

**CAL POLY POMONA FOUNDATION, INC.
CALIFORNIA STATE POLYTECHNIC UNIVERSITY, POMONA**

PERSONNEL COMMITTEE MEETING

**Monday, January 30, 2012
1:00 pm – 2:00 pm
Building #55 – Executive Conference Room**

AGENDA

CONSENSUS ACTION ITEMS

PAGE

Consensus Action Items: Items in this section are considered to be routine and acted on by the committee in one motion. Each item of the Consent agenda approved by the committee shall be deemed to have been considered in full and adopted as recommended. Any committee member may request that a consent item be removed from the consent agenda to be considered as a separate action item. If no additional information is requested, the approval vote will be taken without discussion.

- | | | | |
|----|---|-----------|-------|
| 1. | Minutes September 7, 2011 Meeting
ACTION: Approval | Ed Barnes | 1 - 3 |
|----|---|-----------|-------|

ACTION ITEMS

- | | | | |
|----|---|---------------|--------|
| 2. | Health Insurance Premium Holiday
ACTION: Approval | Dennis Miller | 4 |
| 3. | Policy 209 Affirmative Action Policy Update
ACTION: Approval | Dennis Miller | 5 - 36 |

DISCUSSION ITEMS

None

INFORMATION ITEMS

The following items provide information and reports by management staff to the committee. Staff and committee may engage in discussion on any item if requested by committee member or staff member.

- | | | | |
|----|---|---------------|---------|
| 4. | Healthcare Reform | Dennis Miller | 37 - 53 |
| 5. | 10 New Laws for 2012-Provide Fdn. DBA/Address | Dennis Miller | 54 - 57 |
| 6. | Illness and Injury Prevention Program | Dennis Miller | 58 - 86 |
| 7. | Employment Services Organizational Changes | Dennis Miller | verbal |
| 8. | Executive Director's Report | Paul Storey | |

OPEN FORUM

CAL POLY POMONA FOUNDATION, INC.
PERSONNEL COMMITTEE MEETING MINUTES
September 7, 2011

Present: Ed Barnes, Mei Lien Chang, Winny Dong, Richard Lapidus, Becky Pepping and Sharon Reiter
Absent: Evin Coukos and Cassandra Reyes
Staff: Anne McLoughlin, Dennis Miller, Debra Poe, David Prenovost, Paul Storey, Sharon Stuewe
Visitors: Michael Lutosky and Brenda Fagan Johnson with Discovery Benefit Solutions

CALL TO ORDER

The meeting was called to order at 1:00pm by Ed Barnes.

CONSENSUS ACTION ITEMS

Approval of Minutes

1. April 28, 2011 Meeting Minutes

Personnel Committee Chair, Ed Barnes, stated the minutes were approved by consent.

ACTION ITEMS

2. 457 Plan PARS Employee Contributions

Dennis Miller explained the PARS Vacation/Sick Leave Conversion Program allows the Foundation to provide eligible employees a supplemental retirement plan by converting a portion of their unused vacation and sick leave balances to a PARS account on an annual basis. The plan is structured to allow the Foundation the option to approve or reject the conversion related contributions based on its overall financial performance. The Foundation's financial performance regarding the budget, the funding of the reserves and debt service coverage requirements has been met for the fiscal year ended June 2011, the Foundation is proposing eligible employees the option of converting sick leave and vacation time up to a total amount of \$143,027. Included in this total is \$68,885 for allowable vacation leave and \$74,142 for sick leave.

When eligible employees elect to convert a portion of their unused vacation hours, there is no cost for the Foundation since vacation benefits have already been earned and accrued.

Eligible employees were invited to a training session on the advantages and disadvantages of converting vacation and sick leave time to the supplemental retirement program invested thru our investment advisor John Hancock.

A motion was made by Sharon Reiter to recommend the funding for the PARS Vacation/Sick Leave Conversion Plan for year ended June 2011 up to a total amount of \$143,027 and be presented to the Board of Directors for approval. The motion was seconded by Becky Pepping and unanimously approved.

3. 2012 Employer's Contributions for Health Care Premiums

Paul Storey explained that Foundation management recommends its monthly contribution toward the 2012 health plan premiums as; Employee (or Annuitant) only \$344, Employee (or Annuitant) + 1 \$653, Employee (or Annuitant) + 2 or more \$835. These contributions are based on the 5% annual increase cap approved by the Board as part of the FAS 158 Actuarial Valuation.

During the past year Foundation management has been working through a detailed analysis of a new funding model in which to fund its healthcare benefits programs. Similar to CalPERS and 60% of employers nationwide, Foundation will transition away from the "fully insured" model and instead use the "self-insured model" with stop-gap insurance. In taking this step, Foundation will assure its employees continued access to affordable healthcare benefits with appropriate plan features, while ensuring the benefits programs remain fiscally viable for Foundation and the eligible employees.

Kaiser will be retained with no material benefits changes, and their rate increase is 7.3% for employees / early retirees and 3.6% for retirees who receive Medicare benefits.

Foundation will eliminate the existing PPO and HMO benefit plans from Blue Shield, and combine/replace them with a self-insured EPO Plan. The EPO plan will have the identical level of benefits as the existing Blue Shield HMO. However, employees electing the EPO will have the flexibility of a PPO with the cost savings of an HMO. In addition, it appears the medical groups and doctors available in the Blue Shield HMO will be the same for the self-insured EPO Plan.

Retirees receiving Medicare will have two options for coverage both offered through United Healthcare. Option one is a Medicare Advantage Plan (similar to the Blue Shield HMO), where the other plan is similar to the existing Blue Shield PPO plan where a Medicare Supplement "Plan N" combined with a Prescription Drug Plan is used to provide benefits.

Both vision and the dental PPO will be transitioned to self-insurance while the Dental HMO plan will continue to be "prepaid" (fully insured). It is anticipated that our cost for vision benefits will be reduced by about 50% and there will be about a 15% reduction in expenses associated with dental insurance. Neither will experience material plan feature changes.

Foundation management is forecasting its cost for healthcare insurance for 2012 will generally be flat and is recommending a "premium holiday" for the month of December 2011 for its active employees. For those employees who are not active in the Foundation's healthcare insurance program and receive cash in lieu of benefits, the Foundation is proposing doubling the amount paid to those eligible employees who receive cash in lieu of benefits in the month of December 2011.

A motion was made by Sharon Reiter to recommend approval to the Board of Directors the Foundation's monthly contribution to the 2012 health plan premiums, the transition from using Blue Shield fully insured HMO and PPO plans to a single EPO plan using self-insurance with stop-gap insurance, transition from Blue Shield to United Healthcare for its Medicare eligible retirees and the "premium holiday" during the month of December 2011 for its active employees. The motion was seconded by Winny Dong and unanimously approved.

4. Payroll Deduction for Bookstore Computer Purchase

Dennis Miller explained the Foundation is proposing to offer its eligible employees a "Computer Purchase Program". This program would permit eligible employees to purchase computer equipment from the Bronco Bookstore on an "account", and then pay for their purchase using payroll deductions. The amount of the purchase would be limited to \$2,400 and the maximum time period permitted for payroll deductions would be 24 months.

A motion was made by Winny Dong to recommend approval to the Board of Directors the Computer Purchase Program allowing eligible employees to purchase computer equipment through an account from Bronco Bookstore using payroll deductions. The motion was seconded by Sharon Reiter and unanimously approved.

DISCUSSION ITEMS

None Presented

INFORMATION ITEMS

5. Executive Director's Report

A Personnel System Review clarified a need for comparability analysis between Auxiliary positions regarding work place standards, salary and benefits. A committee was established to address the issues and drafted guidelines for comparability standards. A recommendation will be made for a possible CSU System Policy.

OPEN FORUM

Meeting adjourned at 2:47pm.

Respectfully submitted,

A handwritten signature in black ink, appearing to be 'Ed Barnes', with a long horizontal line extending to the right.

Ed Barnes, Chairperson
Personnel Committee

Memorandum



Date: January 24, 2012
To: Personnel Committee
Cal Poly Pomona Foundation, Inc.
From: G. Paul Storey
Executive Director

Subject: HEALTH INSURANCE PREMIUM HOLIDAY

During the past year Foundation has experienced a profound change to how it delivers and pays for its healthcare benefits to its employees. While seemingly unnoticeable to its employees and retirees, Foundation has implemented a self-funding approach to its health, dental, and vision insurance options. It is too early in the year to report on the impact of this decision although we anticipate reports at future Personnel Committee meetings and meetings of the Board of Directors.

However, Foundation did receive funds in the amount of approximately \$26,000 from Blue Shield insurance, and this was not unexpected by Foundation. The basis of those funds was nothing more than a return of overpaid premiums for the year of 2011.

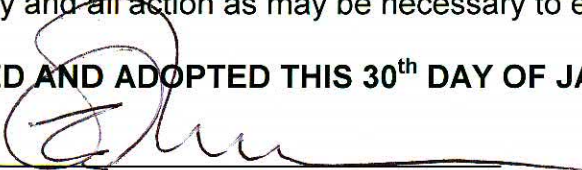
Foundation management is forecasting its cost for healthcare insurance for 2012 will generally be flat. Additionally, Foundation received a small windfall from Blue Shield As such, Foundation management is recommending a "premium holiday" for the month of May 2012 for its active employees.

PROPOSED ACTION:

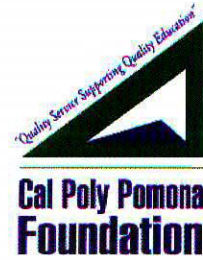
The following resolution is recommended for approval:

RESOLVED, that the Personnel Committee of the Board of Directors approves Foundation's recommendation to offer a "premium holiday" during the month of May 2012 for its active employees and forward to the Board of Directors at their next scheduled meeting for approval, and the Executive Director of the Cal Poly Pomona Foundation is authorized and directed to take any and all action as may be necessary to effectuate this Resolution.

PASSED AND ADOPTED THIS 30th DAY OF JANUARY 2012.



Dr. Edwin A. Barnes, Chair
Personnel Committee
Cal Poly Pomona Foundation, Inc.

Memorandum



Date: January 30, 2012

To: Personnel Committee
Cal Poly Pomona Foundation, Inc.

From: 
Dennis Miller
Director, Employment Services

Subject: Revisions to Affirmative Action Plan and Foundation Board of Director's Policy 209

In 2012, a new set of laws were passed applicable to California employers. One of those laws, AB 887, requires Foundation to add additional protected areas in its Affirmative Action Plan and also in its Board Policy #209. The substance of that change simply adds "gender identity" and "gender expression" to the list of protected areas regarding anti-discrimination and anti-harassment matters pertaining to employment actions.

Proposed Action:

WHEREAS, the Foundation management is requesting the Personnel Committee's action to approve the changes to the attached Affirmative Action Plan, and to forward their recommendation to the Board of Directors for its approval.

NOW, THEREFORE, BE IT RESOLVED, the Personnel Committee has reviewed and approved the attached Affirmative Action Plan, and recommends it be forwarded to the Board of Directors for review and approval. Further, the Executive Director of Foundation is directed to take whatever action necessary to ensure Board Policy #209 is amended to integrate the provisions of AB 887.

PASSED AND ADOPTED THIS 30th DAY OF JANUARY 2012.

By: 

Dr. Edwin A. Barnes, Chair
Personnel Committee
Cal Poly Pomona Foundation, Inc.

CAL POLY POMONA FOUNDATION, INC.

AFFIRMATIVE ACTION PROGRAM

AFFIRMATIVE ACTION PLAN

AN EQUAL OPPORTUNITY EMPLOYER

Last Revision February 2012

INTRODUCTION

As an equal opportunity, affirmative action employer, we believe it is critical to utilize our human resources to the fullest extent. Equal employment opportunity is not only our moral obligation, it is fundamental to sound business practices.

The Affirmative Action Program is comprised of two parts: the Affirmative Action Plan and the Affirmative Action Workbook.

This section serves as the Affirmative Action Plan which describes our policies, procedures, guidelines and responsibilities as an equal opportunity and affirmative action employer. The information compiled here is reviewed annually and updated as needed.

Availability and workforce statistics, goals, personnel transactions, and affirmative action efforts are contained in the Affirmative Action Workbook. The workbook serves as a dynamic tool which provides management with updated information on a regular basis, and at least every 2 years.

Our Affirmative Action Program requires each of us to do our part. Positive actions must be continuous to fulfill this commitment in all employment actions. The recruiting, hiring, training and promoting of individuals in all job classifications is to be made without regard to race, religious creed, color, national origin, ancestry, physical handicap, medical condition, marital status, sex, sexual orientation, gender expression, gender identity, age, or veteran status, or any other protected status not specifically stated.

The principals of equal employment opportunity will be applied to all employment based decisions and/or conditions of employment. We will monitor employment actions to ensure Foundation policy and objectives result in equal employment opportunity for all.

These affirmative action objectives and the overall program need the positive and constructive support of all employees. If you have questions or concerns, please contact the EEO Officer at Extension 2958.

Dennis Miller
Director of Employment Services & EEO Officer

G. Paul Storey
Executive Director

TABLE OF CONTENTS

ANNUAL POLICY STATEMENT PUBLISHED ANNUALLY

- I. PROGRAM PURPOSE AND DEFINITIONS
- II. DISSEMINATION OF POLICY
- III. RESPONSIBILITY
- IV. PROGRAM DEVELOPMENT, EXECUTION AND AUDIT PROCEDURES
- V. AVAILABILITY ANALYSIS
- VI. GOALS ANALYSIS
- VII. SEX DISCRIMINATION GUIDELINES
- VIII. SEXUAL HARASSMENT GUIDELINES
- IX. RELIGIOUS, NATIONAL ORIGIN, AND ANCESTRY GUIDELINES
- X. AFFIRMATIVE ACTION PROGRAM FOR THE HANDICAPPED,
SPECIAL DISABLED VETERANS AND VETERANS OF
THE VIETNAM ERA
- XI. NONDISCRIMINATORY APPLICATION OF IMMIGRATION
AND CONTROL ACT

CAL POLY POMONA FOUNDATION, INC.

