



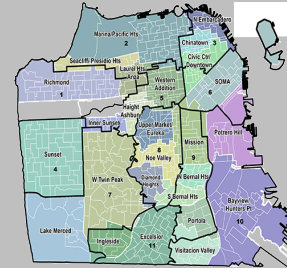
Department of Human Resources
One South Van Ness Avenue, 4th Floor
San Francisco, CA 94103
Phone: (415) 557-4800

Website: www.sfdhr.org

Safety and Health Matters Newsletter

The latest news, views, and announcements

Third Quarter, Fiscal Year 2022-23



Workers' Compensation Division

Julian Robinson, Workers' Compensation Director

Fiona Wilson, MD, Chief Physician

Nonie Devens, RN, MPA, CCM, Occupational Nurse Manager

Stanley Ellicott, Assistant Director - Finance and Information Systems

Arnold Pacpaco, Assistant Director - Claims

Tyler Nguyen, CSP REP, Citywide Safety Officer

In this Issue:

- Chief Physician's Corner
- Cal/OSHA Record Keeping Requirements
- Recordable versus Reportable Cases
- IIPP and CPP Management
- Spring Safety Training
- Workplace Violence Prevention

Workplace Safety and Health Page:

<https://sfdhr.org/workplace-health-and-safety>

The Physician's Corner

By Fiona Wilson, MD, Chief Physician for CCSF Employees



It has been a long three years since the COVID-19 pandemic cloud lowered over us. The bold moves that the City of San Francisco took early on of shelter in place, distancing, and masking ahead of many regions were vital. Once vaccines became available and subsequently required for CCSF employees, this contributed to the City as an employer having fewer hospitalizations and deaths in employees compared to many like sized cities.

With the worst of the pandemic behind us, mandates and requirements are going to continue to loosen. The National Public Health Emergency ended in April 2023. This does not signal the end of COVID but the end of being in a crisis or state of emergency. As a result, some of the flexibility that came to healthcare administration such as easing of Medicare rules and regulations will cease. At a state level, Governor Newsom removed our California state of emergency this past February. Locally, the San Francisco Department of Public health will continue to lessen health orders and requirements and further align with state rules and regulations. COVID-19 infections will not for the foreseeable future go to zero. They will persist, and for the most part, be a mild annoyance, but for some may pose a more serious health concern, and for some a chronic complex problem in the form of long COVID.

The onus is on the employee to manage their health and safety, and you will use your own judgment on risk taking. Though masking is still required in settings that are high risk (hospitals), during a COVID outbreak, or after a close contact with someone with COVID, masking will not be required in other settings. Masking is encouraged when indoor, in large mixed groups such as on transit, or at other indoor gatherings. The local prevalence of COVID-19 infections may also prompt you to mask more or if you or a family member have other health concerns or risks. You will be welcome to continue to mask.

The current COVID-19 variants are highly contagious and continue to spread undetected in those first 24 to 48 hours of infection (when the infected person may often lack any symptoms). The concern of infecting others does remain high, thus it is vital that employees conduct a health screening every day, and not come to work ill. Testing will continue to be available at work sites during a COVID-19 outbreak, and testing will be encouraged after a close contact exposure, or if symptomatic.

Though the desire is strong for the world to go back to just as it was pre-pandemic, it will not be the same. We can be safe with minimal spread of infection if we're mindful of risk to ourselves and others.



The California Department of Public Health (CDPH) has updated its guidance on quarantine. DHR accordingly has also updated our guidelines as presented in the table below. Up to date Covid-19 information is also available at <https://sfdhr.org/covid-19>.

	Symptoms	Isolation and Quarantine	Test to Exit	Mask
COVID Positive	None, or mild and resolving, no fever	5 Days*	Not Required*	10 days**
	Fever	>5 Days – leave quarantine 24 hours after resolution of fever	Not Required	10 days
	Symptoms not improving	10 Days	Not Required	10 days
Close Contact	No symptoms	none	Recommend test Day 3-5 after exposure	10 days
	If symptoms develop, follow rules for Covid-like symptoms		Continue working unless symptoms develop or positive test.	10 days
COVID like symptoms	Isolate and test, continue to isolate if symptoms persist, even if test is negative	~5 day	Test at symptom onset, if negative, repeat test in 1-2 days	10 days

*Healthcare personnel and Emergency Medical Services personnel are required to document a negative test done on or after day 5 to exit quarantine sooner than day 10.

** Two sequential negative rapid tests can be done at least one day apart and uploaded to People & Pay to unmask earlier than day 10.



City Departments to Post Summary of Workplace Injuries for 90 days beginning February 1

By Tyler Nguyen

The three-month period during which all California employers must post their 2022 Cal/OSHA Form 300A summaries of workplace injuries and illnesses for 2022 began on February 1st.

The annual summary must be posted in a visible and easily accessible area at each worksite, and must be posted between February 1st and April 30th. Employers are required to post the form even if they had no incidents during the previous year (January 1 through December 31, 2022).



