Legislation Text

File #: 18-761, **Version:** 1

Adopt a new County administrative policy to implement the Solano County Hearing Conservation Program in accordance with California's Division of Occupational Safety and Health regulations

Published Notice Required?   Yes _____ No _X__
Public Hearing Required?   Yes _____ No _X__

DEPARTMENTAL RECOMMENDATION:

The Director of Human Resources recommends that the Board of Supervisors adopt an administrative policy to implement a new Solano County Hearing Conservation Program in accordance with California's Division of Occupational Safety and Health (Cal OSHA) regulations.

SUMMARY:

The Department of Human Resources, Risk Management Division, has developed the Solano County Hearing Conservation Program that fulfills the requirements that must be followed to protect employees from noise-induced hearing loss in accordance with Title 8 of the California Code of Regulations (CCR), Section 5097, Hearing Conservation Program.

This program incorporates all the provisions referred to in Title 8, Section 5097, Hearing Conservation Program, including the use of noise area monitoring, audiometric testing, and the appropriate use of hearing protection devices by employees affected by the program.

The adoption of the proposed program is part of the County's commitment to provide a healthy and safe work place for County employees.

FINANCIAL IMPACT:

The proposed amendment includes annual hearing testing, which is estimated to cost of $5,000 to $7,000 a year, and area noise monitoring, which is estimated to result in a one-time cost of $3,500. All costs are included in the Risk Management budget. The costs associated with preparing the agenda item are nominal and absorbed by the department's FY2018/19 Adopted Budget.

DISCUSSION:

The California Occupational Safety and Health Act of 1973 established the Division of Occupational Safety and Health of California (Cal OSHA) to protect public health and safety through research and regulation related to workplace hazards. In accordance with Title 8 of the California Code of Regulations, Section 303 of the General Industry Safety Orders, every employer has a legal obligation to provide and maintain a safe and healthful workplace for employees.

On October 3, 1983, Cal OSHA filed the amendment to establish Title 8 (T8) of the California Code of Regulations (CCR), Section 5097, Hearing Conservation Program, which requires participation in an effective hearing conservation program that includes the following requirements:

- Annual hearing testing for all employees at risk of noise-induced hearing loss due to exposure to high noise levels, which are defined as an action level of 85 decibels (dBA) over an 8-hour time period;
- Noise monitoring to be conducted by the employer when necessary to determine if the action level has been met and to enable the proper selection of hearing protectors; and
- Proper selection, maintenance, and use of hearing protectors.

Highlights of the proposed program Solano County Hearing Conservation Program are as follows:

- Risk Management will contract with Examinetics to provide 3 to 4 full days of hearing testing annually for personnel enrolled in the County's hearing conservation program. Departments that make their employees available for the hearing testing dates will incur no direct costs.
- Noise monitoring of select job classifications in the Animal Control division of the Sheriff's Office to determine inclusion in the program and the Cogen division in General Services to determine effectiveness of hearing protection.
- Adequate hearing protection is expected to assist employees at risk of noise induced hearing loss. The County, through noise monitoring and audiometric testing, can make adjustments to work practices, engineering controls, and/or hearing protection before significant injury occurs.
- Responsibilities for employees, supervisors, departments, and Risk Management are defined.
- A template is provided to facilitate the creation of the required departmental hearing conservation plan.
- Departments and classifications enrolled are:

  - **DISTRICT ATTORNEY**
    Chief DA Investigator
    Criminalist
    DA Investigator
    DA Investigator, Supervisor
  - **GENERAL SERVICES**
    Building Maintenance Assistant
    Building Trades Mechanic
    Cogen Industrial Engineer, Mechanic
    Equipment Mechanic
    Equipment Services Worker
    Facilities Operations Supervisor
    Fleet Services Supervisor
    Groundskeeper
    Groundskeeper (Supervisor)
    Senior Stationary Engineer
    Stationary Engineer
    Stationary Engineer (Supervisor)
  - **HEALTH AND SOCIAL SERVICES**
    Welfare Fraud Investigator
    Welfare Fraud Investigator, Supervisor
    Welfare Fraud Investigator, Manager
  - **PROBATION**
    Deputy Director, Probation
    Deputy Probation Officer, Entry (PRCS or PEST unit)
    Deputy Probation Officer, Journey (PRCS or PEST unit)
    Deputy Probation Officer, Senior (PRCS or PEST unit)
    Deputy Probation Officer, Supervisor (PRCS or PEST unit)
    Director of Probation
    Probation Services Manager

- o **RESOURCE MANAGEMENT**
  - Park Ranger
  - Park Ranger Assistant
  - Park Ranger Supervisor
  - Public Works Maintenance Supervisor
  - Public Works Maintenance Worker
  - Public Works Maintenance Worker (Senior)
  - Public Works Operations Manager
  - Public Works Trainee
- o **SHERIFF'S OFFICE**
  - Animal Control Officer
  - Animal Control Officer (Senior)
  - Captain
  - Deputy Sheriff
  - Lieutenant Sheriff
  - Sergeant Sheriff
  - Sheriff Security Officer

ALTERNATIVES:

The Board of Supervisors may choose not to adopt the policy; however, staff does not recommend this alternative, as the proposed Hearing Conservation Program provides for compliance with related State and Federal laws.

OTHER AGENCY INVOLVEMENT:

Notification of, and an opportunity, to meet on the proposed changes was provided to all bargaining unit representatives. Human Resources met with representatives from SEIU and Unit 13.

The County Counsel's Office and the Department of Human Resources have reviewed the proposed Solano County Hearing Conservation Program and concur on the provisions of the program.

CAO RECOMMENDATION:

APPROVE DEPARTMENTAL RECOMMENDATION