POLICY ON EQUAL EMPLOYMENT OPPORTUNITY

The Foundation does not discriminate unlawfully against any person in the employment relationship. It is Foundation policy to ensure all applicants are considered for employment, and that employees are treated during employment, without regard to race, religious creed, color, national origin, ancestry, physical handicap, medical condition, marital status, sex, sexual orientation, age, status as special disabled or Vietnam era veterans, or any other area protected by law not specifically listed.

Management and supervisory personnel and their designated representatives have primary responsibility for enforcement of this policy and ensuring that no person, capable and qualified to perform the work required, is discriminated against in hiring, discharge, promotion, pay or other conditions of employment. Commitment to the principle and practice of voluntary affirmative action remains a priority at Cal Poly Pomona Foundation, Inc.

Our Affirmative Action Plan is available for review during normal business hours. This plan will be updated and reaffirmed annually.

If you have concerns or questions regarding the policy or regulations, you should contact your supervisor or the Foundation EEO Officer at 869-2958.

G. Paul Storey
Executive Director

Date

I. PROGRAM PURPOSE AND DEFINITIONS

PURPOSE

The purpose of this Affirmative Action Program is two-fold: First, to assure voluntary compliance with the various government regulations and laws, and to take affirmative action to employ and advance in employment qualified minorities, women, veterans of the Vietnam era, handicapped individuals; and members of all groups cited in our Equal Employment Opportunity Policy or applicable federal and state regulations. Second, to maximize the use of all qualified applicants in our hiring and associated practices, and to ensure all employment decisions for existing employees are consistent with affirmative action policies and practices.

This program is designed and implemented to cover all protected classes. Any expression of gender in this policy shall be interpreted as neutral and shall apply to both males and females. The word "minority" shall be understood to mean ethnic minorities, ethnic and/or religious groups, the handicapped, disabled and all protected veterans, and females and persons covered by age discrimination laws or other applicable federal and state regulations.

Equal Opportunity is more than equal recruiting and selecting. It also encompasses promotions, transfers, equal wages and all other terms and conditions of employment. The Foundation's policies govern all actions between the employee/applicant and the Foundation and are administered as affirmative action documents.

To assist in a better understanding of the Affirmative Action Program, definitions of equal employment opportunity/affirmative action terms are listed.

DEFINITIONS

Adverse Impact

A substantially different rate of selection in hiring, promotion or other employment decision that works to the disadvantage of members of a racial, sex or ethnic group. If the selection rate for a group is at least 80% of the rate for the group with the highest rate of selection, there is probably no adverse impact. However, a smaller difference may be evidence of adverse impact.

Affirmative Action (AA)

Specific action taken to eliminate the present effects of past discrimination.

Affirmative Action Program (AAP)

A set of specific and result-oriented policies and procedures to which an employer commits itself to apply every good faith effort. The objective of those procedures and such efforts is equal employment opportunity.

Age Discrimination in Employment Act (ADEA)

The ADEA is a federal law which makes it unlawful for employers to discriminate on the basis of age against employees or applicants for employment who are 40 or older.

Applicant Flow

The number or percentage of job candidates by gender and race considered by an organization when a job opens.

Bona Fide Occupational Qualification (BFOQ)

Title VII allows employers to choose workers based on gender if it is necessary to have an employee with a specific gender for a given job. The EEOC interprets this very narrowly, stating it applies to hiring a male if you need a male model or a bass singer; or a female if you need a soprano or a model for women's clothes. Equally, a teacher in a religious educational institution may be selected over other applicants based on their specific religion if theology is the subject. But BFOQ is not allowed as a defense for hiring on the basis of stereotypes - i.e., you can't insist on a man for a heavy lifting job because you assume only men have the capacity to do heavy lifting. Generally, BFOQ holds up only when the job requires that a worker use physical characteristics related to one sex such as body shape or voice timbre.

Charging Party

The individual who charges that he or she has been discriminated against. May also be called Complainant, Plaintiff, Grievant, or Aggrieved Person.

Civil Rights Act of 1964

Overall, this Act outlaws discrimination against women and minorities in employment, voting, public accommodations, public education, the use of public facilities, etc. The main point of interest in the Civil Rights Act germane to our policy is the section which deals with discrimination in employment. In its original 1964 version, the Act outlawed discrimination on the part of employers in private industry with 50 or more employees, employment agencies, and labor unions. The Act created the Equal Employment Opportunity Commission (EEOC) to enforce nondiscrimination in employment. In 1972, the Civil Rights Act was amended to include private employers with 15 or more employees, state and local governments, and political subdivisions. The amendments (see EEO Act of 1972) also prohibit discrimination in federal employment with enforcement authority given to the Civil Service Commission, and creates a central coordinating body between the EEOC, Civil Service Commission, and other federal agencies enforcing nondiscrimination under other regulations.

Compliance Agency

Any federal, state or local government agency which administers or enforces equal employment opportunity/affirmative action laws.

Compliance Review

A routine review of an employer's employment practices, by an agency having jurisdiction.

Conciliation

An attempt to settle a discrimination complaint through agreement of both parties. Required of the EEOC by Title VII, after a finding of reasonable cause to believe there is discrimination.

Conciliation Agreement

A written agreement between an employer and the compliance agency that details specific employer commitments to resolve identified compliance deficiencies which are set forth in the agreement.

Department of Fair Employment and Housing (DFEH)

California compliance agency created to enforce non-discrimination regulations.

Disadvantaged Business Enterprise

The Federal Acquisition Regulations includes the following groups as disadvantaged: Black Americans, Hispanic Americans, Native Americans (American Indians, Eskimos, Aleuts and Native Hawaiians), Asian-Pacific Americans, and Asian-Indian Americans.

Discrimination

In general, a failure to treat all equally, whether unintentional or otherwise. In EEO law, any employment practice that has or tends to have a disparate impact on one or more individuals may be considered discriminatory.

Disparate Impact

Disparate Impact occurs when a selection criterion which appears to be neutral works to the disadvantage of one gender or the other, or a particular racial or ethnic group.

Disparate Treatment

Disparate treatment occurs where members of a race, sex, or ethnic group have been denied the same employment, promotion, membership, or other opportunities as have been available to other employees or applicants.

Employment Practice

Any test, procedure or practice used as a basis for any employment decision.

Equal Employment Opportunity (EEO)

The right of all persons to be accorded full and equal consideration for employment, retention, or advancement on the basis of merit.

Equal Employment Opportunity Commission (EEOC)

The Federal Agency created by the Civil Rights Act of 1964 to enforce Title VII of that Act.

Executive Order

A declaration of policy by the U.S. President or a State Chief Executive.

Executive Order 11246

Issued by President Johnson in 1965, this is a Presidential order rather than a law. It states employers with government contracts or subcontracts may not discriminate on the basis of race, color, religion, or national origin. Sex was omitted in this order, but added by E.O. 11375.

Goals

Employment objectives an employer sets for ethnic and/or sex classes that have been underutilized. Goals are not quotas. When applicable, goals in the Foundation's Affirmative Action Program Workbook are defined as realistic objectives which we work to achieve on a timely basis within the context of the employment system.

Guidelines

Documents published by contracting agencies to clarify provisions of a law or regulation or to indicate the agency's interpretation of a law or regulation.

Hiring Committee

A hiring committee, sometimes referred to as a "search committee", is a group of existing employees designed to assist the hiring supervisor / manager in the selection of the most suitable applicant to fill a vacancy of those applicants considered qualified. When used, the hiring committee will consist of at least three members, and ideally, five to seven members will serve on a hiring committee. Hiring committees may include both Foundation and University employees, based on the nature of the position. While hiring committees are the preferred method for selecting the best overall applicant, they are not *required* to be utilized. While it is recommended the hiring supervisor accept the recommendation of the hiring committee when making its decision to hire an applicant, the final selection decision rests with the respective hiring supervisor.

Minority Business Enterprise (MBE)

Created under Executive Order 11625 to endorse minority business participation in federal contracting and procurement. An MBE is defined as a firm 51% owned and/or controlled by minority persons.

Minority Definitions

- Black (not of Hispanic origin) - All persons having origins in any of the Black racial groups of Africa.
- Hispanic - All persons of Mexican, Puerto Rican, Cuban, Central or South American, or other Spanish culture or origin, regardless of race.
- Asian or Pacific Islander - All persons having origins in any of the original peoples of the Far East, Southeast Asia, the Indian Subcontinent, or the Pacific Islands. This area includes, for example, China, Japan, Korea, the Philippine Islands, Viet Nam, Samoa, and India.
- American Indian or Alaska Native - All persons having origins in any of the original peoples of North America, and who maintain cultural identification through tribal affiliation or community recognition.

Office of Federal Contract Compliance Programs (OFCCP)

OFCCP was created by the Secretary of Labor under Executive Order 11246 to administer that order and its implementing regulations.

Parity

Having the workforce in balance with either the population of the recruiting area or the labor force of the recruiting area by race and sex.

Preferential Treatment

In employment practices, favorable treatment given to one group for non-job-related factors. Preferential treatment is illegal unless pursuant to court order.

Protected Class/Group

Another term for disadvantaged workers. Literally, it means those workers who are "protected" by the laws against discrimination.

Quota

A ceiling of the maximum number of people who will be allowed to participate in a program or enter a given job. A quota is designed to exclude people.

Systemic Discrimination

Employment policies or practices which, though often neutral on their face, serve to differentiate or perpetuate a differentiation in terms of conditions of employment of applicants or employees because of their race, religious creed, color, national origin, ancestry, physical handicap, medical condition, marital status, sex, age, or protected veteran status. Intent to discriminate may or may not be involved.

Upward Mobility

Normally refers to a policy and program to ensure that an organizational structure allows for advancement avenues from the bottom to the top of the organization.

Utilization Analysis

A study of a contractor's female and minority workforce within each job category to determine whether females and minorities are adequately employed as might be expected by their availability.

Validation

A procedure which demonstrates that employment selection devices are predictive of job performance in the particular jobs for which they are used.

Vietnam Era Veterans Readjustment Assistance Act of 1974

This law requires federal employers to take affirmative action to employ and advance in employment qualified special disabled veterans and veterans of the Vietnam era.

Vocational Rehabilitation Act of 1973

This law requires federal employers to take affirmative action to employ and advance in employment physically and mentally handicapped individuals who are otherwise capable of work.

Women's Business Enterprise (WBE OR FBE)

Created under Executive Order 12138 to endorse women's business participation in federal contracting and procurement, a firm 51% owned and/or controlled by women.

Word of Mouth Recruitment

The practice where an employer relies exclusively on notifying present employees of openings and letting the employees tell their friends and families about opportunities with the firm. When the workforce is not at parity, this type of recruitment results in disparate effects.

II. DISSIMINATION OF POLICY

A. General

The Foundation directly complies with the requirements of external and internal dissemination of our policy to employment sources, suppliers and to employees as outlined in the regulations, and indirectly through the University. Efforts will continue to communicate not only our policy but our aggressive promotion of its concepts as well.

B. Specific Plan - External

1. Annually inform recruiting sources in writing of the company policy, stipulating that they recruit and refer minorities, women, veterans and the handicapped for all openings listed.
2. Notify in writing minority and women's organizations, community agencies and the referral sources of Foundation policy. When openings are available, job announcements are mailed to recruiting sources, and they are actively encouraged to refer applicants. Ensure the University posts our announcements with theirs.
3. Include the equal employment opportunity clause in all purchase orders, lease agreements, and subcontracts and notify company suppliers and subcontractors regularly in writing of our EEO policy and commitment.
4. Participate, as appropriate, in job fairs sponsored by minority, women's, handicapped and veteran organizations.
5. Meet with representatives from local, state and federal agencies who are associated with affirmative action objectives to communicate our policy and enlist their assistance in achieving our goals.
6. Include the words "An Equal Opportunity Employer" on all job announcements.

C. Specific Plan - Internal

1. Distribute copies of the program to managers throughout the Foundation with the request that they communicate this information to all employees.
2. Distribute policy statements and discuss EEO policy during new employee orientation meetings.
3. Post policy statement on website and local bulletin boards.

4. Hold periodic meetings with management and supervisory personnel to assure compliance with out EEO policy and to discuss AAP progress, and to identify problems and formulate effective solutions.
5. Hold regularly scheduled company EEO/AA management meetings for the purpose of reviewing compliance and accomplishments under the Affirmative Action Program.
6. Discuss with unit Director's the overall commitment to equal employment at regularly scheduled Director meetings.

III. RESPONSIBILITY

A. Overall Responsibility

Overall accountability of the Affirmative Action Program rests with the Executive Director of Foundation. Management and supervisory personnel are responsible for the implementation of the Program in their respective areas. The Director of Employment Services has been designated as the EEO Officer.

B. EEO Officer's Responsibilities

1. Develop and annually revise the Affirmative Action Program, policy statements, and external communication procedures.
2. Identify problem areas and causes within the Foundation.
3. Assist at all levels in arriving at effective solutions to problems.
4. Design, implement and conduct audit and reporting systems that will measure the Program's effectiveness, indicate a need for remedial action, and determine the degree to which goals and objectives have been met.
5. Serve as liaisons between the Foundation and minority, veterans, handicapped and women's organizations, and community action groups concerned with employment opportunities for minorities and females.
6. Periodically review compliance with required phases of Program, such as the displaying of posters and job orders.
7. Monitor Foundation employment policies and practices to help ensure equal employment opportunities.
8. Keep management informed of latest EEO developments, and the status of the Affirmative Action Program along with recommendations for improvement.
9. Provide career counseling of employees on request.