The information is based on the Form 300 log of injuries and illnesses. Current and former employees and their representatives are entitled to a copy of the summary upon request.

Illnesses are recordable if they are work-related and result in one of the following:

- Death;
- Days away from work;
- Restricted work or job transfer;
- Medical treatment beyond first aid; or
- A significant injury or illness diagnosed by a physician or other licensed healthcare professional.

Illnesses qualifying under these criteria must be recorded on the Cal/OSHA 300, 300A and 301 forms or their equivalents.

What is an equivalent form? An equivalent form is one that has the same information, is as readable and understandable, and is completed using the same instructions as the OSHA form it replaces. Many California employers use the State 5020 form instead of the OSHA 301 Incident Report. Form 5020 is normally used to report an employee workers' compensation claim with the City's workers' compensation administrator.

DHR Workers' Compensation Division has generated the draft 300s and 300As to assist City departments in cross checking their records to comply with this year's posting requirements. These records can help reconcile your department's data before completing the 300A for department heads' signature and posting. Those who coordinate this recordkeeping requirement for their departments may contact Citywide Safety Officer Tyler Nguyen, Tyler.Nguyen@sfgov.org, to request a draft 300s and 300A for their department.

Managing Your Injury and Illness Prevention Program (IIPP) and Covid-19 Prevention Plan (CPP)

By Tyler Nguyen

In 1989 the California Legislature passed and the Governor signed SB 198, the most significant piece of Occupational Safety and Health legislation since the enactment of the OSHA Act. SB 198 shifted the focus of state policy in workplace safety and health to prevention. The changes weave the prevention approach into every aspect of Cal/OSHA: Standard enforcement sanctions; the use of data; and the providing of education information and technical assistance to employers. On July 1, 1991, regulations became effective implementing the part of this bill requiring employers to establish, implement and maintain worksite injury prevention programs.

Presently, all state employers and City and County of San Francisco (CCSF) departmental IIPPs must include these eight sections:

1. Responsibility – Who manages your IIPP?
2. Compliance – How do employees follow the rules?
3. Communication – How to inform employees about your IIPP
4. Hazard assessment – What hazards exist at your workplace?
5. Accident/exposure investigation – What caused an accident/near miss?
6. Hazard correction – Making changes to improve safety
7. Training and instruction – Performing job duties safely
8. Recordkeeping – Document corrections, changes, and successes with your IIPP

Department of Human Resources (DHR) Workers' Compensation Division (WCD) has been working with City departments to help implement, maintain, and update departmental IIPPs to ensure program components are included and addressed. To date 20 departmental IIPPs are gathered and housed on DHR's Employee Workplace Health and Safety Page to facilitate safety promotion and compliance efforts: [Employee Safety and the Injury and Illness Prevention Program | Department of Human Resources \(sfdhr.org\)](#)

On December 15, 2022, the California Occupational Safety and Health Standards Board voted to adopt Non-Emergency Covid-19 prevention regulations. These regulations took effect on February 3, 2023 and will remain in effect for two years after the effective date through February 3, 2025, except for the recordkeeping subsections that will remain in effect for three years through February 3, 2026.

Important changes to the Covid-19 Prevention regulations include the fact that employers are no longer required to maintain a stand-alone Covid-19 Prevention Plan. Instead, employers now can address Covid-19 as a workplace hazard under the requirements found in [section 3203 \(Injury and Illness Prevention Program, IIPP\)](#), and include their Covid-19 procedures to prevent this health hazard in their written IIPP or in a separate document.

In summary, employers must do the following:

1. Provide effective Covid-19 hazard prevention training to employees.
2. Provide face coverings when required by CDPH and provide respirators upon request.
3. Identify Covid-19 health hazards and develop methods to prevent transmission in the workplace.
4. Investigate and respond to Covid-19 cases and certain employees after close contact.
5. Make testing available at no cost to employees, including to all employees in the exposed group during an outbreak or a major outbreak.

“How to Create an IIPP” Spring Safety Training

DHR WCD has partnered with the Labor Occupational Health Program (LOHP) of the University of California, Berkeley to have one onsite/in-person and one hybrid/online classes for CCSF.

Through grants and funding in parts from the State Division of Workers’ Compensation and the Commission on Health and Safety, LOHP is to provide this free service utilizing its own resources and experts from both the State Compensation Insurance Fund and Cal/OSHA Consultation for training delivery.

City departments without embedded safety and health professionals are given priority registration consideration.

Commitment requires a half-day attendance for successful completion of the class. The in-person class size is limited to 20 participants while the online class is limited to 40 to allow for participants’ interaction and collaboration and program customization.

Be on the lookout for an email blast from DHR’s Communication in the weeks ahead. Be sure to nominate yourself when the time comes to reserve your in-person or virtual seat for this exciting, robust, and multi-dimensional safety training program.

