



**POMS**

**Upcoming Risk Control Webinars**

- November 29<sup>th</sup> - Ergonomics
- January 10<sup>th</sup>, 2023 - Security

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**Fire and Ice (and a little policy talk thrown in!)**

October 25, 2022

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**Speakers**

**California**

- Maria Brunel, CSP  
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- Amy Dolson, CSP, CEAS, CPSI, ABCP, REHS  
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**New Mexico**

- Larry Vigil, CSP, ASP, CSR, CPSI, CIC  
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**Agenda**

- California Legislative Updates
- New Mexico Legislative Updates
- Emergency Preparedness: Preparing for extreme weather risks

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## California Legislative Updates-Covid 19 Updates

- **COVID-19 Updates:**
- The COVID-19 Prevention Emergency Temporary Standard (ETS) remains in effect until December 31, 2022.
- Cal OSHA is voting on November 17, 2022 on the permanent standard and will be effective January 2023.
- New Standard will follow California Department of Public Health (CDPH) orders.
- Link to the proposed standard: <https://www.dir.ca.gov/oshsb/documents/COVID-19-Prevention-Non-Emergency-15-Day.pdf>

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## California Legislative Various Updates

- AB 506 became law in California on September 16, 2021. New law is aimed at "Youth Service Organizations" and outlines requirements related to training, background checks and policies. The new law creates difficulties likely unexpected by the drafters. Nonetheless, it's the new legal Standard of Care related to sexual abuse risk management.
- AB 2188 - Cannabis detection "breathalyzer" will detect the active use of marijuana. Will be effective January 2024. It will prohibit many employers from discriminating against a person in hiring, firing and the "terms and conditions" of employee if a drug screen detects past marijuana use in the form of "non-psychoactive cannabis metabolites." It also prohibits discrimination based on "off the job" cannabis use. The law exempts building trades and construction, as well as federal laws requiring testing as a condition of employment. It also does not apply to state and federal laws requiring drug testing.
- Fentanyl and Narcan at schools.
  - In September 2022, the CDPH released a standing order in CA regarding administration of Naloxone: [https://www.cdph.ca.gov/Programs/CCDC/PPH/sab/CDPH%20Document%20Library/NSO\\_EAO\\_Sept%202022\\_ADA.pdf](https://www.cdph.ca.gov/Programs/CCDC/PPH/sab/CDPH%20Document%20Library/NSO_EAO_Sept%202022_ADA.pdf)
  - DEA Parent Flyer: [https://www.dea.gov/sites/default/files/2022-09/DEA-DFCX\\_Parent%20Flyer.pdf](https://www.dea.gov/sites/default/files/2022-09/DEA-DFCX_Parent%20Flyer.pdf)

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## California Legislative Updates-Monkeypox

- Cal OSHA is considering Monkeypox (MPX) a new workplace hazard.
- Cal OSHA issued guidance regarding protection of workers from MPX on September 13, 2022.
- Cal OSHA applying Aerosol Transmissible Disease (ATD) Standard Title 8 Section 5199.
- Employers not covered by Section 5199 must still protect their employees under the Injury and Illness Prevention Program (IIPP).
- MPX is a viral infection.
- Cal/OSHA MPX Guidance: <https://www.dir.ca.gov/dosh/documents/monkeypox-guidance.pdf>
- California Department of Public Health (CDPH) MPX Guidance: <https://www.cdph.ca.gov/Programs/CID/DCDC/Pages/Monkeypox.aspx>

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## California Legislative Updates-Workplace Violence General Industry

- Cal OSHA is working on a Workplace Violence Prevention (WPV) Standard for general industry
- Currently only Healthcare has a WPV Standard Title 8 Section 3342
- New Standard Title 8 Section 3343 WPV prevention General Industry
  - Proposed Elements: (highlights)
    - Training
    - Hazard Assessment
    - Written Policy to include who is responsible
    - Communication
    - Procedures to correct workplace violence hazards in a timely manner
    - Post Incident Investigation
    - Recordkeeping
- Draft Language as of May 17, 2022: <https://www.dir.ca.gov/dosh/doshreg/Workplace-Violence-in-General-Industry/Discussion-draft-3.pdf>
- Most likely will be voted on sometime in 2023

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### California Legislative Update-First Aid Kits

- Cal/OSHA Standards Board - proposed revisions for both Construction and General Industry First Aid Kits
- Highlights include:
  - Remove requirement that only a doctor can determine minimum supplies and replace with "physician or other licensed health care professional".
  - Meet ANSI Z308.1 minimum requirements for Workplace First Aid Kits and Supplies, 2021 Edition.
  - Proposed regulation: <http://www.cal-osha.com/wp-content/uploads/2022/10/First-Aid-15-Day.pdf>

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### New Mexico OSHA & Legislative Updates

- New guidance on COVID-19 Reporting in the workplace
  - Inspectors will "exercise enforcement discretion" for failure to report positive cases within 4 hrs
  - Fatalities and hospitalizations must be reported and recorded
- Effective April 1, 2022 - Maximum Civil Penalties increased across the board
- SB212 provided minimum \$100,000 per district for maintenance or repairs

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### Preparing for Emergencies

- Extreme weather risks (Wildfires, Earthquakes, Lightning, Floods)
- Have a written Emergency Action Plan
- Determine which risk affect your operations and/or schools-don't forget your transportation employees
- EAP should include:
  1. Training and drills
  2. Procedures for evacuations
  3. Procedures to account for all employees after the emergency evacuation has been completed
- Conduct an assessment
- Emergency Supplies
- Protect against wildfire and smoke (property damage)
- Earthquake (CA Great shakeout on 10-20-22) who participated? Great to assess your readiness

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### Winter Weather Building Preparation

- Prior to the cold season
  - Designate weather monitor to implement program
  - Identify water lines, equipment susceptible to freezing
  - Shut off, drain, insulate such pipes/equipment
  - Consider leak/water detection equipment
  - Repair or provide additional insulation weather proofing (windows, doors etc.)
  - Repair leaking or damaged pipes
  - Identify, document and assure access to shutoffs
  - Identify, contract with plumbing services and or reclamation companies for priority service in the event of frozen pipes or water damage
  - Ensure adequate supplies of ice melt materials

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### During Winter Storms and Prolonged Freeze Event

- Designated person monitor weather daily to determine when/if necessary to take precautions.
- Make regular rounds of unoccupied areas to ensure heat is operating normally and no signs of freezing or water damage.
- Monitor temperatures in difficult to heat areas, take appropriate measures if temperatures drop below 40 degrees.

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### Wildfire Prevention

- Clear leaves, dry vegetation from roofs, gutters and porches.
- Eliminate ladder fuels by keeping grasses and vegetation mowed, tree limbs trimmed.
- Create defensible space of 30-50 feet around facilities.
- Clear or trim vegetation around playground equipment.
- Check facilities for open vents, other openings.
- Protect vents with metal screens to prevent embers from entering.

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### Resources

- <https://www.fema.gov/pdf/hazard/wildfire/wdfrdam.pdf>
- [https://www.fema.gov/sites/default/files/2020-03/fema\\_faith-communities\\_wildfire-playbook\\_0.pdf](https://www.fema.gov/sites/default/files/2020-03/fema_faith-communities_wildfire-playbook_0.pdf)
- <https://www.usfa.fema.gov/downloads/pdf/publications/wildfire-evacuation-checklist.pdf>
- CDC Guidance on Natural Disasters and Severe Weather:  
<https://www.cdc.gov/disasters/winter/index.html>

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