

**Napa County Office of Education  
Barbara Nemko, Ph.D., Superintendent**

**INJURY AND ILLNESS**  
**PREVENTION PROGRAM**

**EMPLOYEE HANDBOOK**

**1993-1994**

**Revised 9/95  
Revised 10/96  
Revised 02/03  
Revised 07/06**

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STATE STANDARD  
TITLE 8, CHAPTER 4

**3203. Injury and Illness Prevention Program**

- (a) Effective July 1, 1991, every employer shall establish, implement and maintain an effective Injury and Illness Prevention Program. The Program shall be in writing and shall, at a minimum:
- (1) Identify the person or persons with authority and responsibility for implementing the Program.
  - (2) Include a system for ensuring that employees comply with safe and healthy work practices. Substantial compliance with this provision includes recognition of employees who follow safe and healthful work practices, training and retraining programs, disciplinary actions, or any other such means that ensures employee compliance with safe and healthful work practices.
  - (3) Include a system for communicating with employees in a form readily understandable by all affected employees on matters relating to occupational safety and health, including provisions designed to encourage employees to inform the employer of hazards at the worksite without fear of reprisal. Substantial compliance with this provision includes meetings, training programs, posting, written communications, a system of anonymous notification by employees about hazards, labor/management safety and health committees, or any other means that ensures communication with employees.

**Exception:** Employers having fewer than 10 employees shall be permitted to communicate to and instruct employees orally in general safe work practices with specific instructions with respect to hazards unique to the employees' job assignments as compliance with Section (a)(3).

- (4) Include procedures for identifying and evaluating work place hazards including scheduled periodic inspections to identify unsafe conditions and work practices. Inspections shall be made to identify and evaluate hazards:
  - (A) When the Program is first established:

**Exception:** Those employers having in place on July 1, 1991, a written Injury and Illness Prevention Program complying with previously existing Section 3203.

- (B) Whenever new substances, processes, procedures, or equipment are introduced to the workplace that represent a new occupational safety and health hazard; and
  - (C) Whenever the employer is made aware of a new or previously unrecognized hazard.
- (5) Include a procedure to investigate occupational injury or occupational illness.
- (6) Include methods and/or procedures for correcting unsafe or unhealthy conditions, work practices, and work procedures in a timely manner based on the severity of the hazard.
- (A) When observed or discovered; and,
  - (B) When an imminent hazard exists which cannot be immediately abated without endangering employee(s) and/or property, remove all exposed personnel from the area except those necessary to correct the existing condition. Employees necessary to correct the hazardous condition shall be provided the necessary safeguards.
- (7) Provide training and instruction:
- (A) When the program is first established;
- Exception:** Employers having in place on July 1, 1991, a written Injury and Illness Prevention Program complying with the previously existing accident prevention program in Section 3203.
- (B) To all new employees;
  - (C) To all employees given new job assignments for which training has not previously been received;
  - (D) Whenever new substances, processes, procedures, or equipment are introduced to the workplace and represent a new hazard;
  - (E) Whenever the employer is made aware of a new or previously unrecognized hazard; and
  - (F) For supervisors to familiarize them with the safety and health hazards to which employees under their immediate direction and control may be exposed.
    - (b) Records of the steps taken to implement and maintain the Program shall include:

- (1) Records of scheduled and periodic inspections required by subsection(a)(4) to identify unsafe conditions and work practices, including person(s) conducting the inspection, the unsafe conditions and work practices that have been identified and action taken to correct the identified unsafe conditions and work practices. These records shall be maintained for three (3) years; and

**Exception :**Employers with fewer than 10 employees may elect to maintain the inspection records only until the hazard is corrected.

- (2) Documentation of safety and health training required by subsection (a)(7) for each employee, including employee name or other identifier, training dates, type(s) of training, and training providers. This documentation shall be maintained for three (3) years.

**Exception No. 1:** Employers with fewer than 10 employees can substantially comply with the documentation provision by maintaining a log of instructions provided to the employee with respect to the hazards unique to the employees job assignment when first hired or assigned new duties.