C. Supervisors' Responsibilities

All managers and supervisors are responsible for ensuring that the Affirmative Action Program is implemented and achieved in their unit. Supervisory responsibilities shall include:

1. Thorough understanding of the Affirmative Action Program and procedures through active participation in their areas of responsibility.

2. Assist in identifying within their unit the minority and female population as set forth in the Foundation's goals and objectives.
3. Assess unit progress in achieving affirmative action goals.
4. Periodic attendance at EEO meetings to learn of current developments, familiarization with new laws, regulations, court decisions and related matters which may have a direct bearing on daily activities.
5. Monitor job performance with a view toward identifying promotable minority and female employees.
6. Identify problem areas such as employee complaints, employee harassment and the need for employee training.
7. Communicate with the EEO Officer or Personnel Department for assistance with these responsibilities.

IV. PROGRAM DEVELOPMENT, EXECUTION AND AUDIT PROCEDURES

Program Development

The employment policies and practices of Foundation are designed and implemented to ensure equal opportunity in recruiting, hiring, classifying, promoting, transferring, terminating, training and all other conditions of employment.

The Foundation develops and maintains minority, female, handicapped and veterans' recruitment records, maintains personnel transaction statistics and records, as they relate to compliance with federal, state and local laws.

Affirmative action steps require documentation. To this end, supervisors involved in the employment process should familiarize themselves with the employment transaction procedures and forms and provide appropriate documentation.

EMPLOYMENT SELECTION PROCEDURES

The following represent specific actions of the Affirmative Action Program:

A. Employment Qualifications

Position qualifications are evaluated at least annually for job-related skill requirements to assure that they are free of discriminatory barriers.

For full time openings, the requesting unit shall first check to see if there are any current department employees who are promotable, paying particular attention to protected class persons, before filling the department requisition from an outside source. Among those to be considered for promotion are persons of the same job family as the requisition but in a lesser grade and persons of a different classification with the requisite skills, experience and/or education for the open position.

Positions not filled with existing Foundation employees require an external source to be utilized. Employment Services will screen for qualified candidates from the pool of applicants and the hiring supervisor will make the hiring decision. However, hiring supervisors and unit Director's are encouraged to use the "preferred" method of applicant selection, which uses a hiring committee to assist in selecting the best suitable candidate, consistent with this Affirmative Action Policy.

Employee Requisitions: An Employee Requisition is completed for each position opening not filled from within the department in which the opening occurred.

External Sources: If no qualified employees are identified internally, Employment Services will use external sources from which to recruit. All appropriate job openings are listed with the California Employment Development Department and through the University Human Resources / Diversity office, among other places.

B. Recruiting

Foundation's recruiting objectives revolve around finding the most suitable candidate to fill an open employment requisition. The recruiting of protected class persons is implemented through active communication of job openings and affirmative action commitments of the Foundation.

Employment Services identifies appropriate sources when external recruiting is required. The employee requisition will provide the information as to source and technique. Recruiting techniques which may be utilized are:

1. Advertising

- a. Local advertising
 - For direct responses
 - For resumes
 - In support of special recruiting events, e.g., open house
 - For community relations purposes
- b. Regional and national selected market advertising
 - For resumes
 - In support of interviewing trips
- c. National magazine and journal advertising
 - For resumes
 - For indirect support of field interviewing trips
 - For public relations among selected audiences
- d. Select audience advertising
- e. Non-conventional advertising such as television, radio and billboards, as required to support special program needs.

2. Interviewing

- a. Interviewing trips
- b. College recruiting trips
- c. Job fairs
- d. Temporary recruiting offices
- e. Convention recruiting

3. Placement Services

- a. Employment services
 - Local
 - National or specialized
 - Affirmative Action
- b. School placement services
 - Current graduating classes
 - Alumni
- c. Government placement services
- d. Minority and female associations/society placement services
 - Civil rights groups

- Women's groups
- Business groups
- Professional groups
- Job banks
- e. Military/Veteran placement services
- f. Handicapped persons placement services

4. Special recruiting events

- a. Open House
- b. Facilities tour
- c. Foundation job fairs
- d. Career seminars
- e. Professional/business symposia
- f. Exhibits

C. Training

- a. Meetings with supervisors/employees on EEO/AA related topics are held periodically.
- b. Employees are encouraged to take advantage of the Foundation's educational assistance program.

D. Employee Counseling

As a key element of the Affirmative Action Program, the EEO Officer will provide counseling and information to those seeking assistance. Initial contact for these services can be made by either the individual employee or the employee's supervisor. The needs of the employee will be discussed, as well as programs and services both inside and outside the Foundation which can work toward meeting those needs.

If an employee has a work-related situation that is a concern or that interferes with the accomplishment of their work, they should discuss it with their immediate supervisor. The employee is encouraged to discuss the facts fully and frankly to give their supervisor an opportunity to understand the situation and respond to it. Often complaints or problems are due to misunderstandings and can be corrected by open communication. Most complaints can be resolved after a full discussion of the facts with the supervisor.

In cases where the employee and the supervisor are unable to correct the problem to the employee's satisfaction, and the employee wants to pursue it further, the EEO Officer may be contacted.

When an employee desires personal counseling or believes that conditions exist which prohibit discussing a problem situation with their supervisor, they may contact the EEO Officer or the Employment Services department (Extensions 2958).

If the problem remains, the EEO Officer will make a decision whether to refer the problem to the Executive Director. The Executive Director will serve as the final authority in these matters.

Foundation policy on nondiscrimination precludes supervisory employees from retaliation or discrimination against any employee because of their involvement in the process of dealing with EEO related problems.

E. Other

Performance evaluations for management and supervisory employees will include evaluation on the basis of their equal employment opportunity/affirmative action efforts and results.

F. Audit Procedures

In an effort to monitor Foundation progress toward meeting its affirmative action commitments, a regular audit of all employment transactions is completed. Transactions such as hires, terminations, demotions, promotions and layoffs are analyzed to show the effects upon protected classes.

V. AVAILABILITY ANALYSIS

An availability analysis is based upon comparisons of demographic statistics and the workforce for the organization. The availability percentages for each job group are meant to be targets for female and minority employment and are not to be interpreted as a quota.

The use of certain geographic areas and sources of statistics does not indicate our agreement that the geographic area is appropriate or that the sources of statistics are reliable or relevant. The use of such geographic areas and statistics is intended to have no significance outside the content of the Affirmative Action Program, although, of course, such statistics and geographic areas will be used in total good faith with respect to this affirmative action program.

The availability analysis is reviewed and updated regularly. The final availability figures are used in the goals analysis section of the Affirmative Action Workbook and provides a comparison of the current workforce composition with external availability.

The Affirmative Action Workbook contains the back-up documentation for the availability analysis. All sources of statistics for the availability analysis are compiled and presented to management in the workbook format.

VI. GOALS ANALYSIS

The percentages of internal female/minority populations are compared with the final availability for each job group calculated in the Availability Analysis Section of the Workbook. If the internal female/minority population is less than the availability percentages, then the female/minority population is said to be underutilized in that job group, and goals are formulated in voluntary compliance with governmental regulations and are not intended nor to be interpreted as an admission that the Foundation has, at any time, engaged in any prohibited discriminatory practices.

Unit managers and the EEO Officer calculate and set the utilization goals. If a job group is underutilized with respect to female/minority employees, the AAP then gives emphasis and direction toward affirmative action efforts. Unit managers are made aware of any underutilization of females/minorities within a job group, and are encouraged to act affirmatively with respect to personnel transactions occurring in the unit.

The Affirmative Action Workbook contains the goals analysis for all job groups.

VII. SEX DISCRIMINATION GUIDELINES

A. General

As part of the Foundation's continuing affirmative action efforts, the EEOC and other federal and state regulations, sex discrimination guidelines will be carried out to ensure the implementation of Executive Order 11246 as amended and Title VII for the promotion of equal opportunities for all persons employed or seeking employment without regard to sex. Throughout the Affirmative Action Program, actions equally apply to men and women in the workforce.

B. Recruitment and Advertisement

1. Recruiting of employees is for both sexes for all jobs, or stated differently, is gender neutral.
2. Sex preference is not expressed in help-wanted advertisements.

C. Job Policies and Practices

1. Employment policies expressly indicate that there will be no discrimination because of gender.
2. Both sexes have equal opportunity to all available jobs that they are qualified to perform.
3. Employment opportunities, wages, hours, conditions of employment and fringe benefits are the same for both sexes.
4. Appropriate physical facilities are provided to both sexes.
5. Retirement benefits are equal for both sexes.
6. In making specific assignments, job distinctions are neither recognized nor made between male and female.
7. Job classifications are not restricted by gender.

D. Affirmative Action

1. Affirmative Action will be taken to recruit females to apply for jobs where they have not previously applied.
2. Both sexes will have equal access to all training programs.
3. Continuous efforts will be made in monitoring job performance with a view toward identifying promotable female employees.
4. Maternity leave reinstatement policies will be maintained to help ensure compliance with all sex discrimination guidelines.

VIII. SEXUAL HARASSMENT GUIDELINES

It is illegal and against Foundation policy for any employee to sexually harass another employee by:

- making unwelcomed sexual advances or requests for sexual favors or other verbal or physical conduct of a sexual nature a term or condition of an individual's employment, or
- making submission to or rejection of such conduct the basis for employment decisions affecting the individual, or
- unreasonably interfering with an individual's work performance or creating an intimidating, hostile or offensive working environment by such conduct.

It is against Foundation policy for any person to use their official authority in making sexual advances toward employees over whom the person is authorized to make or recommend personnel actions; to grant, recommend, or refuse to take personnel action because of sexual favors, or the lack thereof; and to take or fail to take a personnel action as reprisal against any employee for rejecting or reporting a sexual advance.

It is also against Foundation policy for a manager or supervisor to allow any employee to be sexually harassed, either verbally or physically, by a co-worker. With respect to conduct between fellow employees, "an employer is responsible for acts of sexual harassment in the workplace where the employer knows or should have known of the conduct, unless it can show that immediate and appropriate corrective action was taken."

As an employer, Foundation may also be responsible for the acts of nonemployees, with respect to sexual harassment of employees in the workplace, "where the employer knows or should have known of the conduct and fails to take immediate and appropriate corrective action."

Any Foundation employee who believes he or she has been the subject of sexual harassment should report the alleged act immediately to their supervisor or the EEO Officer, or both. An investigation of all complaints will be initiated. Any supervisor, agent or other employee who has been found by the Foundation, after appropriate investigation, to have sexually harassed another employee will be subject to appropriate sanctions depending on the circumstances, which may include termination of employment.

The Foundation recognizes the question of whether a particular action or incident is a purely personal, social relationship without a discriminatory employment effect requires a determination based on all the facts in this matter. Given the nature of this type of discrimination, Foundation recognizes also that false accusations of sexual harassment can have serious effects on innocent people. We trust that all employees of the Foundation will continue to act responsibly to establish a pleasant working environment free of discrimination. The Foundation encourages any employee to raise questions he or she may have regarding discrimination or affirmative action.

IX. RELIGIOUS, NATIONAL ORIGIN AND ANCESTRY GUIDELINES

A. Policy on Religion

The Foundation's Equal Employment Opportunity Policy expresses its commitment to prohibit discrimination based on religion against applicants for employment, and employees, in any of the following: hiring, discharge, promotion, pay or other conditions of employment. Efforts will be made to accommodate the religious observances and practices of an employee unless it is unreasonable to accommodate such practices and would result in an undue hardship on the conduct of business. The Foundation will consider such factors as: business necessity, financial costs and expenses and resulting personnel problems.

B. Policy on National Origin or Ancestry

It shall be against Foundation policy to discriminate because of an individual's place of origin or ancestry, or his or her ancestor's place of origin, or because an individual has the physical, cultural or linguistic characteristics of a national origin group or for any reason. It shall be against Foundation policy to deny equal employment opportunity on the basis of national origin or ancestry to applicants seeking employment, and in the treatment of employees, including but not limited to, hiring, discharge, promotion, pay or other conditions of employment.

All employees are entitled to an equal opportunity for advancement to positions of greater responsibility and authority based upon their skills and abilities.

It shall be against Foundation policy to engage in ethnic slurs or other verbal or physical conduct relating to an individual's religion or national origin, or any other reason, when this conduct has the purpose or effect of creating an intimidating, hostile or offensive working environment, has the purpose or effect of unreasonably interfering with an individual's work performance, or otherwise adversely affects an individual's employment opportunities.

It is also against Foundation policy for a supervisor or manager to permit any employee to be harassed on the basis of religion, national origin, or ancestry by any co-worker. The standard to be used is whether the supervisor knew or should have known of the harassment. The Foundation will take disciplinary action, up to and including termination for violation of this policy.

C. Scope

In accordance with the provisions of applicable federal and state regulations of the following guidelines of procedures and practices are effected.

1. Recruitment and Advertisement

- a. Applicants shall be recruited for all jobs without regard to religion, national origin or ancestry.
 - b. Advertisements for employment shall not express or imply a preference for members of any religious or ethnic group.
2. Job Policies and Practices
- a. Written personnel policies shall be administered so that no discrimination against employees shall exist on account of religion, national origin, or ancestry.
 - b. Employees of all religions, national origins and ancestry shall have an equal opportunity to available jobs for which they are qualified to perform.
 - c. No distinction based upon religion, national origin or ancestry shall be made in employment opportunities, wages, hours, or other conditions of employment.
 - d. Retirement benefits shall remain free from differences based on religion, national origin or ancestry.
 - e. Candidates for training programs will be considered and admitted without regard to religion, national origin or ancestry.
 - f. Every reasonable attempt will be made to accommodate the religious observances and practices of all employees or prospective employees unless the accommodations would levy an undue hardship on the conduct of the business.

D. Responsibility

All levels of management and supervision are charged with the responsibility of implementation and adherence to the guidelines set forth herein. The EEO Officer has responsibility for the administration of this policy.

