

News You Can Use



Because You're Different

Cal/OSHA Rules

As Wildfire Season Heats Up, Protect Workers

CAL/OSHA has issued a reminder to employers that they are required to protect their outdoor workers from unhealthy air due to wildfire smoke.

Cal/OSHA's Protection from Wildfire Smoke emergency regulation, put in place in August 2019, was made permanent in February 2021. For the safety of your workers and to comply with the regulation, it's important that you follow the rules and know when you will need to take action to protect them from outdoor smoke.

The regulation applies when the Air Quality Index (AQI) for airborne particulate matter 2.5 microns (PM2.5) is 151 or greater in an area where employees are working outdoors. Here are the details:

Identification

When wildfire smoke affects a worksite, employers must monitor the AQI for PM2.5.

Employers can monitor the index using the following agency websites:

- U.S. EPA AirNow
- U.S. Forest Service Wildland Air Quality Response Program
- California Air Resources Board
- Local air pollution control district websites or local air quality management district websites.

Communication

Employers must implement a system for communicating wildfire smoke hazards in a form readily understandable by all affected employees, including provisions designed to encourage employees to inform the employer of wildfire smoke hazards without fear of reprisal.

Training and instruction

Employers with outdoor workers need to provide training that covers at least:

- The health effects of wildfire smoke.
- The right to obtain medical treatment without fear of reprisal.
- How employees can obtain the current AQI for PM2.5.
- Possible actions they must take if the AQI exceeds 150 PM2.5

Options for protecting workers

The regulation provides three ways employers can protect their workers:

1. Modifications – If possible, employers should implement modifications to the workplace, in order to reduce exposure. Examples include providing enclosed structures or vehicles for employees to work in, where the air is filtered.

2. Changes to procedures and schedules – Another option is to change work procedures or schedules. Examples include changing the location where employees work or reducing the amount of time they work outdoors or exposed to unfiltered outdoor air

3. Respiratory protection – Employers also have the option to provide proper respiratory protection equipment, such as disposable respirators, for voluntary use without fit-testing if AQI PM2.5 levels are below 500.

To filter out fine particles, respirators must be labeled N-95, N-99, N-100, R-95, P-95, P-99 or P-100, and must be labeled as approved by the US National Institute for Occupational Safety and Health.

If the AQI PM2.5 is above 500, respirator use is required, and fit-testing and a medical examination prior to use are mandatory.

See 'Videos' on page 2

CONTACT US

If you have any questions regarding your coverage or our products, please call us at one of our offices:

Walnut Creek
San Francisco
Petaluma
San Jose
San Mateo
Truckee
Bakersfield
Woodland Hills
London

Cypress
Los Angeles
Irvine
Phoenix
Portland
Seattle
St. Louis
Philadelphia

Phone: 800-234-6787
CA License No.: 0564249

Workers' Comp

Construction Dual-Wage Changes Ahead

AS INFLATION drives up wages in all sectors, nearly all of the workers' compensation dual class codes for the construction sector will be increasing as of Sept. 1, 2022.

Insurance Commissioner Ricardo Lara in July approved the recommendation by the Workers' Compensation Insurance Rating Bureau of California to increase the wage thresholds for high-wage workers, who enjoy lower pure premium rates than those who are paid less. The new rates apply to all workers' comp policies incepting on or after Sept. 1.

Dual-wage thresholds divide high- and low-wage classifications in various construction industry sectors that have different pay structures for workers and which have proven to have different workers' comp injury rates and costs.

Statistically, higher-paid workers in a high-wage classification are less likely to suffer an on-the-job injury, which in turn means that their employers will pay a lower rate.

On the other hand, the low-wage/high workplace injury rate tier of employee in the dual-wage classification means higher workers' comp premium rates. ❖



CLASS CODE		2021 Threshold	2022 Threshold (as of Sept. 1)
5027/5028	Masonry	\$28	\$32
5183(1)/5187(1)	Plumbing	\$28	\$31
5183(2)/5187(2)	Refrigeration equipment	\$28	\$31
5183(3)/5187(3)	Heating or air conditioning equipment	\$28	\$31
5185/5186	Auto sprinkler install.	\$29	\$32
5190/5140	Electrical wiring	\$32	\$34
5201(1)/5205(1)	Concrete or cement work (pouring, finishing, patios, sidewalks, driveways, etc.)	\$28	\$32
5201(2)/5205(2)	Concrete or cement work (pouring, finishing of concrete floor slabs)	\$28	\$32
5403/5432	Carpentry	\$35	\$39
5446/5447	Wallboard installation	\$36	\$38
5467/5470	Glaziers	\$33	\$36
5474(1)/5482(1)	Painting, wall-paper install	\$28	\$31
5474(2)/5482(2)	Waterproofing	\$28	\$31
5474(3)/5482(3)	Painting, water, oil or gasoline storage tanks	\$28	\$31
5484/5485	Plastering, stucco work	\$32	\$36
5538(1)/5542(1)	Sheet metal work	\$27	\$29
5538(2)/5542(2)	Heating, AC ductwork	\$27	\$29
5552/5553	Roofing	\$27	\$29
5632/5633	Steel framing	\$35	\$39
6218(1)/6220(1)	Excavation	\$34	\$39
6218(2)/6220(2)	Grading land	\$34	\$39
6218(3)/6220(3)	Land leveling	\$34	\$39
6307/6308	Sewer construction	\$34	\$39
6315(1)/6316(1)	Water mains, connections construction	\$34	\$39
6315(2)/6316(2)	Gas mains, connections construction	\$34	\$39

Continued from page 1

Resources for Protecting Workers From Wildfire Smoke

Cal/OSHA

- [Training videos](#) on wildfire smoke protection and using N-95 respirators
- [Guidance for employers and workers](#) on wildfire smoke
- [Frequently asked questions](#) about N-95 masks
- [Training Academy](#) (free resources in English and Spanish)

Western Center for Agricultural Health and Safety

- [Checklists, training handouts and posters](#) on smoke health effects, monitoring AQI
- [Pocket cards](#) for respirator use
- [Checklist](#) for wildfire smoke exposure