**Exception No. 2:** Training records of employees who have worked for less than one (1) year for the employer need not be retained beyond the term of employment if they are provided to the employee upon termination of employment.

- (c) Employers who elect to use a labor/management safety and health committee to comply with the communication requirements of subsection (a)(3) of this section shall be presumed to be in substantial compliance with subsection (a)(3) if the committee:
  - (1) Meets regularly, but not less than quarterly;
  - (2) Prepares and makes available to the affected employees, written records of the safety and health issues discussed at the committee meetings and, maintained for review by the Division upon request;
  - (3) Reviews results of the periodic, scheduled worksite inspections;
  - (4) Reviews investigations of occupational accidents and causes of incidents resulting in occupational injury, occupational illness, or exposure to hazardous substances and, where appropriate, submits suggestions to management for the prevention of future incidents;
  - (5) Reviews investigations of alleged hazardous conditions brought to the attention of any committee member. When determined necessary by the committee, the committee may conduct its own inspection and investigation to assist in remedial solutions;

- (6) Submits recommendations to assist in the evaluation of employee safety suggestions; and
- (7) Upon request from the Division, verifies abatement action taken by the employer to abate citations issued by the Division.

**NOTE:**

Authority cited: Sections 142.3 and 6401.7, Labor Code. Reference: Sections 142.3 and 6401.7, Labor Code.

## **POLICY**

**The Napa County Superintendent of Schools will institute and administer a comprehensive and continuous Occupational Injury and Illness Prevention Program (IIPP) for all employees. Management's goal is to prevent accidents, to reduce personal injury and occupational illness and to comply with all safety and health standards.**

**Written Injury and Illness Prevention Program  
For the  
Napa County Office of Education**

**The following written Injury and Illness Prevention Program for the Napa County Office of Education, along with the basic safety policies, document that it is the Napa County Office of Education's policy to fully comply with Labor Code 6401.7 and GISO 3203, Injury and Illness Prevention Program.**

**I**

**Employer Information**

**The Napa County Office of Education is a public educational agency providing direct educational services for students with alternative, special education, career/vocational needs. In addition, the office provides support services to Districts in the areas of school finance and other educational support services.**

**Napa County Office of Education  
2121 Imola Avenue  
Napa, CA 94559  
Ph # (707) 253-6800  
Fax # 253-6894  
Web Site: [www.ncoe.k12.ca.us](http://www.ncoe.k12.ca.us)**

**II**

**RESPONSIBILITY**

**The persons with the authority and responsibility for the implementation of the program are:**

**Barbara Nemko, Ph.D., Superintendent  
(707) 253-6810**

**J.R. Perkiss, Deputy Superintendent  
(707) 253-6819**

### III

#### IDENTIFICATION, EVALUATION AND PREVENTION 8 CCR 3203 (A) (2)

**The Napa County Office of Education will use the following system for identifying, evaluating and preventing occupational safety and health hazards.**

- 1. There shall be periodic and scheduled inspections of classrooms and other district and school facilities and work stations. Frequency of inspections shall be based on need, but all areas will be inspected at least yearly.**
- 2. There shall be investigations of all occupational accidents, injuries, illnesses and other potentially hazardous events that occur inside or on the premises of any Napa County Office of Education facility or in any other specific school operated area.**
- 3. There shall be a review of applicable General Industrial Safety Orders and other Safety Orders that apply to the Napa County Office of Education operations.**
- 4. There shall be a review of industry and general safety information related to occupational safety and health hazards found in school environments.**
- 5. There shall be evaluations made of other information or hazards reported by certificated or classified employees.**

## IV

### COMMUNICATION 8 CCR 3203 (A)(3)

**The following methods shall be used to effectively communicate with the county office employees to meet the required standard.**

