



Editor's Briefs, [Tyler.Nguyen@esa.sccgov.org](mailto:Tyler.Nguyen@esa.sccgov.org)

## Cal/OSHA Advises Employers to Allow Workers to Acclimate to Heat

Allowing employees to acclimate to the heat is one of the best defenses against heat-related illnesses and fatalities, according to Cal/OSHA.

The first mini heat wave of the season hit the Bay Area in mid-May. Though the intense heat throughout the area lasted only a few days, advisory warning to employers to protect workers came directly from Cal/OSHA Chief Len Welsh. Letting workers adjust to changes in weather by gradually increasing their exposure and physical activity likely reduces the risk of heat-related issues.

"Our studies of heat-related illnesses and deaths indicate that acclimatization is an important factor in the prevention of heat illness," said Cal/OSHA Chief Len Welsh. "It is especially critical to be vigilant with new workers, and during our first exposure to the high temperatures such as those we are currently experiencing."

The risk of dying from heat illness appears to be highest for employees who just begin working in extreme heat as the body needs to adapt gradually to exertions in the heat and humidity. Most people adjust to the weather or acclimate within four-to-14 days of regular work levels, according to Cal/OSHA heat illness prevention data.

"It is imperative to monitor your employees at all times during hot weather and allow those who are new to working in hot weather to gradually adapt to the daily routine," Welsh said.

Raising awareness also is an important key in preventing heat illness. California Heat Illness Prevention Standards require mandatory training for employees and supervisors. Information on acclimatization, encouraging employees to continuously drink water throughout the day, and taking frequent cool-down breaks or preventative recovery periods in the shade, among other actions are included in the mandatory training.

In addition to the requirements outlined in the heat illness prevention regulations (California Code of Regulations section 3395 of Title 8), employers may consider starting the work day early and pacing work activities for their workers. Other prevention techniques include increasing the number of water and rest breaks or preventative recovery periods on hot days and encouraging the use of a "buddy system" to monitor employees in the field.

Employees who work indoors should take the same precautions as those who work outdoors in extreme heat, and follow similar measures under (section 3203 of Title 8) their employers' Injury and Illness Prevention Program, Cal/OSHA officials said.

Employers with workers near sources of heat or inside buildings with limited cooling capabilities must ensure that their Injury and Illness Prevention Program is effective and in writing.

Cal/OSHA studies show effective reduction of heat illness depends on written procedures, access to water, access to cooler areas, acclimatization and weather monitoring, emergency response and employee and supervisor training. For more information on this regulation and many others, visit [www.dir.ca.gov/HeatIllnessInfo](http://www.dir.ca.gov/HeatIllnessInfo).



### Upcoming Chapter Meeting

To reserve a seat via e-mail, please send your name, telephone number and email address to:

[reservations@assesj.org](mailto:reservations@assesj.org). Meeting time- Noon to 1 p.m. Location- Ramada Silicon Valley, 1217 Wildwood Ave., Sunnyvale, CA 94089, (408) 245-5330

**Tuesday, June 17, 2008**

**Topic: Fall Protection-Fed vs Cal vs ANSI**

**Speaker: Richard Epp, CSP, PE**





## CALIFORNIA GOVERNMENTAL AFFAIRS REPORT

May 21, 2008

By John T. Steele

The Cal OSHA Advisory Committee met on May 6th to review Penalty Assessment and Reporting Amendments. The purpose was to simplify penalty assessments for small employers. These penalty and reporting requirements can be found in Title 8 of the California Code of Regulations Sections 334,335,336 &342. The 3 pages of recommendations can be acquired through the Advisory committee or contact me (Josteele03@cs.com) and I will E-mail them to you.

### Assembly Bill 514, Author Lieber, Titled Workplace Safety and Health; Diacetyl

“Provides that on or after January 9,2009, no employer or employee shall use Diacetyl in any way.” Diacetyl (2,3-butanedione) shall not be used in manufacturing, packaging, mixing, or blending of diacetyl. This does not apply to naturally occurring Diacetyl. Diacetyl was an ingredient in popcorn flavoring. This is an Inactive Senate Assemble bill on the motion of Senator Ducheny.

During the May 21st meeting of the California Governmental Affairs Committee (CGAC), a report was made concerning the Standards Board Meeting which discussed the need for input from Safety professionals concerning Title 8 safety regulations. The Standards Board is particularly receptive to hearing from Safety and Health members who work with the Safety standards. If you have standards that you feel need to be changed the Board would like to hear from you. E-mail them at:OSHSP@Dir.Ca.gov

## LAWYER-TO-ENGLISH DICTIONARY

### 'Joint & Several Liability'

#### HOW IT COMES UP

Joint and several liability comes up when a violation occurs and it's clear that the violation was the result of an act or omission committed by a group of persons but it's not clear which person or combination of persons in the group committed the actual act or omission.

#### WHAT IT MEANS

Joint and several liability is one of the methods that may be used to assign liability for the violation among the members of the group. It means that any one or combination of group members can be held responsible for 100% of the damages.

