

SAFETY

TIP OF THE MONTH

AB 1804 & 1805

Assembly Bill 1804 & 1805 became effective January 1, 2020.

With AB 1804, the reporting requirements to Cal/OSHA have changed. AB 1805 has expanded the definitions of “Serious Exposure” and “Serious Injury or Illness” as well as changes the duties of OSHA requiring faster response and confidentiality of the person submitting a complaint.

These new changes place an emphasis on a higher frequency of communication to Cal/OSHA and a higher emphasis on an employer’s workplace safety program.

It is also reasonable to expect that with the higher frequency of communications to Cal/OSHA, in order to satisfy response times, there will be an increase in OSHA enforcement officers.

For a webcast on AB 1804 & 1805, visit ESM’s website:

www.esminsite.com/blog/ab1804-ab1805-cal-osha-reporting-changes

Review your IIPP and ensure it is being implemented and that all activities (training, inspections, violations) are being documented. If you didn’t document it, you didn’t do it!



AB 1804 & 1805

Changes to Cal/OSHA's Recordkeeping and Reporting Requirements in 2020.

ASSEMBLY BILL 1804

- Must file Cal/OSHA 300 logs (including 300A) with the Department of Industrial Relations **or** the insurer.
- Report needs to be filed **within 5 days** after employer obtains knowledge of injury or illness.
- Report must include **Social Security number**
- Serious injury or illness, or death must be reported immediately to Cal-OSHA by telephone or through specified online mechanism.
- **\$5,000 penalty for no report of serious injury.**

ASSEMBLY BILL 1805

- **“Serious Exposure:** defined as: any exposure of an employee to a hazardous substance when the exposure occurs as a result of an incident, accident, emergency, or exposure over time and is in a degree or amount sufficient to create a realistic possibility that death or serious physical harm in the future could result from the actual hazard created by the exposure.
- **“Serious Injury or Illness”** defined as any injury or illness occurring in a place of employment or in connection with any employment that requires inpatient hospitalization, for other than medical observation or diagnostic testing, or in which an employee suffers an amputation, the loss of an eye, or any serious degree of permanent disfigurement, but does not include any injury or illness or death caused by an accident on a public street or highway, unless the accident occurred in a construction zone.

WHAT EMPLOYERS SHOULD DO

- Review your processes for recordkeeping and reporting.
- Retrain managers on new processes for Compliance
- Review the new definition of Serious Injury & Illness
- Review the new definition of Serious Exposure
- When in doubt about contacting Cal-OSHA about a “Serious” injury, error on the side of caution.



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Company Name:		
Date / Time:		
Instructor:		
Training:	AB 1804 & 1805	
Training Objectives:	<ul style="list-style-type: none"> • Review 1804 changes to reporting • Review 1805 new definitions of Serious Exposure & Serious Injury or Illness • Discus internal reporting channels and policies 	

Print Name	Signature