

# **CITY OF GRASS VALLEY EMPLOYEE ILLNESS AND INJURY PREVENTION PROGRAM**

## **REASON FOR INVESTIGATION**

Grass Valley's safety handbook states: "Every department of the City of Grass Valley SHALL strive to establish and maintain an on going accident prevention program." The Grand Jury, as an advocate for the public, is interested in what is being done in the City of Grass Valley to ensure the safety of its employees.

## **BACKGROUND**

California Senate Bill (SB) 198 mandates that employers be accountable for the occupational safety and health of their employees. SB 198 was passed and chaptered into the Insurance and Labor Code on October 2, 1989. Beginning July 1, 1991, Labor Code Section 6400 requires every employer to "provide a safe and healthful workplace for his/her employees." Title 8 of the California Code of Regulations (CCR), requires California employer's to have an effective injury and illness prevention program in writing that must be in accord with Title 8 CCR Section 3203 of the General Industry Safety Orders. The required elements within the regulation provide specific criteria by which Cal-OSHA will evaluate the program. The regulation specifically states that: " the designation of a responsible person (or persons) and a system for: (1) communicating with employees on matters concerning safety and health; (2) identifying and evaluating workplace hazards; (3) implement procedures for injury/illness investigation; (4) mitigating hazards; (5) training employees; and (6) maintaining records."

## **PROCEDURE FOLLOWED**

The City Manager, the Human Relations Manager, the Finance Director, and the City Clerk of Grass Valley were interviewed. The City of Grass Valley's Safety, Injury and Illness Prevention Program For City Employees and Volunteers safety handbook, SB 198 and Title 8 were reviewed.

## **FINDINGS**

1. Grass Valley's safety handbook was developed in 1992, and has not been updated as of the time of this report. Grass Valley is working to update its Illness and Injury Prevention (IIP) Program handbook and expects to complete those revisions by June 2003.
2. The Human Relations Manager, who was appointed a year ago, is the City's safety officer.

3. The City's safety committee meets quarterly. The City Clerk chairs the committee. Members include the City Administrator, Police Chief, Fire Chief, Public Works Superintendent, Deputy Director of Public Works, Director of Public Works, plus several other staff and clerical support. Currently there is no union representation on the committee.
4. There are no safety incentives or recognition programs in place.
5. Although there are records are posted annually, there is no regular communication with all employees on matters concerning safety and health performance.
6. There is no formal "train the trainer" program in place for those employees charged with training others on the safe use of equipment. There also is no evaluation of the effectiveness of the training being provided.
7. The current safety handbook states: "Responsible supervisors make regular inspections of all work area structures, machinery, and equipment at frequent (NO LESS THAN ONCE A WEEK) intervals, take immediate corrective measures to eliminate hazards directly under the control of the employer, and report any violations of safety orders or safe working practices to the appropriate Department Head in his/her department within the City." The grand jury was advised that this does not take place at city hall. While staff thinks that it may take place at other city sites, there may be no records. If there are any records, they are maintained on-site at each work location.
8. The handbook states that: "all supervisors at all levels are responsible for the enforcement of safety rules among employees under their supervision."
9. The handbook states that: "at the end of each shift, supervisors shall inspect their work areas for proper housekeeping, and for fire or other hazards, and see that all areas are left in safe condition."
10. No fire drills or emergency evacuation drills have ever been conducted at city hall.
11. Training in the use of fire extinguishers has not been provided to city employees in several years.
12. The General Safety Rules section of the current safety handbook sets forth the requirement that "supervisory personnel SHALL conduct 'toolbox' or 'tailgate' safety meetings (or the equivalent) with their employees on the job, at least every ten (10) working days for construction related activities, or as needed on other projects, to emphasize SAFETY." Safety meetings for construction activities reportedly do take place every ten days and the logs of one department's safety training meetings were made available for review by the grand jury.