X. AFFIRMATIVE ACTION PROGRAM FOR THE HANDICAPPED, SPECIAL DISABLED VETERANS AND VETERANS OF THE VIETNAM ERA

A. Policy

Employment with the Foundation is based on individual merit, qualifications and competence. It is our policy not to discriminate against special disabled veterans, veterans of the Vietnam era, nor the handicapped, in any employment practices, such as: hire, upgrading, promotion, demotion or transfer, recruitment and recruitment advertising, pay rates, or other forms of compensation, selection for training, lay- off or termination, and all other conditions affecting employees.

The Foundation is committed to take affirmative action to employ and advance in employment qualified individuals who are handicapped, special disabled or Vietnam era or other protected veterans. All jobs are open to those who meet the position requirements without being a hazard to themselves or others. In addition, where possible, facilities, equipment and job structure rearrangements will be made to accommodate the handicapped and special disabled veterans.

B. Affirmative Action Program

The Program defined and set forth in this document shall constitute the Affirmative Action Program for the handicapped and special disabled and Vietnam era and other protected veterans. The policy and procedures have the specific purpose of assuring that handicapped individuals, the special disabled and all protected veterans will not suffer discrimination in employment, and that responsibilities for accomplishing the Affirmative Action Program are assigned and results are monitored and evaluated.

C. General Responsibilities

The EEO Officer has responsibility for the establishment of an Affirmative Action Program for the handicapped, special disabled and Vietnam era and other protected veterans, and to evaluate the effectiveness of the Program, and report the status of the Program to management.

Employment Services is responsible for assuring that the responsibilities assigned to individuals and functions are carried out in conjunction with the Affirmative Action Program, and to assist management in the implementation of this program.

D. Specific Responsibilities

The specific responsibilities set forth below are not meant to be all inclusive; they may be modified as the needs of the Program change. The EEO Officer is responsible for coordinating these responsibilities.

1. Review and audit employment policies and practice to ensure equal opportunity for the handicapped or special disabled and Vietnam era and other protected veterans.
2. Incorporate the "Employment of the Handicapped," and "Affirmative Action for Special Disabled Veterans and Veterans of the Vietnam Era" (and subsequent language to protect other veterans) clauses in subcontracts and procurement documents as required by government regulations.
3. Provide assistance in making decisions for reasonable and necessary accommodations to the special needs of individuals who are handicapped or special disabled veterans, with particular attention to physical barriers, job or work structures and tool and equipment design. In determining the extent of accommodation, factors such as business necessity and financial cost and expense must be considered.
4. Monitor complaint procedures to assure that complaints affecting employees defined as handicapped, special disabled and Vietnam era veterans are handled in a manner that is responsive to the appropriate government regulations issued by the Department of Labor, and assist in the resolution of these complaints.
5. Review requisitions to assure that all qualification requirements are job related, are consistent with business necessity and safe performance on the job, and provide equal employment opportunities for the handicapped, special disabled and Vietnam era veterans.
6. Invite all employees and applicants who wish to be considered under the Affirmative Action Program for the handicapped, or special disabled and Vietnam era or other protected veterans to identify themselves and maintain confidential records.
7. Advise state employment service and other community organizations about our program and of openings on a regular basis, and establish a working relationship with organizations able to provide us with advice and technical assistance.
8. Assure that notices prescribed by the Federal Government and state agencies regarding employment of handicapped, and special disabled and Vietnam era veterans are posted.

E. Definitions

The following are definitions provided by the Department of Labor:

Special Disabled veteran: a veteran who is entitled to (1) compensation under laws administered by the Veterans Administration for disability (1) rated at 30 percent or more, (2) rated at 10 or 20 percent in the case of veteran who has been determined under

Section 1506 of Title 38, U.S.C., to have a serious employment handicap, or a person who was discharged or released from active duty because of a service-connected disability.

Handicapped individual: any person who (1) has a physical or mental impairment which substantially limits one or more such person's major life activities, (2) has a record of such impairment or (3) is regarded as having such an impairment. For purposes of this part, a handicapped individual is "substantially limited" if he or she is likely to experience difficulty in securing, retaining or advancing in employment because of a handicap.

Qualified handicapped individual: a handicapped individual (as defined above) who is capable of performing a particular job, with reasonable accommodation to his or her handicap.

Qualified special disabled veteran means a special disabled veteran (as defined above) who is capable of performing a particular job, with reasonable accommodation to his or her disability.

Veteran of the Vietnam Era means a person who: (1) Served on active duty for a period of more than 180 days, and was discharged or released therefrom with other than a dishonorable discharge, if any part of such active duty occurred: (i) In the Republic of Vietnam between February 28, 1961, and May 7, 1975; or (ii) Between August 5, 1964, and May 7, 1975, in all other cases; or (2) Was discharged or released from active duty for a service-connected disability if any part of such active duty was performed: (i) In the Republic of Vietnam between February 28, 1961, and May 7, 1975; or (ii) Between August 5, 1964, and May 7, 1975, in all other cases.

Other protected veteran means a person who served on active duty during a war or in a campaign or expedition for which a campaign badge has been authorized, under laws administered by the Department of Defense

Accessibility: a handicapped/disabled individual's ability to approach, enter and use a contractor's facilities easily, particularly such areas as personnel office, worksite, and public areas.

Reasonable Accommodation: alterations, adjustments or changes in the job, the workplace and/or term of condition of employment which will enable an otherwise qualified handicapped individual or special disabled veteran to perform a particular job successfully, as determined on a case by case basis depending on the individual circumstances.

F. Guidance for Implementation

In addition to general requirements for affirmative action for the handicapped, special disabled and Vietnam era veterans, key areas for consideration are outreach, recruitment and accommodation. Outreach and recruiting actions should focus upon activities which will achieve positive results. The basic principle of accommodation requires the Foundation to make reasonable changes in its practices to enable qualified, handicapped

persons and special disabled veterans to fill jobs that they would otherwise be unable to fill. Should assistance be needed for assessing and determining the changes required to accommodate a specific handicapped person or special disabled veteran, contact the EEO Officer for assistance and advice. Generally, the types of changes to be made are:

1. Improvement of access to the buildings, including facilities such as employment office, restrooms and cafeteria.
2. Restructuring the job by changing its content and/or revising the equipment necessary for functioning on the job.

Reasonable accommodation obligations balance business necessity and costs with the need to overcome the exclusion of the handicapped and special disabled veterans from employment opportunities. Normally, accommodation changes for improving access and job restructuring or equipment changes would not be considered unreasonable unless it can be shown that such action would result in a bona fide hardship for the Foundation.

Regardless of the definition given for accommodation, in each event, a good faith effort to accommodate should be made. The Employment Services department will work with those who feel they are being denied employment or advancement because of their physical handicap or disability.

Foundation EEO Officer will work closely with the University Veterans Outreach and Services office to ensure maximum use of veterans resources in addressing veterans issues.

Internal Review Procedure

The Foundation has a 60-day internal review procedure to review any complaints by employees under Section 503 of the Rehabilitation Act of 1973 and the Vietnam Era Veterans Readjustment Assistance Act of 1974. All such complaints should be referred to the EEO Officer.

Following is a checklist which will be used to investigate complaints:

1. Discuss the basis for the complaint.
2. Determine the issues to be investigated relating to the complaint.
3. Inspect the area where the complainant worked or would have worked.
4. Was the work place accessible to a handicapped or disabled applicant or employee?
5. Are special equipment, devices and accommodations necessary for handicapped or disabled workers participation?
6. Review the Foundation's ability to carry out accommodations.
7. Review personnel records and actions pertinent to the complaint.
8. If medical information is involved, ask a physician to review the medical record.
9. Conduct interviews with Foundation personnel to gather facts and to verify information.

10. Hold a conference at the end of the investigation, and if a satisfactory resolution has been reached between the complainant and the Foundation, the EEO Officer will forward a report to the Executive Director providing the facts and issues, as well as the resolution of the complaint. Care should be exercised that the resolution is fair and just for both parties.
11. Should the investigation determine that the Foundation's position is such as to be in contradiction to the complaint and accommodation of the issue is not possible, the EEO Officer will prepare the Foundation's position and forward to the Executive Director for further disposition.

XI. NONDISCRIMINATORY APPLICATION OF THE IMMIGRATION AND CONTROL ACT OF 1986

A. Purpose

To encourage the employment of only U.S. citizens and aliens lawfully authorized to work in the United States and to comply with Public Law 99-603.

B. Responsibility

It is the responsibility of the EEO Officer to be knowledgeable regarding these requirements, and to educate and ensure appropriate compliance by all segments of the Foundation.

C. Definitions

Unauthorized Alien - with respect to employment, the alien is not lawfully admitted for permanent residence, nor authorized by the Act or the Attorney General to be employed.

Hire - the actual commencement of employment of an employee for wages or other remuneration.

Employee - an individual who provides services or labor for an employer for wages, but shall not include independent subcontractors.

Employer - a person or entity, including anyone acting directly or indirectly in the interest thereof, who engages the services or labor of an employee to be performed in the United States for wages or other remuneration.

Employment - any service or labor performed by an employee within the United States.

D. Verification of Employment Eligibility

The Form I-9 is used by the U.S. Citizenship Immigration and Services to be used in complying with the requirements of the Immigration Reform and Control Act.

The Form I-9 is completed for all individuals hired after November 6, 1986. These individuals must exhibit to the Foundation documents which establish both identity and authority (eligibility) to be employed. All workers employed prior to November 6, 1986, are "grandfathered" by the Law.

The employment selection is made first and then the I-9 eligibility process is pursued. Form I-9 is only completed for individuals hired, and must be completed within 3 days of the first date of employment. Currently, Foundation uses an electronic process for I-9's.

Form I-9 is retained and available for inspection for three years from the date of hire or one year from the employee's termination.

E. Applicant Source Notification

All employment applicants or referral sources are notified to the effect that employment with the Foundation is subject to the conditions set forth in PL 99-603, the Immigration and Naturalization Act of 1986, and that prior to hire, applicants will be required to demonstrate compliance therewith.

F. Applicant Notification

At all locations where applications are taken or where hires are processed, a sign is prominently displayed which reads as follows:

In accordance with Public Law 99-603, the U.S. Immigration and Naturalization Act of 1986, this Employer is required to verify the eligibility of applicants considered for employment under terms and conditions of this Act. Proof of U.S. citizenship or adequate documentation of alien employment eligibility status, plus personal identification is required before any hire is processed.

Further, Foundation will continue to use E-Verify on a voluntary basis and will notify new hires accordingly.

G. Employment Procedures to Avoid Discrimination


1. Utilizing the state employment development department service whenever possible.
2. Making certain to make any hire selection first before implementing the Immigration and Naturalization certification process, to ensure that any inference of discrimination is avoided.
3. Completing the certification process prior to hire.
4. Not permitting the hiring of day labor for short periods without completing the Form I-9, ensuring every name on the payroll hired from November 6, 1986, has an I-9 on file.

Memorandum



Date: January 30, 2012

To: Personnel Committee
Cal Poly Pomona Foundation, Inc.

From: 
Dennis Miller
Director, Employment Services

Subject: Healthcare Reform for 2012 and Beyond


The attached information is provided in two parts. The first part is a list of key dates regarding healthcare reform for which an organization needs to prepare itself to take whatever actions appropriate. The second document has a more detailed explanation on the specific actions, steps, and implications for employees regarding healthcare reform.

The next visible step Foundation will take is that it will reduce its maximum dollar amount an employee may contribute for un-reimbursable medical expenses, which takes effect January 1, 2013. A key step Foundation has already taken is to install software that will capture and record the cost of healthcare insurance on IRS Form W2 for its employees when W2's are issued in 2013 for tax year 2012.

Benefits and Healthcare

Healthcare Reform Timeline – Executive Summary

Important: This timeline is based on information available in September 2011 and is subject to change. The timeline assumes that the employer’s plan is a calendar-year plan. Collectively-bargained plans may be treated as grandfathered until at least the termination date of the last collective bargaining agreement in effect before March 23, 2010. Contact your Wells Fargo Insurance Services broker for assistance.

	All plans	Non-grandfathered plans only
2010	<ul style="list-style-type: none"> • Temporary insurance-premium tax credit for small employers • Temporary subsidy for early retiree plans 	
2011	<ul style="list-style-type: none"> • No lifetime dollar limit on essential health benefits, and phase-out of annual dollar limit on essential health benefits • No retroactive cancellation of coverage • Adult children eligible up to age 26, unless eligible for another employer’s plan • No pre-existing condition exclusion for anyone under age 19 • Over-the-counter drugs not payable from health flexible spending account (FSA), health savings account (HSA) or health reimbursement arrangement without doctor’s prescription • Penalty of 20 percent for non-medical distribution from HSAs • Insurance refund if medical loss ratio is less than 85 percent (80 percent for small plans) • Temporary wellness program grants to small employers • SIMPLE cafeteria plans available 	<ul style="list-style-type: none"> • Adult children eligible up to age 26, even if eligible for another employer’s plan • Preventive care coverage available without cost-sharing • Non-discrimination requirement for insured plans (pending issuance of regulations) • Designation of primary care providers (pediatricians and OG/GYN) • Coverage of emergency services without preauthorization and at in-network charges
2012	<ul style="list-style-type: none"> • Form W-2 for 2012 discloses value of non-taxable healthcare coverage • Begin distributing uniform explanation-of-coverage document • National long-term care program available 	<ul style="list-style-type: none"> • Expansion of internal and external appeals procedures

continued on page two

Together we’ll go far





All plans

Non-grandfathered plans only

2013

- Health FSAs limited to \$2,500 in annual benefits
- Headcount tax of \$2 (\$1 in first year) for each covered life
- Medicare payroll tax increase for highly paid employees
- Written notice to employees about insurance exchanges
- Phase-in of real-time eligibility confirmation with insurance carriers, administrators, hospitals, and doctors

2014

- Employer “play or pay” mandate begins
- Individual mandate begins – tax penalty if no coverage
- Insurance exchanges begin; small employers (50 or 100 employees, depending on the exchange) may purchase coverage
- Waiting periods may not exceed 90 days
- Automatic enrollment of employees in plan as default election (for groups 200+)
- Wellness program incentives increased from 20 percent to 30 percent
- No pre-existing condition exclusion for anyone
- Adult children eligible up to age 26, even if eligible for another employer’s plan
- Clinical trials covered
- Annual deductible cannot exceed \$2,000 for single coverage or \$4,000 for family coverage; unclear if restriction applies only to small group market
- Maximum out-of-pocket expense for participants cannot exceed limits that apply to HSA-qualifying high-deductible health plans

2017

- All employers may purchase coverage through an insurance exchange

2018

- Excise tax on high-cost plans

This material is provided for informational purposes only based on our understanding of applicable guidance in effect at the time of publication, and should not be construed as being legal advice or as establishing a privileged attorney-client relationship. Customers and other interested parties must consult and rely solely upon their own independent professional advisors regarding their particular situation and the concepts presented here. Although care has been taken in preparing and presenting this material accurately (based on the laws and regulations, and judicial and administrative interpretations thereof, as of the date set forth above), Wells Fargo Insurance Services disclaims any express or implied warranty as to the accuracy of any material contained herein and any liability with respect to it, and any responsibility to update this material for subsequent developments.