6. Notify affected employees of Covid-19 cases in the workplace.
7. Maintain records of Covid-19 cases and immediately report serious illnesses to Cal/OSHA and to the local health department when required.
8. Employers must now report major outbreaks to Cal/OSHA.

The Covid-19 Prevention regulations do not require employers to pay employees while they are excluded from work. Instead, the regulations require employers to provide employees with information regarding Covid-19 related benefits they may be entitled to under federal, state, or local laws; their employer’s leave policies; or leave guaranteed by contract.

This approval and adoption of the Non-Emergency Covid-19 Prevention Regulations presents a perfect opportunity if you are updating your departmental IIPP. Covid-19 is now defined as a workplace hazard under the IIPP umbrella. If you are in the process of updating your departmental IIPP, you may address Covid-19 as a known workplace hazard yet continue to have specific Covid procedures updated in your CPP.

However, two Cal/OSHA Defense law firms presented on this topic at the annual Public Agency Risk Management Association (PARMA) conference in Sacramento, CA on February 7-10, 2023 and both recommended that the two IIPP and CPP be kept separately. DHR WCD also recommends the same.

The rationale behind this recommendation is that any OSHA plan requirement such as a CPP, a Respiratory Protection Program, a Control of Hazardous Energy Program, a Confined Space Entry Program, an Exposure Control Plan for Bloodborne Pathogens, an Emergency Action Plan – all have employee training and instruction requirements and thus should be kept apart for department and site-specific effective plan management.

Safety is good business and the right thing to do. Protect workers from injury and illness on the job is a responsibility and protecting workers makes good business sense. The costs related to accidents and injuries can be expensive and add up quickly. But an effective safety program can help your departments minimize those costs over the long run. DHR WCD is here to help. Please feel free to reach out to Citywide Safety Officer Tyler.Nguyen@sfgov.org to collaborate on your custom IIPP and CPP. Together we achieve more.



OSHA Recordable versus Reportable Explained

Recordable: Think OSHA 300s - to be recordable, an illness must be work-related

and result in one of the following:

- Death
- Days away from work
- Restricted work or transfer to another job
- Medical treatment beyond first aid
- Loss of consciousness
- A significant injury or illness diagnosed by a physician or other licensed health care professional.



Reportable: Think Serious Injury Reporting - City departments must report to nearest Cal/OSHA District Office serious injuries and fatalities on-the-job. Reportable cases include the following:

- Death
- Inpatient hospitalization, regardless of length of time, for other than medical observation or diagnostic testing
- Amputation
- Loss of an eye
- Serious degree of permanent disfigurement
- Exposure to a hazardous substance sufficient to create a realistic possibility of death or serious physical harm in the future
- Major Covid-19 outbreaks*

NOTE: A major Covid-19 outbreak is defined as 20 or more positive cases in an exposed group during their infectious period within a 30-day period.

*Effective Date: February 3, 2023

Workplace Violence Prevention Pending Regulation

By Tyler Nguyen

Workplace violence is a growing concern in the City, in California and across the country, as evidenced by numerous recent tragic incidents in the news. The latest data shows that in 2021, 57 working people died from acts of workplace violence in California. The City Joint SEIU Labor-Management Occupational Health and Safety and Workers' Compensation Committee has been discussing the issue of workplace assault at its quarterly meetings.

Currently, the California Division of Occupational Safety and Health (Cal/OSHA) has specific workplace violence prevention standards applicable only to the healthcare industry.

However, California Labor Code section 6400 provides that employers are required to “furnish employment and a place of employment that is safe and healthful for the employees therein,” which is commonly referred to as California’s “general duty” clause. Moreover, employers are required to implement written plans to prevent and respond to workplace hazards, which may also include workplace violence, depending on the individual circumstances. As workplace violence incidents increase across the country, Cal/OSHA could take the position that notwithstanding the absence of specific workplace violence prevention regulations applicable to the general industry, employers should address workplace violence as a part of a potential recognized hazard.

Cal/OSHA’s long-standing guidance on workplace violence preventive measures includes the following factors for employers to consider when assessing workplace security issues:

- Exchange of money;
- Working alone at night and during early morning hours;
- Availability of valued items, e.g., money and jewelry;
- Guarding money or valuable property or possessions;
- Performing public safety functions in the community;
- Working with patients, clients, passengers, customers or students known or suspected to have a history of violence; or
- Employees with a history of assaults or who have exhibited belligerent, intimidating or threatening behavior to others.

In May 2022, Cal/OSHA proposed a workplace violence prevention regulation applicable to all industries. The proposed regulation would require employers to implement additional measures to prevent and respond to workplace violence, including:

1. assessing the workplace for hazards related to workplace violence;
2. developing and implementing a workplace violence prevention program;
3. providing training and education to employees on workplace violence prevention;
4. establishing procedures for responding to incidents of workplace violence; and
5. providing appropriate resources and support to employees who are affected by workplace violence.

When the pending workplace violence prevention regulation becomes effective, this plan or program should continue to be kept separate from a departmental injury and illness prevention program (IIPP) for effective management.