13. The handbook further sets forth the requirement that “each department is responsible to insure that employees receive adequate training in the use and testing of respiratory protective equipment and a thorough knowledge of this policy.” This training is only provided to city employees whose job requires the use of respiratory equipment.
14. The handbook establishes as procedure: “A Supervisor’s Accident Report shall be completed by the injured employee’s Supervisor and forwarded to the Insurance/Risk Manager’s Office (carbon copy to City Manager) within 24 hours.” Since the appointment of a Human Relations Manager a year ago, the copies are now forwarded to that office instead of the City Manager (City Administrator). However, not all reports are received within 24 hours as required.
15. The handbook notes: “The City Manager’s Office will maintain statistics by departments on all hazards reported and the disposition taken. These statistics will be reviewed by the City Safety Committee on a monthly basis.” However, the grand jury was advised that the safety committee only meets on a quarterly basis.
16. Additional requirements within the handbook include the maintenance of an approved first aid kit in “every City truck, office and work station.” Staff was unable to state with certainty whether a first aid kit is available in every truck, office, and workstation.
17. Safety orientation is given to new employees. Signed documentation by the employees of receiving the safety orientation is placed in their personnel files. Employees receive an orientation concerning Material Safety Data Sheets pertaining to their work area and training in the safe operation of a vehicle.
18. The Fire Department offers first aid training to all city employees. CPR training is not made available to all employees.
19. Within the last year, proper procedures were followed causing a partial closure to allow for routine cleaning and maintenance in a confined space at the Waste Water Plant. This was in compliance with OSHA confined space requirements.

## **CONCLUSIONS**

The City of Grass Valley’s safety handbook, while comprehensive, has not been updated in the more than ten years since these programs and materials became mandated by law. The City is currently updating these program materials. However, the fact that legislators found safety issues important enough to require safety programs suggests that cities and other public agencies need to be more tenacious in routing out unsafe working conditions and practices that expose employees and taxpayers to considerable risk. Without regular reviews and updates to its safety program, a city cannot sincerely be committed to ensuring that safe working conditions are achieved. In addition, reviews provide an agency with the opportunity to change wording to more accurately depict the actual procedures being followed and to eliminate or modify onerous requirements that cannot be met.

Within the last year, the City staff did conduct a partial shutdown of operations at the Waste Water Plant to permit safe cleaning and maintenance of a concrete pond in compliance with OSHA requirements. During this period, the City also continued its practice of offering first aid training to all employees. Clearly, the City demonstrates some responsibility and caution in working to protect its employees' safety. Even so, the City does not conduct fire drills to prepare employees for possible evacuations of its buildings in case of natural disaster or terrorist activities. The assumption appears to be that these things will not happen here.

Further, there is no evidence that supervisors are making regular inspections of workstations, equipment, and machinery. At the very least, such inspections would demonstrate the City's interest in protecting its investment in buildings and equipment. More importantly, it would communicate to employees the city's desire to employ them in a safety-conscious environment. Meanwhile, in the event that an employee should be injured on the job, written records to document safety inspections of these areas must be readily available for review. These items would help in determining whether an accident occurred because of operator error, equipment malfunction, or other unsafe conditions.

Finally, all staff responsible for the safety program, training, and site inspections needs to prepare and maintain adequate records to ensure that program requirements are being met. If the safety committee needs to review departmental statistics on a monthly basis, then the committee must meet monthly. If they plan to continue meeting only quarterly, the safety program manual must accurately reflect that the statistics will be reviewed at those meetings. If the safety program manual clearly states that employees shall be trained and must be knowledgeable in the use of certain equipment and related City policies, the City or the affected department must ensure that this training is being provided. If the City falls down in its responsibilities to its employees, in all fairness employees cannot be held accountable for their adherence to safety policies and practices in their performance reviews.

## **RECOMMENDATIONS**

1. Update the safety handbook to include a provision for periodic fire/disaster drills. Change the handbook to reflect the actual procedures followed. Eliminate onerous language that sets requirements for inspections, statistical reviews, and related safety activities that create unreasonable standards and burdens for staff.
2. Restructure the safety committee by appointing employees from line, supervisory and management and include union representation. Direct the committee to meet regularly to review new safety issues and safety performance, to make recommendations for improved safety and to communicate this information to all employees.
3. Strengthen safety training through a "train the trainer" program initiated through the Human Relations Manager and department managers.
4. Offer CPR training to all city employees.

5. Implement periodic safety meetings for staff in all city departments during which they can learn about and discuss current safety issues that are of concern to them.
6. Develop employee safety incentive and recognition programs.
7. Ensure that safety and training record keeping complies with Title 8 CCR Section 3203 of the General Industry Safety Orders. Direct the person assigned the responsibility for the City's safety program to conduct periodic audits of department safety records and ensure that inspections and training are being conducted and recorded as required.
8. Charge the safety committee with ensuring that regular reviews and updates are made to the City's safety handbook.

## **REQUIRED RESPONSES**

The City Council of Grass Valley by September 15, 2003