To comply with IRS regulations, we are required to notify you that any advice contained in this material that concerns federal tax issues was not intended or written to be used, and cannot be used, for the purpose of avoiding tax-related penalties under the Internal Revenue Code, or promoting, marketing, or recommending to another party any matters addressed herein.

Insurance products are offered through non-bank insurance agency affiliates of Wells Fargo & Company and are underwritten by unaffiliated insurance companies, with the exception of crop and flood insurance. Crop and flood insurance may be underwritten by Wells Fargo Insurance Services’ affiliate, Rural Community Insurance Company.

Legislative Alert

Summary of Federal Healthcare Reform Law

Updated as of September 27, 2011



The Patient Protection and Affordable Care Act (H.R. 3590) was signed into law by President Obama on March 23, 2010. The companion bill, the Health Care and Education Reconciliation Act (H.R. 4872), was signed into law on March 30, 2010. Together, these two bills constitute what is now commonly referred to as the “Affordable Care Act” or “ACA.” Set forth below is a brief summary of some of the key changes that will affect employers and employees under the ACA.

Important notes

- **Fully-insured vs. self-insured group health plans.** Except as otherwise noted, all of the items below that are applicable to group health plans apply to both fully-insured and self-insured group health plans.
- **Grandfathered plans vs. non-grandfathered plans.** Group health plans existing on March 23, 2010, are “grandfathered” under the ACA. Grandfathered plans are deemed to be “minimum essential coverage,” have special effective date rules for certain health reform changes, and are completely exempt from certain other changes (as noted in the chart below). A grandfathered plan is allowed to enroll new employees (both newly hired and newly enrolled) and their families without losing its grandfathered status. In regulations issued on June 14, 2010, and subsequent amendment to the regulations issued on November 15, 2010, federal regulators provided that grandfathered status would be lost if various actions were taken with respect to the plan (such as changing insurance carriers prior to November 15, 2010, eliminating benefits, raising percentage cost-sharing requirements, significantly raising fixed-amount cost-sharing or co-payment requirements, significantly

lowering employer contributions, imposing new or decreased annual dollar limits, etc.).

- **Collectively-bargained plans.** For insured group health plans maintained under one or more collective bargaining agreements ratified before March 23, 2010, there is a provision in the ACA that grants grandfathered status to such plans until the termination date of the last collective bargaining agreement relating to the plan. This special collectively-bargained grandfathered status will allow insured collectively-bargained plans (but not self-insured plans) to take certain actions (as noted above) that would otherwise result in loss of grandfathered plan status. Nevertheless, like any other group health plan there are some market reform changes (such as limits on lifetime and annual dollar limits, extension of dependent coverage to adult children up to age 26, phase-out of pre-existing condition limitations, prohibition on rescissions, etc.) that will apply to every insured or self-insured collectively-bargained plan regardless of whether the plan is considered grandfathered or not.

The following chart highlights applicable provisions in chronological order for each employer size grouping.

Together we'll go far



Topic	Provisions of Affordable Care Act	Effective date for grandfathered plans	Effective date for non-grandfathered plans	Action items for employers
Employers with two to 25 employees				
Premium tax credit for small employers (fewer than 25 employees)	The government provides a 35 percent premium tax credit to small employers (up to 25 employees with average annual wages of less than \$50,000) that contribute toward health insurance premiums for employees; generally increases to 50 percent in 2014 (available for only two years) but only if employer offers coverage through an insurance exchange (see “Insurance exchanges,” below)	2010	2010	Apply for tax credit, if applicable
Employers with two to 100 employees				
Temporary wellness program grants for small employers (fewer than 100 employees)	Small employers (those with fewer than 100 employees who work 25 hours or more per week) that did not have a workplace wellness program in place on March 23, 2010, may apply for government grants to help subsidize workplace wellness programs that satisfy certain criteria	2011; the program ends on the earlier of \$200 million in funding being exhausted or December 31, 2015	2011; the program ends on the earlier of \$200 million in funding being exhausted or December 31, 2015	Monitor governmental grant submission requirements, and apply for grant if program applicable
Simple cafeteria plans for small employers (fewer than 100 employees)	Internal Revenue Code § 125 cafeteria plans maintained by small employers (with an average of 100 or fewer employees during either of the two preceding years) are deemed to be nondiscriminatory if all employees with at least 1,000 hours of service in the preceding year are eligible to participate; certain nondiscrimination standards are met; and employer contribution are either: <ul style="list-style-type: none"> • a uniform percentage (at least two percent) of employee compensation, or • not less than six percent of employee compensation (or, if less, two times the employee contribution amount) 	2011	2011	Consider adopting a simple cafeteria plan, if applicable

Topic	Provisions of Affordable Care Act	Effective date for grandfathered plans	Effective date for non-grandfathered plans	Action items for employers
Insurance exchanges	<p>Individuals (U.S. citizens and legal immigrants) and small employers (those having an average of 100 or fewer employees in the previous calendar year, although states can set the number at 50 or fewer for plan years beginning prior to 2016) may purchase insurance from state-run exchanges beginning in 2014; if the state agrees, large employers (having an average of at least 101 employees in the previous calendar year) also may purchase from the exchange beginning in 2017</p> <p>Five tiers of coverage are offered through the exchange:</p> <ul style="list-style-type: none"> • Bronze – provides essential health benefits, covers at least 60 percent of actuarial value of covered benefits, with out-of-pocket limit equal to current limits on HSAs (\$5,950 for individuals and \$11,900 for families, in 2010) • Silver – provides essential health benefits, covers at least 70 percent of actuarial value of covered benefits, with HSA out-of-pocket limits • Gold – provides essential health benefits, covers at least 80 percent of actuarial value of covered benefits, with HSA out-of-pocket limits • Platinum – provides essential health benefits, covers at least 90 percent of actuarial value of covered benefits, with HSA out-of-pocket limits • Catastrophic – similar to high-deductible health plan, except available only to individuals up to age 30 in the individual market (not through an exchange) <p>Deductibles for plans in the small group market are limited to \$2,000 for individuals or \$4,000 for families, indexed to average premium growth. This amount may be increased by the maximum amount of reimbursement available to an employee under a flexible spending arrangement. (Awaiting further guidance on this mandate.)</p> <p>Reduced out-of-pocket limits apply to individuals with incomes up to 400 percent of the federal poverty level</p>	2014	2014	Monitor government developments

Topic	Provisions of Affordable Care Act	Effective date for grandfathered plans	Effective date for non-grandfathered plans	Action items for employers
Employers with 50 or more employees				
Form W-2 reporting to employees (based on number of W-2 forms filed by employer, not number of employees)	Although not taxable, the aggregate value (using rules similar to COBRA) of employer-provided medical coverage provided to each employee must be disclosed on Form W-2	For 2012 tax year	For 2012 tax year	Develop reporting mechanism Applicable to employers who file 250 or more W-2 forms in a year
Employer “play or pay” mandate	<p>Employers with more than 50 full-time employees in the preceding calendar year (working an average of at least 30 hours per week, or 130 hours per month) can “play” by offering “minimum essential coverage” to all of its full-time employees and their dependents; solely for purposes of determining whether the employer has more than 50 full-time employees, part-time workers are converted to full-time equivalents by adding all hours worked by part-timers during the month and dividing by 120; special rules apply with respect to seasonal employees working for employers close to satisfying the more-than-50 full-time employee standard.</p> <p>Employers with more than 50 full-time employees that do not offer “minimum essential coverage” must pay an excise tax of \$2,000 times the total number of full-time employees of the employer (excluding the first 30 employees) if at least one full-time employee receives government-subsidized coverage through an insurance exchange (discussed below).</p> <p>If the employer offers “minimum essential coverage,” but the coverage for the employee is “unaffordable” (employee cost for single coverage is greater than 9.5 percent of the employee’s household modified adjusted gross income (MAGI) and the employee receives government-subsidized coverage through an insurance exchange, the employer is required to pay an annual excise tax equal to \$3,000 for each employee receiving subsidized exchange coverage (this assessment cannot exceed the assessment for not providing minimum essential coverage described above).</p> <p>In either penalty situation, these nondeductible excise taxes are calculated and assessed on a monthly basis.</p>	2014	2014	Evaluate “play or pay” strategy; monitor government developments

Topic	Provisions of Affordable Care Act	Effective date for grandfathered plans	Effective date for non-grandfathered plans	Action items for employers
Employers who offer a medical plan, regardless of employer size				
Temporary government subsidies for early retiree plans	For employers with early retiree medical plans, the government will reimburse eligible employers for 80 percent of the cost of medical benefits (between \$15,000 and \$90,000) for retirees age 55 to 64 and their dependents; subsidy must be applied only as permitted	June 1, 2010; the program ends on the earlier of \$5 billion in funding being exhausted or December 31, 2013	June 1, 2010; the program ends on the earlier of \$5 billion in funding being exhausted or December 31, 2013	Apply for and seek reimbursement, if applicable
Lifetime dollar limits on plan benefits	Group plans may <i>not</i> place lifetime dollar limits on essential health benefits	First plan year beginning after September 23, 2010	First plan year beginning after September 23, 2010	Amend plan documentation
Annual dollar limits on plan benefits	Group plans may only place “restricted” annual dollar limits (not less than \$750,000, phasing up to not less than \$2 million for 2013 plan years) on essential health benefits as defined by the Secretary of Health and Human Services (HHS), with all annual dollar limits on essential health benefits prohibited starting in 2014 plan year; HHS may grant limited waivers from pre-2014 limitations in certain situations	Requirement for government-set limits is effective with first plan year beginning after September 23, 2010; full prohibition is effective with first plan year beginning in 2014	Requirement for government-set limits is effective with first plan year beginning after September 23, 2010; full prohibition is effective with first plan year beginning in 2014	Amend plan documentation
Rescinding coverage	Plans cannot rescind coverage of an enrollee, except in cases of enrollee fraud or material misrepresentation	First plan year beginning after September 23, 2010	First plan year beginning after September 23, 2010	Amend plan documentation
Pre-existing condition limits on plan benefits	Group plans may not impose a pre-existing condition exclusion with respect to children under age 19, with pre-existing condition exclusions eliminated for all participants starting in 2014 plan year	First plan year beginning after September 23, 2010; full prohibition is effective with first plan year beginning in 2014	First plan year beginning after September 23, 2010; full prohibition is effective with first plan year beginning in 2014	Amend plan documentation

Topic	Provisions of Affordable Care Act	Effective date for grandfathered plans	Effective date for non-grandfathered plans	Action items for employers
Adult child coverage	<ul style="list-style-type: none"> • All group health plans must extend eligibility to children of the covered employee until the child turns 26 years of age (grandfathered plans can exclude an “adult child,” if the child is eligible for coverage under another employer-sponsored group health plan, although this exception is eliminated in 2014) • Coverage must be extended regardless of marital status, student status, level of support provided, or residency of adult child; but does not need to extend to children of an adult child (that is, grandchildren of the employee) • Terms of group health plan providing dependent coverage cannot vary based on age up to age 26 (for example, no surcharges allowed for adult child coverage) • Healthcare benefits for adult children are excludible from taxable income through the end of the calendar year in which the adult child turns age 26, effective as of March 30, 2010 • State laws extending insured coverage for dependents past the age of 26 are still enforceable 	<p>First plan year beginning after September 23, 2010, but plans can exclude an adult child eligible to enroll in another employer-sponsored health plan (not including a parent’s plan)</p> <p>Effective with first plan year beginning in 2014, coverage must be extended to all children up to the age of 26</p> <p>Tax exclusion effective March 30, 2010</p>	<p>First plan year beginning after September 23, 2010</p> <p>Tax exclusion effective March 30, 2010</p>	Amend plan documentation
Preventive care coverage	Employer plans must provide coverage, without cost-sharing, for preventive services rated A or B by the U.S. Preventive Services Task Force; recommended immunizations; preventive care for infants, children, and adolescents; and preventive care and screenings for women	Not applicable	First plan year beginning after September 23, 2010	Amend plan documentation

Topic	Provisions of Affordable Care Act	Effective date for grandfathered plans	Effective date for non-grandfathered plans	Action items for employers
Appeals procedures	All group plans must have both internal claims and appeals procedures and external review procedures that are expanded beyond current requirements; federal grants available to states to strengthen assistance programs for individual claimants	Not applicable, except that federal grants for state government assistance programs effective with 2010 fiscal year	<p>Internal claims and appeals (in addition to existing DOL claims procedure):</p> <ul style="list-style-type: none"> • For plan years beginning on or after September 23, 2010, plans must <ul style="list-style-type: none"> · treat a rescission of coverage as an adverse benefits determination · allow claimants to review their claim file and present evidence as part of internal appeals process · provide claimants with any new or additional evidence and allow an opportunity to respond • For plan years beginning on or after July 1, 2011, additional content is required for adverse benefit determinations and plans must describe internal and external review process and disclose contacts for additional assistance. 	Amend plan documentation