#### EXAMPLE 1

There's a famous case from England that all law students have to read in their first year torts class. It involves three men who were out hunting quail. There was a rustle in the brush and two of the men fired their shotguns at the same time. The third hunter was struck a glancing blow to the head. But it was unclear which of the two fired the shot that wounded him. Consequently, the two hunters denied liability for the incident. The court said it was unfair to penalize the victim for not being able to identify who shot him. So it found both hunters negligent and held them jointly and severally liable for the victim's damages. In other words, the victim could collect his full damages from either one of the two hunters.

#### EXAMPLE 2

Company A owns a factory from 1970 to 1980. Company B buys the factory in 1980 and operates it for 10 years before selling it to Company C. In 2000, the government conducts tests, determines the land is contaminated and orders a cleanup. Under typical environmental laws, Companies A, B and C would be jointly and severally liable for the costs of the cleanup.



## **A "No" Vote from House of Delegates (HoD) for Membership Dues Increase**

The period for voting, starting April 1 regarding the Board of Directors' motion to the HoD for a dues increase ended on May 16, 2008. After allowing time for those ballots mailed to be received at ASSE Headquarters and counted, the official vote indicates a vote to disapprove the motion to increase membership dues by \$29 from \$120 to \$149. A review of the votes cast shows:

*48% of voting delegates voted in favor of the motion.*

*52% of voting delegates voted against the motion.*

ASSE National Leadership summarized their plans as follows

*"Going forward, your colleagues, elected to serve on the Society Board of Directors, will continue to manage the Society in a prudent and responsible manner. We will continue to review the Society's strategic plan and operations in light of our finances. A focus on strong financials will continue as it has for some years. Non-dues revenue will continue to be emphasized. Current services and products will be reviewed and prioritized. New and proposed services and products and expansion of existing programs will be scrutinized in light of this vote outcome. Our colleagues serving on the Finance Committee will review alternative dues adjustment models and bring forward recommendations based on best available data."*

Thanks to all members who provided input to your delegates as part of this process.

*Fred Norton- Delegate*

*Jack Hahn- Delegate*



## ASSE San Jose Chapter 2008 MEMBER SURVEY

The following responses were received from the 34 members responding to the survey.

**How long have you been in the Safety Health, & Environmental (SHE) field?**

[ 0 ] 0-1 year [ 7 ] 6-10 years [ 6 ] 2-5 years [ 22 ] over 10 years

**Please list any certifications you hold:** CSP (10), CHMM (6), CIH (2), PE (2), ARM (3), REA (3), CHCM (2), REHS (2), ASP (1), CFPS (1), CSO (1), OSHA Outreach Coordinator (1)

**What is your age?**

[ 0 ] Under 20 [ 2 ] 20-30 years [ 9 ] 30-40 years [ 6 ] 40-50 years [ 14 ] Over 50 years [ 2 ] Decline to state

**What is your gender?** [ 5 ] Female [ 29 ] Male [ ] Decline to state

**My member status is:**

[ 0 ] Student [ 1 ] Associate [ 11 ] Member [ 21 ] Professional [ 0 ] Emeritus [ 0 ] Inactive

**How long have you been a member of ASSE?**

[ 4 ] 0-1 year [ 9 ] 2-5 years [ 6 ] 6-10 years [ 6 ] 11-15 years [ 2 ] 16-20 years [ 7 ] over 20 year

**How many years have you served as a chapter officer or volunteer?**

[ 19 ] 0-1 year [ 2 ] 2-5 years [ 3 ] 6-10 years [ 3 ] 11-15 years [ 0 ] 16-20 years [ 0 ] over 20 years

**What is your travel distance to reach Sunnyvale (miles)?** <5 (1), 5-9 (7), 10-19 (9), 20-29 (4), 30-39 (1), 40-49 (4), 50+ (0), 60+ (0), 70+ (3)

**What direction do you travel from to reach Sunnyvale?** S (18), N (7), W (4), E (1), VARIES (1)

**In what town would you prefer the meetings were held?** Sunnyvale (18), San Jose (3), Santa Cruz (1), Santa Clara (1), San Francisco (1), Mountain View (1), Milpitas (1), Redwood City (1), Gilroy (1), Campbell (1), Los Gatos (1)

**What is your preferred day of the week to meet?** [ 1 ] Monday, [ 6 ] Tuesday, [ 9 ] Wednesday, [ 12 ] Thursday, Friday, [ 13 ] Friday, [ 0 ] Saturday, [ 0 ] Sunday

**What is your preferred time of day to meet?** [ 5 ] Early morning breakfast [ 2 ] Afternoon [ 3 ] Morning [ 2 ] Dinnertime [ 22 ] Lunchtime [ 2 ] No preference

**How many meetings have you attended in the last year?** [ 12 ] None [ 0 ] 5-7 [ 10 ] 1-2 [ 3 ] 7-9 [ 6 ] 3-4 [ 3 ] 10 or more