- 1. Communication of safe working conditions, safe work practices and required personal protection equipment is include in initial and all subsequent training.**
- 2. Other forms of employer-to employee communications on safety topics include posters, fliers, annual in-services, orientation of new employees, films and posting at each site the Employee Injury and Illness Prevention Standard Notice.**
- 3. Employees are advised by orientations and training that safe work conditions, safe work practices, and required personal protective equipment are mandatory and will be enforced by the following:**
  - Recognition for compliance: good safety record by way of annual awards.**
  - Discipline for non-compliance will be in accordance with the current collective bargaining agreements.**
- 4. The Napa County Office of Education's method to solicit safety reports and Safety related information from employees includes: Communication from employees to supervisors and/or the safety representative about unsafe or unhealthy conditions is encouraged and may be verbal and written, as the employee chooses. The employee may use the "Report of Safety Hazard" form on page 10 and remain anonymous.**
- 5. No employee will be retaliated against for reporting hazards or potential hazards or for making suggestions related to safety.**

**Employee Safety Reporting Form**

This form is for use by employees who wish to provide a safety suggestion or report an unsafe workplace condition or practice.

Description of Unsafe Condition or Practice:

Causes or Other Contributing Factors:

Employee's Suggestion for Improving Safety:

Has This Matter Been Reported to the Area Supervisor? Yes \_\_\_ No \_\_\_

Employee Name (Optional)

Department \_\_\_\_\_

Date \_\_\_\_\_

Employees are advised that use of this form or other reports of unsafe conditions or practices are protected by law. It would be illegal for the employer to take any action against an employee in reprisal for exercising rights to participate in communications involving safety.

The employer will investigate any hazard report or safety question from employees as required by the Injury and Illness Prevention Program Standard (GISO 3203). The employer's response will be communicated to the employee(s) involved.

Employees who wish to remain anonymous may submit this form to the Director of General Services at Napa County Office of Education.

Napa County Office of Education  
Barbara Nemko, Ph.D., Superintendent

**Employee Injury and Illness  
Prevention Standards**

**Notice to Employees:**

The Napa County Office of Education has complied with General Industry Safety Order 3203 by establishing an Injury and Illness Prevention Program.

A copy of the written program is available at the following locations:

Child Development Centers Office  
Napa Preschool Program  
Napa Infant Program  
Court/Community Schools Office  
Regional Occupational Program Office  
Napa County Office of Education  
General Services Department  
Human Resources  
Deputy Superintendent's Office

Employees have the following rights under this program:

To be advised of occupational safety and health hazard and receive training on safe work conditions, practices and personal protective equipment.

To provide information to the employer on safety hazards, request information or make safety suggestions without fear of reprisal.

Employees have a duty to comply with the following requirements to make the workplace safe for themselves and fellow employees:

Know the safe work practices for the general work area and for your job.

Comply with working conditions, safe work practices and personal protective equipment requirements for your job.

Report unsafe conditions and injuries/illnesses to your supervisor.

Employees must comply with the requirements listed above or face disciplinary actions.

The employer or designee will conduct inspections to identify unsafe conditions and violations of safety rules.

If you have any questions about this program, ask your supervisor.

Safety information may be confidentially reported by using the forms provided and submitting to the Director of General Services.

EVALUATION AND DOCUMENTATION OF HAZARDS  
8 CCR 3203 (A)(4)

Inspections to identify hazards shall be conducted when the program is first established; whenever new substances, processes, or equipment are introduced to the workplace that represent a new occupational safety and health hazard; and whenever the Napa County Office of Education is made aware of a new or previously unrecognized hazard. These hazards shall be evaluated and placed in groupings based on the job safety categories that operate in those classrooms or facilities.

The Occupational Safety and Health Hazards identified are documented in the following manner:

The hazard evaluation form on page 13 shall be developed for general classroom or other work areas having the same job categories. These forms will be maintained at all sites and are available through the Napa County Office of Education, General Services Department, Human Resources Department and Deputy Superintendent's Office.