Topic	Provisions of Affordable Care Act	Effective date for grandfathered plans	Effective date for non-grandfathered plans	Action items for employers
<p>Appeals procedures (continued)</p>				<ul style="list-style-type: none"> • For plan years beginning on or after January 1, 2012 <ul style="list-style-type: none"> · Internal claims and appeals will be deemed exhausted where the plan fails to satisfy new internal review requirements unless failure is de minimis and non-prejudicial to the claimant · There are new content requirements for adverse benefit determinations · Plans must issue notices and provide language assistance to participants in their native language if at least ten percent of the population in the claimant’s county is literate only in the same non-English language

Topic	Provisions of Affordable Care Act	Effective date for grandfathered plans	Effective date for non-grandfathered plans	Action items for employers
Appeals procedures (continued)			External review procedures: For plan years beginning on or after September 23, 2010, insured plans in states with an adequate external appeals process will follow those existing or revised procedures. Self-funded ERISA plans should use independent review organizations (IROs) as specified in the safe harbor review process or take part in an adequate state program. Self-funded non-ERISA plans, including non-federal governmental plans, and insured plans in states that do not have an adequate external review process can utilize the safe harbor IRO process or the review process administered by HHS.	
Nondiscrimination requirements	Insured health plans will now be required to comply with Internal Revenue Code § 105(h)(2) nondiscrimination rules that previously only applied to self-insured health plans	Not applicable	Effective date delayed until further guidance issued, pursuant to IRS Notice 2011-1	Conduct testing, if applicable

Topic	Provisions of Affordable Care Act	Effective date for grandfathered plans	Effective date for non-grandfathered plans	Action items for employers
Access to certain healthcare providers	Plans that require designation of a primary care provider must allow the designation of any available participating primary care provider, including pediatricians for children; plans cannot require authorization or referral prior to seeking OB-GYN services; plans cannot require prior authorization for emergency services or set more restrictive cost-sharing requirements when emergency services are provided out of network	Not applicable	First plan year beginning after September 23, 2010	Amend plan documentation
Disclosure of plan information	<p>In “plain language,” plans must disclose to the Secretary of HHS and the relevant state insurance commissioner (and make available to the public) specified information, including:</p> <ul style="list-style-type: none"> • claims payment policies and practices; • periodic financial disclosures; • data on enrollment, disenrollment, number of claims denied, and rating practices; • information on cost-sharing and payments with respect to any out-of-network coverage; • information on enrollee and participant rights under the Health Care Law; and • other information as determined appropriate by the Secretary of HHS 	Not applicable	Under the statute, the additional information is first required in connection with the Health Exchanges beginning January 1, 2014	Monitor government data disclosure requirements
Community living assistance services and supports (CLASS) program	Employers may agree to participate in a national, voluntary long-term care program that, after a five-year vesting period, will provide individuals with functional limitations a cash benefit of not less than \$50 per day to purchase non-medical services and supports to maintain community residence; participating employers must automatically enroll employees, who have an opt-out right	Details will be announced by the Secretary of HHS no later than October 1, 2012	Details will be announced by the Secretary of HHS no later than October 1, 2012	Evaluate whether to offer program
Over-the-counter drugs	Except for insulin, over-the-counter drugs without a prescription are not reimbursable from a health care flexible spending account (FSA) or health reimbursement account (HRA), and are not a tax-free reimbursement from a health savings account (HSA)	2011	2011	Amend plan documentation

Topic	Provisions of Affordable Care Act	Effective date for grandfathered plans	Effective date for non-grandfathered plans	Action items for employers
Health savings accounts (HSAs)	Penalty on non-medical HSA distributions raised from 10 percent to 20 percent	2011	2011	Amend plan documentation, and notify HSA participants of new excise tax
Distribute Summary of Benefits and Coverage document and Uniform Glossary	Employers will be required to distribute to enrolled employees a summary of benefits with an explanation of coverage (in addition to a summary plan description) that accurately describes the benefits and coverage levels offered under the employer’s plans according to uniform standards; employers also must notify enrollees if they intend to make any material modifications not reflected in the most recent summary within 60 days prior to the effective date of the modifications; each compliance failure can result in a \$1,000 penalty	Awaiting final regulations to establish effective date	Awaiting final regulations to establish effective date	Await final HHS guidance to prepare compliant benefits summaries for distribution to new and existing employees
Temporary tax on insured and self-insured group health plans to fund patient-centered outcomes research trust fund	Establishes a tax of \$1 times the average number of lives covered (increases to \$2 times the average number of lives covered for plan years ending in 2013)	Plan years ending after September 30, 2012; terminates for plan years ending after September 30, 2019	Plan years ending after September 30, 2012; terminates for plan years ending after September 30, 2019	Monitor government payment procedures
Health care flexible spending account (FSA) plans	Employee pre-tax contributions to a health care FSA are limited to \$2,500 per year	2013	2013	Amend plan documentation, if applicable

Topic	Provisions of Affordable Care Act	Effective date for grandfathered plans	Effective date for non-grandfathered plans	Action items for employers
Administrative simplification	<p>Health insurance administrators must comply with standards and associated operating rules to be adopted by the Secretary of HHS (including certification and documentation requirements) with respect to the following:</p> <ul style="list-style-type: none"> • Eligibility verification and claims status; • Electronic funds transfers and healthcare payments; and • Health claims or equivalent encounter information, enrollment and disenrollment in a health plan, health plan premium payments, and referral certification and authorization. <p>A penalty of \$1 per covered life per day will be assessed for noncompliance</p>	<p>2013</p> <p>2014</p> <p>2016</p> <p>2014</p>	<p>2013</p> <p>2014</p> <p>2016</p> <p>2014</p>	<p>Monitor government developments</p>
Employer notice to employees of coverage options	<p>Notice must be provided to existing employees and new hires of the existence of and information regarding an insurance exchange (see “Insurance exchanges,” below), the availability of a government subsidy (if applicable), and the consequences if the employee waives coverage under the employer plan in favor of obtaining coverage through the exchange</p>	<p>March 1, 2013</p>	<p>March 1, 2013</p>	<p>Develop reporting mechanism</p>
Government-subsidized coverage through insurance exchange for individuals	<p>A government subsidy is available to U.S. citizens and legal immigrants with incomes up to 400 percent of the federal poverty level to purchase coverage through an insurance exchange; however, an individual will not be eligible for a government subsidy if eligible for minimum essential coverage through an employer that is:</p> <ul style="list-style-type: none"> • “affordable” (the employee’s contributions do not exceed 9.5 percent of the employee’s household income) and • provides “minimum essential coverage” (the plan pays at least 60 percent of the allowed costs of benefits) 	<p>2014</p>	<p>2014</p>	<p>None</p>

Topic	Provisions of Affordable Care Act	Effective date for grandfathered plans	Effective date for non-grandfathered plans	Action items for employers
Waiting periods	Waiting periods in excess of 90 days are prohibited	First plan year beginning in 2014	First plan year beginning in 2014	Amend plan documentation, if applicable
Approved clinical trials	Group plans cannot deny qualified individuals' participation in certain clinical trials, including coverage for routine patient costs that would typically be covered outside the clinical trials	Not applicable	First plan year beginning in 2014	Amend plan documentation
Employer reporting to government	Employers must report to the government whether they offer minimum essential coverage to full-time employees and dependents, the length of the waiting period, the lowest-cost option for coverage, the employer's share of coverage costs, and the total number and names of employees receiving coverage from the employer's plan	2014	2014	Monitor government reporting mechanism
Wellness programs	Employers may offer financial incentives to employees of up to 30 percent (not just 20 percent) of the cost of coverage to participate in a wellness program that satisfies the Health Insurance Portability and Accountability Act (HIPAA) nondiscrimination requirements; the government can increase the limit to 50 percent if deemed appropriate	2014	2014	Amend plan documentation, if applicable; monitor government developments

Topic	Provisions of Affordable Care Act	Effective date for grandfathered plans	Effective date for non-grandfathered plans	Action items for employers
Excise tax on high-cost plans	<p>A 40 percent excise tax is imposed on insurers (for insured coverage) and employers (for self-insured coverage) to the extent that the aggregate annual value of an employee’s health coverage (including medical, prescription, HRA, health care FSA, and employer HSA contributions) exceeds \$10,200 (\$27,500 for more than employee-only coverage)</p> <p>Threshold values are indexed to changes in the consumer price index for urban consumers; thresholds are</p> <ul style="list-style-type: none"> • raised by \$1,650 for retirees age 55 to 64 (\$3,450 for family coverage), for persons in certain high-risk professions (including law enforcement, fire protection, and others), and certain utility workers; and • adjusted to reflect higher healthcare costs attributable to age or gender in the workforce. <p>The employer is responsible for calculating the value of excess coverage using COBRA rules, and making reports to insurers and the government</p>	2018	2018	Evaluate whether group health plan would be subject to excise tax

This material is provided for informational purposes only based on our understanding of applicable guidance in effect at the time of publication, and should not be construed as being legal advice or as establishing a privileged attorney-client relationship. Customers and other interested parties must consult and rely solely upon their own independent professional advisors regarding their particular situation and the concepts presented here. Although care has been taken in preparing and presenting this material accurately, Wells Fargo Insurance Services disclaims any express or implied warranty as to the accuracy of any material contained herein and any liability with respect to it, and any responsibility to update this material for subsequent developments.

To comply with IRS regulations, we are required to notify you that any advice contained in this material that concerns federal tax issues was not intended or written to be used, and cannot be used to avoid tax-related penalties under the Internal Revenue Code, or to promote, market, or recommend to another party any matters addressed herein.

Insurance products are offered through non-bank insurance agency affiliates of Wells Fargo & Company and are underwritten by unaffiliated insurance companies, with the exception of crop and flood insurance. Crop and flood insurance may be underwritten by Wells Fargo Insurance Services’ affiliate, Rural Community Insurance Company.

Copyright 2011, Wells Fargo Insurance Services, Inc. All rights reserved.


080511AMb

Memorandum



Date: January 30, 2012

To: Personnel Committee
Cal Poly Pomona Foundation, Inc.

From: 
Dennis Miller
Director, Employment Services

Subject: New Employment Laws for 2012

Each year new laws are proposed and some are approved. During 2011 a number of new employment bills were proposed, and those most applicable to Foundation and signed into law by California Governor Jerry Brown are listed below for informational purposes.

The new laws are **effective January 1, 2012**, unless otherwise indicated.

Pregnancy Disability Leave (SB 299)

SB 299 prohibits Foundation from refusing to maintain and pay for group health insurance coverage for the duration of pregnancy disability leave, up to four months in a 12-month period.

More than 5 years ago Foundation began to treat employees on pregnancy disability leave the same as it treats employees on FMLA as it relates to maintaining healthcare coverage for those employees. This is a great example of how Foundation has been ahead of the legislation since the intent of SB 299 was to address this obvious loophole in the original law associated with pregnancy disability.

Organ and Bone Marrow Donor Leave (SB 272)

Foundation must grant a leave of absence of up to 30 days in a one-year period to an employee who is an organ donor and up to five days in a one-year period to an employee who is a bone marrow donor. SB 272 provides that the days of leave are business days, rather than calendar days, and that the one-year period is measured from the date the employee's leave begins and consists of 12 consecutive months.

Credit Reports (AB 22)

AB 22 imposes significant restrictions on Foundation's ability to obtain a credit report for employment purposes. Foundation rarely uses Credit Reports in its employment practices. The new law permits employers that are seeking to fill only specific, identified exempt positions to obtain and use credit reports to screen applicants or current employees. The use of the credit reports in other occupations generally is prohibited.

Further, employers will be required to provide the employee or applicant with a disclosure statement setting forth the specific basis permitting the employer to obtain a credit report.

Credit reports may be obtained only if the position to be filled falls into one of eight exempt categories:

- Positions with the state Department of Justice
- Sworn peace officers or other law enforcement personnel
- Managerial positions, i.e., employees who qualify for the executive exemption under California wage and hour law
- Positions where the information sought in the credit report must be revealed by law
- Positions (other than the regular solicitation of credit card applications at a retail establishment) that involve regular access to all of the following personal information of any one person: bank or credit card account information, Social Security number, and date of birth
- Positions requiring the employee to be a named signatory on the employer's bank or credit card, transfer money on the employer's behalf or be authorized to enter into financial contracts on behalf of the employer
- Positions involving access to trade secrets, as defined
- Positions that involve regular access to \$10,000 or more in cash of the employer, a client or a customer

Willful Misclassification of Independent Contractors (SB 459)

SB 459 imposes a civil penalty of between \$5,000 and \$15,000 for each violation on a person or employer that willfully misclassifies an individual as an independent contractor. Willful misclassification is defined as avoiding employee status for an individual by voluntarily and knowingly misclassifying that individual as an independent contractor. The penalty increases to between \$10,000 and \$25,000 for each violation if the person or employer has engaged in a "pattern or practice" of willful misclassification.

Wage Payment Details (AB 469)

When Foundation hires nonexempt employees, AB 469 requires a written notice to those employees stating the following information:

- The rate and basis of pay, whether hourly, shift, day, week, salary, piece, commission, or otherwise, including overtime rates
- Allowances claimed as part of the minimum wage, including meal or lodging allowances
- The regular payday designated by the employer
- The name of the employer, including any "doing business as" names

- The physical address of the employer's main office or principal place of business, and a mailing address, if different
- The employer's telephone number
- The name, address, and telephone number of the employer's workers' compensation insurance carrier
- Any other information the Labor Commissioner deems material and necessary

The law also requires Foundation to notify employees in writing of any changes to the information in the notice, within seven calendar days after the time of the changes, unless the changes are reflected on a timely wage statement or other writing required by law.

