 16 director shall levy and collect fees to fund these purposes from
 17 insurers subject to Section 6354.5. However, the fee assessed
 18 against any insurer shall not exceed the greater of one hundred
 19 dollars (\$100) or 0.0286 percent of paid workers’ compensation
 20 indemnity amounts for claims as reported for the previous calendar
 21 year to the designated rating organization for the analysis required
 22 under subdivisions (b) and (c) of Section 11759.1 of the Insurance
 23 Code. All fees shall be deposited in the fund.

24 (b) The commission shall establish and maintain a worker
 25 ~~occupational safety and health training and education program.~~
 26 ~~program, to be referred to as the Worker Occupational Safety and~~
 27 ~~Health Training and Education Program, or WOSHTEP.~~ The
 28 ~~purpose of the worker occupational safety and health training and~~
 29 ~~education program~~ *WOSHTEP* shall be to promote awareness of
 30 the need for prevention education programs, to develop and provide
 31 injury and illness prevention education programs for employees
 32 and their representatives, and to deliver those awareness and
 33 training programs through a network of providers throughout the
 34 state. The commission may conduct ~~the program~~ *WOSHTEP*
 35 directly or by means of contracts or interagency agreements.

36 (c) The commission shall establish an employer and worker
 37 advisory board for the ~~program.~~ *WOSHTEP*. The *WOSHTEP*
 38 advisory board shall guide the development of curricula, teaching

1 methods, and specific course material about occupational safety
2 and health, and shall assist in providing links to the target audience
3 and broadening the partnerships with worker-based organizations,
4 labor studies programs, and others that are able to reach the target
5 audience.

6 (d) The ~~program~~ *WOSHTEP* shall include the development and
7 provision of a needed core curriculum addressing competencies
8 for effective participation in workplace injury and illness
9 prevention programs and on joint labor-management health and
10 safety committees. The core curriculum shall include an overview
11 of the requirements related to injury and illness prevention
12 programs and hazard communication.

13 (e) The ~~program~~ *WOSHTEP* shall include the development and
14 provision of additional training programs for any or all of the
15 following categories:

- 16 (1) Industries on the high hazard list.
- 17 (2) Hazards that result in significant worker injuries, illnesses,
18 or compensation costs.
- 19 (3) Industries or trades in which workers are experiencing
20 numerous or significant injuries or illnesses.
- 21 (4) Occupational groups with special needs, such as those who
22 do not speak English as their first language, workers with limited
23 literacy, young workers, and other traditionally underserved
24 industries or groups of workers. Priority shall be given to training
25 workers who are able to train other workers and workers who have
26 significant health and safety responsibilities, such as those workers
27 serving on a health and safety committee or serving as designated
28 safety representatives.

29 (f) The ~~program~~ *WOSHTEP* shall operate one or more libraries
30 and distribution systems of occupational safety and health training
31 material, which shall include, but not be limited to, all material
32 developed by the program pursuant to this section.

33 (g) The *WOSHTEP* advisory board shall annually prepare a
34 written report evaluating the use and impact of programs
35 developed.

36 (h) The payment of administrative costs incurred by the
37 commission in conducting the ~~program~~ *WOSHTEP* shall be made
38 from the Workers' Occupational Safety and Health ~~Education~~
39 *Injury and Illness Prevention Through Education, Research, and*
40 *Treatment* Fund.

1 (i) As used in this section, “Worker Occupational Safety and
2 Health Training and Education Program” or “WOSHTEP” means
3 the program established and maintained pursuant to subdivision
4 (b).

5 SEC. 3. Section 6354.8 is added to the Labor Code, to read:

6 6354.8. The Occupational Health Branch of the State
7 Department of Public Health, by interagency agreement with the
8 division, shall provide administrative and programmatic oversight
9 for the establishment, implementation, and evaluation of a
10 California occupational research agenda and a community
11 occupational health program.

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