<b>REPORT OF SAFETY HAZARD</b>	<b>Name (optional)</b>	<b>Supervisor's Name</b>
<b>Date</b>	<b>Year</b>	<b>Number</b>

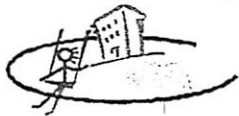
<b>ACTION</b>	<b>Suggestions for Minimizing or Abating Hazard: or for Training</b>	<b>Health and/or Safety Hazard</b>	<b>Describe Substance, Equipment Process, Practice or Workplace Condition</b>

## VI

### ACCIDENT INVESTIGATION 8 CCR 3202(A)(5)

#### **Occupational Accident and Injury/Illness Investigation:**

- 1. Investigations are conducted by program managers, site supervisors or their designee as soon as possible after an accident, occupational injury or illness, or hazardous occurrence is reported.**
- 2. The investigations are documented in writing. The investigation procedures are part of the Occupational Accident, Injury and Illness Investigation form.**
- 3. The Employee Injury and Illness Form (page 15 ) is prepared by North Bay Schools Insurance Authority. The original form will be maintained by the Napa County Office of Education, Deputy Superintendent's Office and a copy will be maintained by North Bay Schools Insurance Authority.**



## SUPERVISOR'S REPORT OF EMPLOYEE INCIDENT OR INJURY

- Send or fax to Debbie Egan at Napa County Office of Education within 24 hours (Fax: 253-6970)
- Send or fax to North Bay Schools Insurance Authority within 48 hours of receipt (This will be done by Debbie Egan for Napa COE.)

Medical Treatment?	Yes	No	Lost Time?	Yes	No
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If you answered "NO" to both of these questions, a DWC-1 (Employee claim form) and Supervisor's Report should not be transmitted to NBSIA until the injured worker has lost time and/or sought medical treatment.

Incident Only Claim:	Report of Injury Claim:
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### Employee Information

Employee:	Birth Date:
Residence:	Mailing Address:
Home Phone:	Social Security Number:
Date of Injury:	Male/ Female:
Today's Date:	Last Date Worked:
Employment Type (full/part-time, sub, volunteer, etc):	
If deceased, marital status and # of dependents:	Occupation:

### Employer Information

Employer:	Date Reported & To Whom:
Designated School Site:	Supervisor:
Injury Location (if different from above):	Supervisor's Work Phone:
Zip Code (of injury site):	DWC-1 Provided to EE Date:
Time of Injury:	DWC-1 Returned Date:
Start/ Stop Time of Employee:	

### Medical Information

Name of Doctor:	Expected return to work date:
Appointment Date & Time:	Next office visit:(if any)

### Injury Information

What was the employee doing at time of injury?
What body parts were injured?
Name(s) of witness(es), if any:
Unsafe acts or conditions, if any:
Corrective measures, if any:

### Salary Information

Wages: \$	Month/Year	Date of Hire:	Total Weekly Hours:
Salary Continued? Yes No		Contract Start Date:	Contract End Date:
<b>Wage statement required-please attach to this form.</b>			Attached: Yes No
Substitute information:			

Supervisor's Signature:	Date:
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## VII

### **METHODS AND PROCEDURES FOR CORRECTING UNSAFE AND UNHEALTHY CONDITIONS AND WORK PRACTICES 8 CCR 3203 (A) (6)**

**The following methods and/or procedures will be used to correct unsafe or unhealthy conditions, work practices and work procedures in a timely manner based on the severity of the hazard:**

**1. Imminent Hazard.**

**Personnel not needed from corrective action will be removed from the area.**

**2. Less severe hazards.**

**Problems will be dealt within a timely manner.**

**3. Activities such as training, retraining of employees on safe work practices and hazard problems will be practiced to reduce unsafe or hazardous conditions.**

**4. Procedures such as safety work order system, inspection reviews, and monitoring of employees and conditions will be standard operating procedures.**

## VIII

### Inspections

**Inspections will be conducted to verify compliance with safe work practices and other safety requirements, to identify any new or additional hazards, and to monitor basic safety operations. Inspections shall also be part of investigation procedures related to occupational accident, injury, and illness occurrences.**

#### **Frequency and Responsibility for Inspections:**

**School sites/job safety categories include all sites. The frequency of scheduled inspections will consist of annual inspections as well as unscheduled inspections. The Safety Committee shall insure that these inspections are conducted annually.**

## IX

### **Inspection Documentation 8 CCR 3203 (a) (1)**

#### **Documentation of inspection:**

- 1. Periodic scheduled inspections are documented in writing and include methods of correction of hazards identified. See attached forms.**
- 2. Documentation is maintained on-site.**