Except for one item, all of these items are already provided to new hires and have been for some time.

Employer Contract Requirements (AB 1396)

When an agreement to pay commissions is required, AB 1396 requires Foundation to place the details into an employment contract including the services to be rendered and specify the method by which the commissions are to be computed and paid. Foundation must give a signed copy of the contract to every employee who is a party thereto and obtain a signed receipt for the contract from each employee. The law also repeals existing law making an employer that violates this requirement liable in a civil action for triple damages.

The law is effective January 1, 2013, giving employers a full year to assure their commission agreements comply with the new law.

Use of E-Verify System (AB 1236)

E-Verify is a computerized system maintained and operated by the U.S. Department of Homeland Security, in partnership with the Social Security Administration. E-Verify allows employers, such as Foundation, to use the program, on a voluntary basis, to verify that the any employee hired is authorized to work in the United States.

AB 1236 provides that state agencies, cities, and counties cannot require private employers to use the federal E-Verify system to confirm the legal immigration status of workers they hire, except when required by federal law or as a condition of receiving federal funds.

This law will have no impact to Foundation since we run all new hires through E-Verify and began that practice in early 2010.

Genetic Information (SB 559)

SB 559 amends the California Fair Employment and Housing Act (FEHA) to prohibit discrimination on the basis of genetic information. Genetic information is defined by the new law to mean information about any of the following:

- The individual's genetic tests

- The genetic tests of family members of the individual
- The manifestation of a disease or disorder in family members of the individual
- Any request for, or receipt of, genetic services, or participation in clinical research that includes genetic services, by an individual or any family member of the individual

The law similarly expands the categories prohibited under other antidiscrimination provisions in the California Unruh Civil Rights Act to include genetic information.

Gender Expression (AB 887)

AB 887 amends California FEHA to clarify that prohibited discrimination in employment and housing on the basis of sex or gender includes discrimination on the basis of a person's gender identity and gender expression. The law defines gender expression as meaning a person's gender-related appearance and behavior, whether or not stereotypically associated with the person's assigned sex at birth.


Foundation will ensure its policies reflect the above changes, where appropriate.

Memorandum



Date: January 30, 2012

To: Personnel Committee
Cal Poly Pomona Foundation, Inc.

From: 
Dennis Miller
Director, Employment Services

Subject: INJURY & ILLNESS PREVENTION PROGRAM 2012

Foundation has an organization wide Injury & Illness Prevention Program (IIPP) more commonly referred to as our Safety Program, which, when working at its peak effectiveness, will reduce injuries and illness associated with the work environment.

The attached IIPP provides the framework in which all safety and/or hazard related programs, initiatives, communications, training, and accident reporting is based within Foundation.

While our IIPP is designed to ensure compliance with SB 288, more importantly, it provides Foundation employees with a “code of safe practices” for the long term purpose of shaping the mindset and subsequent behaviors that results in creating and sustaining a safe work environment.

The objective of our IIPP is not “zero accidents”, but rather, “zero behaviors” that ultimately lead to accidents. Still, accidents will happen and the policy outlines the process for reporting accidents as well as record retention, and other administrative duties.

The IIPP is an integral component of our workers compensation program. And although the forms associated with reporting workplace injuries are not included in the attached packet of information, our IIPP is directly tied to how Foundation manages the \$250,000 annual expense associated with workers compensation.

For your information, the key components of our IIPP are attached.

INJURY AND ILLNESS PREVENTION PROGRAM FOR

Cal Poly Pomona Foundation, Inc.

RESPONSIBILITY

The Injury and Illness Prevention Program (IIPP) administrator, Director of Employment Services has the authority and responsibility for implementing the provisions of this program for Cal Poly Pomona Foundation, Inc. All managers, supervisors and lead personnel are responsible for implementing and maintaining the IIPP in their work areas and for answering worker questions about the Program. A copy of this IIPP is available in 3801 W. Temple Ave. Bldg 55, Pomona, CA 91768, and on Foundation's website at www.foundation.csupomona.edu

COMPLIANCE

Management is responsible for ensuring that all safety and health policies and procedures are clearly communicated and understood by all employees. Supervisors and lead personnel are expected to enforce the rules fairly and uniformly. All employees are responsible for using safe work practices, for following all directives, policies and procedures, and for assisting in maintaining a safe work environment.

The following is our system of ensuring that all workers comply with the rules and maintain a safe work environment:

- Informing workers of the provisions of our IIPP;
- Evaluating the safety performance of all workers;
- Recognizing employees who perform safe and healthful work practices. This recognition is accomplished by: Informal recognition within Foundation and AORMA Recognition Programs;
- Providing training to workers whose safety performance is deficient;
- Disciplining workers for failure to comply with safe and healthful work practices. The following outlines our disciplinary process: When it becomes necessary, Foundation reserves the right to discipline employees who knowingly violate company safety rules or policies.
 - Disciplinary measures will include, but are not limited to:
 - Verbal warning (documented) for minor offenses.
 - Written warning for more severe or repeated violations.
 - Suspension without pay, if verbal and written warnings do not prove to be sufficient.

If none of the above measures achieve satisfactory corrective results, and no other acceptable solution can be found, the Foundation will have no choice but to end the employment for those who continue to jeopardize their own safety and the safety of others.

COMMUNICATION

We recognize that open, two-way communication between management and employee on health and safety issues is essential to an injury-free, productive workplace. The following is our system of communication, designed to facilitate a continuous flow of two-way (management,

supervision and employees) safety and health information in a form that is readily understandable to and between all affected site personnel:

- New worker orientation, including a discussion of site-specific safety and health policies and procedures.
- Follow-through by supervision to ensure effectiveness.
- Workplace-specific safety and health training.
- Formal safety meetings will be held on a quarterly basis at each enterprise jobsite. Informal safety briefings will be conducted weekly depending on the department or site. The quarterly meetings will include supervisors and will last for at least 30 minutes, and will be documented. The weekly meetings will be short (5 - 10 minutes), and will cover 1-2 specific subjects. Safety meetings are required by CAL/OSHA in order to successfully communicate important information to employees, as well as promote safety awareness. All safety meeting meetings will be documented.
- Effective communication of safety and health concerns between workers and supervisors, including language translation where appropriate.
- Posted and distributed safety information.
- Supervisors will report any unsafe acts or unsafe conditions in writing immediately by submitting a Safety Hazard Notice to the Safety Director. The Safety Director will initiate immediate abatement procedures, either personally or by delegation to one of the Safety Managers. Employee Hazard Reporting Program - Employees will also be responsible for reporting any unsafe act or unsafe condition to their supervisor via a written Safety Hazard Notice. The supervisor will then forward the notice on to the Safety Director for handling and disposition.
- Vehicle and site-specific codes of safe work practices.
- An authorized instructor will conduct workplace safety and health training.
- Posting and/or distributing safety information via the newsletter or other Foundation wide communications.
- A suggestion box is available at every enterprise location for workers to report hazards, anonymously, and also inter-office mail directly to the Safety Director can be used for anonymous reports.
- Our organization also uses a labor/management safety and health committee which meets the requirements of T8CCR 3203 (7)(c)(1) – (7) to comply with the communication requirements of subsection (a)(3) of T8CCR 3203.

HAZARD ASSESSMENT

Periodic inspections to identify and evaluate workplace hazards shall be performed by James Dial, Jennifer Waggoner, Nora Fernandez, Steve Whippie, according to the following schedule:

- When our Injury and Illness Prevention Program was first established;
- At least Quarterly.
- Prior to beginning of the shifts in selected areas;
- When new substances, processes, procedures or equipment that present potential new hazards are introduced into our workplace;
- When new, previously unidentified hazards are recognized;
- When occupational injuries and illnesses occur;

- When we hire and/or reassign permanent or intermittent workers to processes, operations, or tasks for which a hazard evaluation has not been previously conducted; and
- Whenever workplace conditions warrant an inspection.

Periodic inspections consist of identification and evaluation of workplace hazards utilizing applicable sections of the attached Hazard Assessment Checklist, and any other effective methods to identify and evaluate workplace hazards.

ACCIDENT/EXPOSURE INVESTIGATIONS

Investigation of workplace accidents, hazardous substance exposures and near-accidents will be done by James Dial or Nora Fernandez.

Accident investigation is a systematic method for collecting factual information that makes it possible to accurately reconstruct the accident and determine the underlying reasons for the cause of the accident. The investigation is fact-finding, not fault finding. Once the primary causes for the accident have been determined, preventative measures can be identified and effectively instituted. Each supervisor has a prominent role in conducting an accident investigation. The responsibility for conducting an accident investigation includes collecting the facts, determining the sequence of events that resulted in the accident, identify action to prevent recurrence, and provide follow-up to ensure that corrective action was effective. All accidents should be investigated promptly regardless of their severity. Promptness of the investigation is essential since conditions at the accident scene change. Moreover, witnesses are more likely to relate circumstances as they were, without the added conjecture that comes late from discussions of the accident with other employees. Promptness in checking the scene assures employees that management is highly concerned for their well-being. The type of investigation depends on the nature and magnitude of the accident. Each department supervisor/manager shall promptly investigate, thoroughly analyze, and report in writing to the Safety Director all accidents involving personal injury and/or property damage or the potential there for, once they occur, and will include:

- Visiting the scene as soon as possible;
- Interviewing affected workers and witnesses;
- Examining the workplace for factors associated with the accident/exposure/near-accident;
- Determining the causes of the accident/exposure/near-accident;
- Taking corrective action to prevent the accident/exposure/near-accident from reoccurring; and
- Recording the findings and corrective actions taken on the attached OSHA Form 301.

HAZARD CORRECTION

Unsafe or unhealthy work conditions, practices or procedures at our work facilities shall be corrected **in a timely manner** based on the severity of the hazards, and according to the following procedures:

- When observed or discovered;
- When an imminent hazard exists which cannot be immediately abated without endangering employee(s) and/or property, we will remove all exposed workers from the

area except those necessary to correct the existing condition. Workers necessary to correct the hazardous condition shall be provided with the necessary protection; and

- All such actions taken and dates they are completed shall be documented on the attached Identified Hazards and Correction Record*.

TRAINING AND INSTRUCTION

All workers, including management, supervisors, and lead personnel shall have training and instruction on general and job-specific safety and health practices. Training and instruction shall be provided as follows:

- When the IIPP is first established;
- To all new workers;
- To all workers given new job assignments for which training has not previously provided;
- Whenever new substances, processes, procedures or equipment are introduced to the workplace and represent a new hazard;
- Whenever we become aware of a new or previously unrecognized hazard;
- To supervisors to familiarize them with the safety and health hazards to which workers under their immediate direction and control may be exposed; and
- To all workers with respect to hazards specific to each employee's job assignment.

This training will include (but is not limited to):

- Explanation of our IIPP, emergency action plan and fire prevention plan, and measures for reporting any unsafe conditions, work practices, injuries and when additional instruction is needed.
- Availability of toilet, hand-washing, and drinking water facilities.
- Provisions for medical services and first aid, including emergency procedures.
- Proper housekeeping, such as keeping stairways and isles clear, work areas neat and orderly, and promptly cleaning up spills.
- Prohibiting horseplay, scuffling, or other acts that adversely influence safety.
- Proper storage to prevent:
 - stacking goods in an unstable manner
 - storing materials and good against doors, exits, for extinguishing equipment and electrical panels.

Where applicable our training may also include:

- Prevention of musculoskeletal disorders, including proper lifting techniques.
- Use of appropriate clothing, including gloves, footwear, and personal protective equipment.
- Information about chemical hazards to which employees could be exposed and other hazard communication program information.
- Proper food and beverage storage to prevent them from becoming contaminated.

In addition, we provide specific instructions to all workers regarding hazards unique to their job assignment, to the extent that such information was not already covered in other training.

RECORDKEEPING

Written IIPP and Documentation Requirements

Our organization has ten or more employees and keeps records as follows:

1. Records of scheduled and periodic inspections including the person(s) conducting the inspection, the workplace hazards (i.e., unsafe conditions and work practices that have been identified) and the action(s) taken to correct the identified unsafe conditions and work practices, are recorded on the Hazard Assessment Checklist and the Identified Hazards and Correction Record and the Investigation/Corrective Action Report. These records are maintained for at least one (1) year.
2. Documentation of safety and health training for each worker, including the worker's name or other identifier, training dates, type(s) of training, and training providers are recorded on the Worker Training and Instruction Record. This documentation is maintained for at least one (1) year.