**What are the main reasons you attended some meetings (check all that apply)?**

|                                       |                                  |
|---------------------------------------|----------------------------------|
| [ 7 ] Timely meeting notice           | [ 10 ] Social contact            |
| [ 21 ] Interesting and timely program | [ 1 ] Good food                  |
| [ 8 ] Well known speaker              | [ 1 ] Employer financial support |
| [ 13 ] Opportunity to network         | [ 0 ] Promote products           |
| [ 1 ] Hear of job openings            | [ 3 ] Find job applicants        |
| [ 6 ] Hear of pending legislation     | [ 2 ] Other--time available      |



**What meeting notifications work best for you (check all that apply)?**

- |  |  |
|--|--|
| <input type="checkbox"/> [ 16 ] Evite          | <input type="checkbox"/> [ 4 ] Mailed newsletter     |
| <input type="checkbox"/> [ 28 ] Standard email | <input type="checkbox"/> [ 1 ] Phone call            |
| <input type="checkbox"/> [ 5 ] Website notice  | <input type="checkbox"/> [ 7 ] Regular meeting day   |
| <input type="checkbox"/> [ 1 ] Postcard        | <input type="checkbox"/> [ 1 ] Other--proper address |

**What meeting notifications work worst for you (check all that apply)?**

- |  |   |
|--|---|
| <input type="checkbox"/> [ 4 ] Evite           | <input type="checkbox"/> [ 19 ] Mailed newsletter   |
| <input type="checkbox"/> [ 0 ] Standard email  | <input type="checkbox"/> [ 16 ] Phone call          |
| <input type="checkbox"/> [ 11 ] Website notice | <input type="checkbox"/> [ 3 ] Regular meeting day  |
| <input type="checkbox"/> [ 19 ] Postcard       | <input type="checkbox"/> [ 1 ] Other--wrong address |

**What are the reasons you did not attend more meetings (check all that apply)?**

- |  |   |
|--|---|
| <input type="checkbox"/> [ 8 ] Lack of timely notice of meeting    | <input type="checkbox"/> [ 4 ] Inadequate method of meeting notice      |
| <input type="checkbox"/> [ 13 ] Program was not of interest to me  | <input type="checkbox"/> [ 9 ] Inconvenient time/date of meeting        |
| <input type="checkbox"/> [ 4 ] Program not of interest to employer | <input type="checkbox"/> [ 1 ] Lack of employer financial support       |
| <input type="checkbox"/> [ 3 ] Out of town                         | <input type="checkbox"/> [ 3 ] Travel distance too far                  |
| <input type="checkbox"/> [ 22 ] Work conflict                      | <input type="checkbox"/> [ ] Other--personal conflict (2)<br>--cost (1) |

**We plan to have a 2009 Chapter-sponsored professional development conference (PDC) in Monterey:**

**What months do you prefer?** Jan (2), Feb (4), Mar (2), Apr (3), May (5), June (5), July (5), Aug (6), Sep (5), Oct (6), Nov (3), Dec (1)

**What days do you prefer?** Mon (5), Tue (9), Wed (11), Thu (15), Fri (13), Sat (4), sun (2)

**What topics do you prefer?** Disaster prep/ emergency resp (3), W.C.(2), I.H.(2), the rest of the responses covered the whole scope of safety with no two respondents giving the same response.

**What would guarantee your attendance?** Good pricing (4), no conflicts (3), value to employer (3), close to San Jose (2), relevant curriculum, similar program to ASSE conference, BCP topics, activities for spouse, good venue.

**Please list the top three things the Chapter does well that you would like continued:**

Good topics (6), Good speakers (5), Newsletter (5), Lunch meetings (5), Job listings (3), Networking opportunity (2)  
New website (2), Toys 4 Tots, Email notification, Good venues, Planning, Lunch menu, Meeting notification, Cost control

**Please list at least three presentation topics you would like to attend in the next year:**

OSHA updates (4), Behavior-based safety (3), Ergonomics (3), Confined Space (3), Fall protection (2), Business issues (budgeting, management, leadership, etc.) (2). The rest of the responses were numerous and covered the whole scope of the safety field with no two respondents agreeing.

**Please list at least three programs you would like the Chapter to start in the next year, such as a PDC, a student chapter, a mentor program, a newsletter, a CSP course, a field trip (where), or other idea:**

Field Trip (8) (Stanford, Genentec, Toyota, waste treatment), ASP/CSP Course (7), Chapter PDC (6), Newsletter (5)  
Mentor Program (4), Regulations updates (2), Santra Cruz section, Webinar, Student chapter, Team building, Biosafety programs, Nanotechnology, Members host programs at their sites

**Please list the top three things the Chapter needs to do better in the next year:**

Timely meeting notices (6), Website up-to-date (3), Appeal to younger professionals, Assist UCSC students, Communicate with other chapters, Post meeting minutes, Improve national email list, Do local PDC's, Do Evites



## Thank you.

Your efforts each and every day help ensure a safe  
workplace for millions of people worldwide.

Keep up the great work and have a happy

Occupational Safety & Health Professionals Day.

**May 7, 2008**

For more information: [www.asse.org/naosh](http://www.asse.org/naosh)

American Society of Safety Engineers

## Chapter Officers 2007-08

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