**NAPA COUNTY OFFICE OF EDUCATION  
SAFETY INSPECTION REPORT**

Date _____  Name of Inspected _____  Area Inspected _____		Evaluations: S = Satisfactory U = Unsatisfactory NA = Not Applicable to the Area Inspected  If unsatisfactory rating is provided for a particular item, the County's Inspection Report/ Accident Correction Form (PERS §133) must be completed for the item in question.
<b>1. General Work Environment</b>	<b><u>Rating</u></b>	<b><u>Additional Comments</u></b>
1.1 Adequate and proper storage space for tools and materials.		
1.2 All flammable liquids stored in approved containers.		
1.3 All waste materials deposited in metal containers.		
1.4 Waste material containers emptied on a regular basis.		
1.5 Vacuum cleaners, floor polishers and all other equipment in good working condition.		
1.6 Broken glass properly handled and disposed of.		
1.7 Electric tools properly grounded.		
1.8 Ladders and stools equipped with safety treads.		
1.9 All spillage's immediately wiped up.		
1.10 Employees regularly warned of hazards.		
1.11 Proper tools used on each job.		
1.12 All worksites clean and orderly.		
1.13 Storage and equipment rooms neat and orderly.		
1.14 All flammable waste disposed of promptly.		
1.15 Lighting and ventilation adequate.		
1.16 All work areas adequately illuminated.		
1.17 Floor openings covered or otherwise guarded.		
1.18 Noise levels in all facilities are kept within acceptable levels.		
<b>2. Fire Prevention</b>		
2.1 Fire prevention equipment in working order (e.g. fire extinguishers, automatic sprinklers).		
2.2 Fire extinguishers, sprinklers, fire exits, etc. unblocked.		
2.3 Fire extinguishers recharged regularly and noted on inspection tag.		
2.4 "No Smoking" procedures followed.		
2.5 Smoking prohibited near flammable materials.		
<b>3. Emergency Response</b>		
3.1 Emergency telephone numbers posted.		
3.2 Exit signs posted.		
3.3 First Aid supplies stocked.		
3.4 Eyewash fountains and safety showers are in good working condition.		

**NAPA COUNTY OFFICE OF EDUCATION  
SAFETY INSPECTION REPORT**

4. <u>Protective Equipment and Clothing</u>		
4.1 Safety clothing and equipment provided.		
4.2 Safety clothing worn when required: 4.2a Safety glasses or goggles 4.2b Safety shoes 4.2c Hard hats		
4.3 Safety equipment maintained in a sanitary condition		
5. <u>Machine Operators</u>		
5.1 Machines used only by authorized, trained employees.		
5.2 Machines turned off when not in use.		
5.3 Correct speed and feed used when operating equipment.		
5.4 Safety guards in place on all equipment.		
5.5 Machinery and equipment clean and properly maintained.		
6. <u>Hand Tools and Equipment</u>		
6.1 Tools and equipment in good working condition.		
6.2 Tools cutting edges are kept sharp.		
6.3 Hand protection utilized when cutting tools.		
6.4 Tools stored in a dry, secured location.		
6.5 Eye and face protection used when driving hardened or tempered nails.		
6.6 Hand trucks maintained in safe operating condition.		
7. Additional Items Covered:		

**SAFE WORK PRACTICES**

**General and specific safe work practices including safe working conditions and the protective equipment requirements are documented and communicated to all employees as prescribed by law.**

**Safe work practices have been developed for all job safety categories. The safe work practices are available at the following locations:**

**Napa County Office of Education  
2121 Imola Avenue  
Napa, CA 94559  
(707) 253-6800**

**Human Resources Department  
(707) 253-6824**

**General Services Department  
(707) 253-6828**

**Deputy Superintendent's Office  
(707) 253-6819**

**Regional Occupation Program Office  
(707) 253-6830**

**Napa Pre-school Program Office  
(707) 253-6850**

**Napa Infant Program Office  
(707) 253-6914**

**Every employee shall receive training as required (see training section).**

EMPLOYEE SAFETY TRAINING  
8 CCR 3203(A)(7)

Employee Safety Training shall be provided under the following guidelines:

1. Initial training shall be provided for all current employees as soon after the establishment of Napa County Office of Education's program as possible.
2. New employees shall be provided initial training upon hiring and prior to assignment.
3. Employees shall be provided training when assigned to new tasks or job for which training has not been received.
4. Supervisors shall be trained on hazards and safe practices in their area of responsibility.
5. Training shall include general school/site safety and specific job safety category training.
6. Documentation of training shall be maintained in writing by individual and/or group training sessions. Documentation is maintained at Napa County Office of Education's Human Resources Department, General Services Department and Deputy Superintendent's Office.
7. Refresher training is provided in accordance with applicable guidelines.

**INDIVIDUAL EMPLOYEE SAFETY TRAINING  
DOCUMENTATION**

NAME OF EMPLOYEE: \_\_\_\_\_

NAME OF SUPERVISOR: \_\_\_\_\_

NAME OF TRAINER: \_\_\_\_\_

TRAINING SUBJECT: \_\_\_\_\_

I hereby certify that I received training as described above in the following areas:

1. The potential general safety hazards that may exist in my work area and associated with my job;
2. The safe work conditions, safe work practices and personal protective equipment required for my work;
3. The hazards of any chemicals to which I may be exposed and by right to information contained on material safety data sheets (MSDS's) for those chemicals, and how to find and understand this information;
4. My right to ask any questions, or provide any safety related information to my employer either directly or anonymously without fear of reprisal;
5. The name of the designated responsible person for my department;
6. My responsibility to work safely, report safety hazards and follow safe work practices established by my employer.

I understand the information presented during this training and agree to comply with safe work practices for my work area.

\_\_\_\_\_  
Employee Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Manager's Signature

\_\_\_\_\_  
Date

Note: A copy of this form will be placed in your personnel file.

Distribution: Employee copy, General Services Department, Human Resources Department, Deputy Superintendent's Office



**XII**

**DOCUMENTATION  
8 CCR 3203(A)(2)**

**Record keeping requirements of General Industry Safety Order 3203 shall be documented in writing and maintained for at least three years, except for specified job safety categories which have longer periods for certain activities under other sections.**

**XIII**

**APPROVAL**

**Pursuant to Superintendent's Policy 4157, this Injury and Illness Prevention Program is approved for the Napa County Office of Education, effective date September 1, 2006.**

**Signature of Superintendent**

*Barbara Nemko*

**Date**

*10/11/06*

## **SAFETY COMMITTEE ORGANIZATION**

**The following personnel have been assigned to the Napa County Office of Education:**

<b>Chairperson:</b>	<b>Jill Johnson</b>
<b>Assistant Chairperson:</b>	<b>Pam Paxson</b>
<b>Secretary:</b>	<b>Debbie Egan</b>
<b>Members:</b>	<b>Anna Gregg</b>
	<b>Cori Bruner</b>
	<b>Jeannie Gallerger (SRO)</b>
<b>Advisory Member</b>	<b>Jeanne Title</b>

**Safety Committee Chairperson responsibilities:**

- 1. Organize and schedule regular safety meetings.**
- 2. Develop a written safety program. (IIPP)**
- 3. Develop on-going safety training program (as deemed necessary) for designated areas.**
- 4. Ensure that all training is properly documented and forwarded to necessary personnel.**
- 5. Develop NBSIA Safety Credit Budget.**
- 6. Forward meeting minutes to NBSIA.**

**Safety Committee:**

**A Safety Committee should be formulated to act as a liaison between management and staff. The committee should be comprised of several members representing appropriate departments.**

**The Safety Committee should meet at least once per quarter.**

**Committee responsibility:**

- 1. Establish an Action Plan which will include: (use action plan/self inspection form)**
  - a. Identification of unsafe or unhealthy conditions.**
  - b. Prioritize and develop a method for correction of unsafe or unhealthy conditions.**
  - c. Develop incentives for employee involvement and safety award eligibility formulas.**  
(See section on employee incentives)
  - d. Identify topics for on-going safety training.**

# California Labor Code Section 6401.7

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(a) Every employer shall establish, implement, and maintain an effective injury prevention program. The program shall be written, except as provided in subdivision (e), and shall include, but not be limited to, the following elements:

(1) Identification of the person or persons responsible for implementing the program.

(2) The employer's system for identifying and evaluating workplace hazards, including scheduled periodic inspections to identify unsafe conditions and work practices.

(3) The employer's methods and procedures for correcting unsafe or unhealthy conditions and work practices in a timely manner.

(4) An occupational health and safety training program designed to instruct employees in general safe and healthy work practices and to provide specific instruction with respect to hazards specific to each employee's job assignment.

(5) The employer's system for communicating with employees on occupational health and safety matters, including provisions designed to encourage employees to inform the employer of hazards at the worksite without fear of reprisal.

(6) The employer's system for ensuring that employees comply with safe and healthy work practices, which may include disciplinary action.

(b) The employer shall correct unsafe and unhealthy conditions and work practices in a timely manner based on the severity of the hazard.

(c) The employer shall train all employees when the training program is first established, all new employees, and all employees given a new job assignment, and shall train employees whenever new substances, processes, procedures, or equipment are introduced to the workplace and represent a new hazard, and whenever the employer receives notification of a new or previously unrecognized hazard. Beginning January 1, 1994, an employer in the construction industry who is required to be licensed under Chapter 9 (commencing with Section 7000) of Division 3 of the Business and Professions Code may use employee training provided to the employer's employees under a construction industry occupational

safety and health training program approved by the division to comply with the requirements of subdivision (a) relating to employee training, and shall only be required to provide training on hazards specific to an employee's job duties.

(d) The employer shall keep appropriate records of steps taken to implement and maintain the program. Beginning January 1, 1994, an employer in the construction industry who is required to be licensed under Chapter 9 (commencing with Section 7000) of Division 3 of the Business and Professions Code may use records relating to employee training provided to the employer in connection with an occupational safety and health training program approved by the division to comply with the requirements of this subdivision, and shall only be required to keep records of those steps taken to implement and maintain the program with respect to hazards specific to an employee's job duties.

(e) (1) The standards board shall adopt a standard setting forth the employer's duties under this section, on or before January 1, 1991, consistent with the requirements specified in subdivisions (a), (b), (c), and (d). The standards board, in adopting the standard, shall include substantial compliance criteria for use in evaluating an employer's injury prevention program. The board may adopt less stringent criteria for employers with few employees and for employers in industries with insignificant occupational safety or health hazards.

(2) Notwithstanding subdivision (a), for employers with fewer than 20 employees who are in industries that are not on a designated list of high hazard industries and who have a workers' compensation experience modification rate of 1.1 or less, and for any employers with fewer than 20 employees who are in industries that are on a designated list of low hazard industries, the board shall adopt a standard setting forth the employer's duties under this section consistent with the requirements specified in subdivisions (a), (b), and (c), except that the standard shall only require written documentation to the extent of documenting the person or persons responsible for implementing the program pursuant to paragraph (1) of subdivision (a), keeping a record of periodic inspections pursuant to paragraph (2) of subdivision (a), and keeping a record of employee training pursuant to paragraph (4) of subdivision (a). To any extent beyond the specifications of this subdivision, the standard shall not require the employer to keep the records specified in subdivision (d).

(3) The division shall establish a list of high hazard industries using the methods prescribed in Section 6314.1 for identifying and targeting employers in high hazard industries. For purposes of this subdivision, the "designated list of high hazard industries" shall be the list established pursuant to this paragraph.

For the purpose of implementing this subdivision, the Department of Industrial Relations shall periodically review, and as necessary revise, the list.

(4) For the purpose of implementing this subdivision, the Department of Industrial Relations shall also establish a list of low hazard industries, and shall periodically review, and as necessary revise, that list.

(f) The standard adopted pursuant to subdivision (e) shall specifically permit employer and employee occupational safety and health committees to be included in the employer's injury prevention program. The board shall establish criteria for use in evaluating employer and employee occupational safety and health committees. The criteria shall include minimum duties, including the following:

(1) Review of the employer's (A) periodic, scheduled worksite inspections, (B) investigation of causes of incidents resulting in injury, illness, or exposure to hazardous substances, and (C) investigation of any alleged hazardous condition brought to the attention of any committee member. When determined necessary by the committee, the committee may conduct its own inspections and investigations.

(2) Upon request from the division, verification of abatement action taken by the employer as specified in division citations.

If an employer's occupational safety and health committee meets the criteria established by the board, it shall be presumed to be in substantial compliance with paragraph (5) of subdivision (a).

(g) The division shall adopt regulations specifying the procedures for selecting employee representatives for employer-employee occupational health and safety committees when these procedures are not specified in an applicable collective bargaining agreement. No employee or employee organization shall be held liable for any act or omission in connection with a health and safety committee.

(h) The employer's injury prevention program, as required by this section, shall cover all of the employer's employees and all other workers who the employer controls or directs and directly supervises on the job to the extent these workers are exposed to worksite and job assignment specific hazards. Nothing in this subdivision shall affect the obligations of a contractor or other employer that controls or directs and directly supervises its own employees on the job.

(i) When a contractor supplies its employee to a state agency employer on a temporary basis, the state agency employer may assess a fee upon the contractor to reimburse the state agency for the additional costs, if any, of including the contract employee within the state agency's injury prevention program.

(j) (1) The division shall prepare a Model Injury and Illness Prevention Program for Non-High-Hazard Employment, and shall make copies of the model program prepared pursuant to this subdivision available to employers, upon request, for posting in the workplace. An employer who adopts and implements the model program prepared by the division pursuant to this paragraph in good faith shall not be assessed a civil penalty for the first citation for a violation of this section issued after the employer's adoption and implementation of the model program.

(2) For purposes of this subdivision, the division shall establish a list of non-high-hazard industries in California. These industries, identified by their Standard Industrial Classification Codes, as published by the United States Office of Management and Budget in the Manual of Standard Industrial Classification Codes, 1987 Edition, are apparel and accessory stores (Code 56), eating and drinking places (Code 58), miscellaneous retail (Code 59), finance, insurance, and real estate (Codes 60-67), personal services (Code 72), business services (Code 73), motion pictures (Code 78) except motion picture production and allied services (Code 781), legal services (Code 81), educational services (Code 82), social services (Code 83), museums, art galleries, and botanical and zoological gardens (Code 84), membership organizations (Code 86), engineering, accounting, research, management, and related services (Code 87), private households (Code 88), and miscellaneous services (Code 89). To further identify industries that may be included on the list, the division shall also consider data from a rating organization, as defined in Section 11750.1 of the Insurance Code, the Division of Labor Statistics and Research, and all other appropriate information. The list shall be established by June 30, 1994, and shall be reviewed, and as necessary revised, biennially.

(3) The division shall prepare a Model Injury and Illness Prevention Program for Employers in Industries with Intermittent Employment, and shall determine which industries have historically utilized seasonal or intermittent employees. An employer in an industry determined by the division to have historically utilized seasonal or intermittent employees shall be deemed to have complied with the requirements of subdivision (a) with respect to a written injury prevention program if the employer adopts the model program prepared by the division pursuant to this paragraph and complies with any instructions relating thereto.

(k) With respect to any county, city, city and county, or district, or any public or quasi-public corporation or public agency therein, including any public entity, other than a state agency, that is a member of, or created by, a joint powers agreement, subdivision (d) shall not apply.

(l) Every workers' compensation insurer shall conduct a review, including a written report as specified below, of the injury and illness prevention program (IIPP) of each of its insureds with an experience modification of 2.0 or greater within six months of the commencement of the initial insurance policy term. The review shall determine whether the insured has implemented all of the required

components of the IIPP, and evaluate their effectiveness. The training component of the IIPP shall be evaluated to determine whether training is provided to line employees, supervisors, and upper level management, and effectively imparts the information and skills each of these groups needs to ensure that all of the insured's specific health and safety issues are fully addressed by the insured. The reviewer shall prepare a detailed written report specifying the findings of the review and all recommended changes deemed necessary to make the IIPP effective. The reviewer shall be or work under the direction of a licensed California professional engineer, certified safety professional, or a certified industrial hygienist.

NOTES PAGE