This Policy was last revised February 2012

LIST OF TRAINING SUBJECTS



We train our workers about the following checked training subjects:

- Explanation of our Injury and Illness Prevention Program
 - Measure for reporting any unsafe conditions, work practices, and injuries
 - Provisions for medical services, first aid and emergency service
 - The employer's Code of Safe Practices.
 - Confined spaces.
 - Safe practices for operating any agricultural equipment.
 - Good housekeeping, fire prevention, safe practices for operating any construction equipment.
 - Safe procedures for cleaning, repairing, servicing and adjusting equipment and machinery.
 - Safe access to working areas.
 - Protection from falls.
 - Electrical hazards, including working around high voltage lines.
 - Crane operations.
 - Trenching and excavation work.
 - Proper use of powered tools.
 - Guarding of belts and pulleys, gears and sprockets, and conveyor nip points.
 - Machine, machine parts, and prime movers guarding.
 - Lock-out/tag-out procedures.
 - Materials handling.
 - Chainsaw and other power tool operation.
 - Tree falling/bucking procedures and precautions, including procedures for recognizing and working with hazard trees, snags, lodged trees, and unsafe weather conditions.
 - Yarding operations, including skidding, running lines, unstable logs, rigging and communication.
 - Landing and loading areas, including release of rigging, landing layout, moving vehicles and equipment, and log truck locating, loading and wrapping.
 - Fall protection from elevated locations.
 - Use of elevated platforms, including condors and scissor lifts.
 - Safe use of explosives.
 - Driver safety.
 - Slips, falls, and back injuries.
 - Ergonomic hazards, including proper lifting techniques and working on ladders or in a stooped posture for prolonged periods at one time.
 - Personal protective equipment.
 - Respiratory Equipment.
 - Hazardous chemical exposures.
 - Hazard communication.
 - Physical hazards, such as heat/cold stress, noise, and ionizing and non-ionizing radiation.
 - Laboratory safety.
 - Bloodborne pathogens and other biological hazards.
 - Emergency action and fire prevention plans
 - Other job-specific hazards, such as _____
-
-
-

INVESTIGATION / CORRECTIVE ACTION REPORT



Date and Time of Incident / Exposure		Location	
EMPLOYEES INVOLVED			
DETAILED INCIDENT / EXPOSURE DESCRIPTION			
ULTIMATE CAUSE OF INCIDENT/EXPOSURE (I.E. "WHO, WHAT, WHEN, WHERE, HOW" AND THE "5 WAYS" ... THE ROOT CAUSE)			
OPTIONS FOR ELIMINATION OR CONTROL OF THE ROOT CAUSE(S)			
CORRECTIVE ACTIONS TAKEN / DATE / NAME OF PERSON(S) MAKING CORRECTIONS			

Witnesses: _____

Investigated by: _____ Date: _____

IDENTIFIED HAZARDS AND CORRECTION RECORD

Date of Inspection: _____ Person Conducting Inspection: _____

UNSAFE CONDITION OR WORK PRACTICE	LOCATION	PRIORITY	PERSON ASSIGNED	CORRECTIVE ACTION TAKEN (DATE)

HAZARD ASSESSMENT CHECKLIST



The following checklist can be used to identify and evaluate hazards in your workplace. This checklist covers a wide variety of workplace safety and health hazards. All of the topics covered in this checklist may not apply to your particular workplace. When evaluating your workplace use the sections of the checklist that apply to your workplace and work activities.

GENERAL WORK ENVIRONMENT

- Are all worksites clean and orderly?
- Are work surfaces kept dry or appropriate means taken to assure the surfaces are slip-resistant?
- Are all spilled materials or liquids cleaned up immediately?
- Is combustible scrap, debris and waste stored safely and removed from the worksite promptly?
- Is accumulated combustible dust routinely removed from elevated surfaces, including the overhead structure of buildings?
- Is combustible dust cleaned up with a vacuum system to prevent the dust going into suspension?
- Is metallic or conductive dust prevented from entering or accumulation on or around electrical enclosures or equipment?
- Are covered metal waste cans used for oily and paint-soaked waste?
- Are all oil and gas fired devices equipped with flame failure controls that will prevent flow of fuel if pilots or main burners are not working?
- Are paint spray booths, dip tanks and the like cleaned regularly?
- Are the minimum number of toilets and washing facilities provided?
- Are all toilets and washing facilities clean and sanitary?
- Are all work areas adequately illuminated?
- Are pits and floor openings covered or otherwise guarded?

PERSONAL PROTECTIVE EQUIPMENT

- Are protective goggles or face shields provided and worn where there is any danger of flying particles or corrosive materials?
- Are approved safety glasses required to be worn at all times in areas where there is a risk of eye injuries such as punctures, abrasions, contusions or burns?
- Are employees who need corrective lenses (glasses or contacts lenses) in working environments with harmful exposures, required to wear only approved safety glasses, protective goggles, or use other medically approved precautionary procedures?
- Are protective gloves, aprons, shields, or other means provided against cuts, corrosive liquids and chemicals?

- Are hard hats provided and worn where danger of falling objects exists?
- Are hard hats inspected periodically for damage to the shell and suspension system?
- Is appropriate foot protection required where there is the risk of foot injuries from hot, corrosive, poisonous substances, falling objects, crushing or penetrating actions?
- Are approved respirators provided for regular or emergency use where needed?
- Is all protective equipment maintained in a sanitary condition and ready for use?
- Do you have eye wash facilities and a quick drench shower within the work area where employees are exposed to injurious corrosive materials?
- Where special equipment is needed for electrical workers, is it available?
- When lunches are eaten on the premises, are they eaten in areas where there is no exposure to toxic materials or other health hazards?
- Is protection against the effects of occupational noise exposure provided when sound levels exceed those of the Cal/OSHA noise standard?

WALKWAYS

- Are aisles and passageways kept clear?
- Are aisles and walkways marked as appropriate?
- Are wet surfaces covered with non-slip materials?
- Are holes in the floor, sidewalk or other walking surface repaired properly, covered or otherwise made safe?
- Is there safe clearance for walking in aisles where motorized or mechanical handling equipment is operating.
- Are spilled materials cleaned up immediately?
- Are materials or equipment stored in such a way that sharp projectiles will not interfere with the walkway?
- Are changes of direction or elevations readily identifiable?
- Are aisles or walkways that pass near moving or operating machinery, welding operations or similar operations arranged so employees will not be subjected to potential hazards?
- Is adequate headroom provided for the entire length of any aisle or walkway?
- Are standard guardrails provided wherever aisle or walkway surfaces are elevated more than 30 inches above any adjacent floor or the ground?
- Are bridges provided over conveyors and similar hazards?

FLOOR AND WALL STAIRWAYS

- Are floor openings guarded by a cover, guardrail, or equivalent on all sides (except at entrance to stairways or ladders)?
- Are toeboards installed around the edges of a permanent floor opening (where persons may pass below the opening)?
- Are skylight screens of such construction and mounting that they will withstand a load of at least 200 pounds?
- Is the glass in windows, doors, glass walls that are subject to human impact, of sufficient thickness and type for the condition of use?
- Are grates or similar type covers over floor openings such as floor drains, of such design that foot traffic or rolling equipment will not be affected by the grate spacing?
- Are unused portions of service pits and pits not actually in use either covered or protected by guardrails or equivalent?
- Are manhole covers, trench covers and similar covers, plus their supports, designed to carry a truck rear axle load of at least 20,000 pounds when located in roadways and subject to vehicle traffic?
- Are floor or wall openings in fire resistive construction provided with doors or covers compatible with the fire rating of the structure and provided with self-closing feature when appropriate?

STAIRS & STAIRWAYS

- Are standard stair rails or handrails on all stairways having four or more risers?
- Are all stairways at least 22 inches wide?
- Do stairs have at least a 6'6" overhead clearance?
- Do stairs angle no more than 50 and no less than 30 degrees?
- Are stairs of hollow-pan type treads and landings filled to noising level with solid material?
- Are step risers on stairs uniform from top to bottom, with no riser spacing greater than 7-1/2 inches?
- Are steps on stairs and stairways designed or provided with a surface that renders them slip resistant?
- Are stairway handrails located between 30 and 34 inches above the leading edge of stair treads?
- Do stairway handrails have a least 1-1/2 inches of clearance between the handrails and the wall or surface they are mounted on?
- Are stairway handrails capable of withstanding a load of 200 pounds, applied in any direction?
- Where stairs or stairways exit directly into any area where vehicles may be operated, are adequate barriers and warnings provided to prevent employees stepping into the path of traffic?
- Do stairway landings have a dimension measured in the direction of travel, at least equal to width of the stairway?
- Is the vertical distance between stairway landings limited to 12 feet or less?

ELEVATED SURFACES

- Are signs posted, when appropriate, showing the elevated surface load capacity?
- Are surfaces elevated more than 30 inches above the floor or ground provided with standard guardrails?
- Are all elevated surfaces (beneath which people or machinery could be exposed to falling objects) provided with standard 4-inch toeboards?
- Is a permanent means of access and egress provided to elevated storage and work surfaces?
- Is required headroom provided where necessary?
- Is material on elevated surfaces piled, stacked or racked in a manner to prevent it from tipping, falling, collapsing, rolling or spreading?
- Are dock boards or bridge plates used when transferring materials between docks and trucks or rail cars?

EXITING OR EGRESS

- Are all exits marked with an exit sign and illuminated by a reliable light source?
- Are the directions to exits, when not immediately apparent, marked with visible signs?
- Are doors, passageways or stairways, that are neither exits nor access to exits and which could be mistaken for exits, appropriately marked "NOT AN EXIT", "TO BASEMENT", "STOREROOM", and the like?
- Are exit signs provided with the word "EXIT" in lettering at least 5 inches high and the stroke of the lettering at least 1/2 inch wide?
- Are exit doors side-hinged?
- Are all exits kept free of obstructions?
- Are at least two means of egress provided from elevated platforms, pits or rooms where the absence of a second exit would increase the risk of injury from hot, poisonous, corrosive, suffocating, flammable, or explosive substances?
- Are there sufficient exits to permit prompt escape in case of emergency?
- Are special precautions taken to protect employees during construction and repair operations?
- Is the number of exits from each floor of a building, and the number of exits from the building itself, appropriate for the building occupancy load?
- Are exit stairways which are required to be separated from other parts of a building enclosed by at least two hour fire-resistive construction in buildings more than four stories in height, and not less than one-hour fire resistive construction elsewhere?
- When ramps are used as part of required exiting from a building, is the ramp slope limited to 1-foot vertical and 12 feet horizontal?
- Where exiting will be through frameless glass doors, glass exit doors, storm doors, and such are the doors fully tempered and meet the safety requirements for human impact?

EXIT DOORS

- Are doors that are required to serve as exits designed and constructed so that the way of exit travel is obvious and direct?
- Are windows that could be mistaken for exit doors, made inaccessible by means of barriers or railings?
- Are exit doors openable from the direction of exit travel without the use of a key or any special knowledge or effort, when the building is occupied?
- Is a revolving, sliding or overhead door prohibited from serving as a required exit door?
- Where panic hardware is installed on a required exit door, will it allow the door to open by applying a force of 15 pounds or less in the direction of the exit traffic?
- Are doors on cold storage rooms provided with an inside release mechanism that will release the latch and open the door even if it's padlocked or otherwise locked on the outside?
- Where exit doors open directly onto any street, alley or other area where vehicles may be operated, are adequate barriers and warnings provided to prevent employees stepping into the path of traffic?
- Are doors that swing in both directions and are located between rooms where there is frequent traffic, provided with viewing panels in each door?

PORTABLE LADDERS

- Are all ladders maintained in good condition, joints between steps and side rails tight, all hardware and fittings securely attached, and moveable parts operating freely without binding or undue play?
- Are non-slip safety feet provided on each ladder?
- Are non-slip safety feet provided on each metal or rung ladder?
- Are ladder rungs and steps free of grease and oil?
- Is it prohibited to place a ladder in front of doors opening toward the ladder except when the door is blocked open, locked or guarded?
- Is it prohibited to place ladders on boxes, barrels, or other unstable bases to obtain additional height?
- Are employees instructed to face the ladder when ascending or descending?
- Are employees prohibited from using ladders that are broken, missing steps, rungs, or cleats, broken side rails or other faulty equipment?
- Are employees instructed not to use the top 2 steps of ordinary stepladders as a step?
- When portable rung ladders are used to gain access to elevated platforms, roofs, and the like does the ladder always extend at least 3 feet above the elevated surface?
- Is it required that when portable rung or cleat type ladders are used the base is so placed that slipping will not occur, or it is lashed or otherwise held in place?
- Are portable metal ladders legibly marked with signs reading "CAUTION" "Do Not Use Around Electrical Equipment" or equivalent wording?
- Are employees prohibited from using ladders as guys, braces, skids, gin poles, or for other than their intended purposes?
- Are employees instructed to only adjust extension ladders while standing at a base (not while standing on the ladder or from a position above the ladder)?
- Are metal ladders inspected for damage?
- Are the rungs of ladders uniformly spaced at 12 inches, center to center?

HAND TOOLS & EQUIPMENT

- Are all tools and equipment (both, company and employee-owned) used by employees at their workplace in good condition?
- Are hand tools such as chisels, punches, which develop mushroomed heads during use, reconditioned or replaced as necessary?
- Are broken or fractured handles on hammers, axes and similar equipment replaced promptly?
- Are worn or bent wrenches replaced regularly?
- Are appropriate handles used on files and similar tools?
- Are employees made aware of the hazards caused by faulty or improperly used hand tools?
- Are appropriate safety glasses, face shields, and similar equipment used while using hand tools or equipment that might produce flying materials or be subject to breakage?
- Are jacks checked periodically to assure they are in good operating condition?
- Are tool handles wedged tightly in the head of all tools?
- Are tool cutting edges kept sharp so the tool will move smoothly without binding or skipping?
- Are tools stored in dry, secure location where they won't be tampered with?
- Is eye and face protection used when driving hardened or tempered spuds or nails?

PORTABLE (POWER OPERATED) TOOLS & EQUIPMENT

- Are grinders, saws, and similar equipment provided with appropriate safety guards?
- Are power tools used with the correct shield, guard or attachment recommended by the manufacturer?
- Are portable circular saws equipped with guards above and below the base shoe?
- Are circular saw guards checked to assure they are not wedged up, thus leaving the lower portion of the blade unguarded?
- Are rotating or moving parts of equipment guarded to prevent physical contact?

- Are all cord-connected, electrically operated tools and equipment effectively grounded or of the approved double insulated type?
- Are effective guards in place over belts, pulleys, chains, and sprockets, on equipment such as concrete mixers, air compressors, and the like?
- Are portable fans provided with full guards or screens having openings 1/2 inch or less?
- Is hoisting equipment available and used for lifting heavy objects, and are hoist ratings and characteristics appropriate for the task?
- Are ground-fault circuit interrupters provided on all temporary electrical 15 and 20 ampere circuits, used during periods of construction?
- Are pneumatic and hydraulic hoses on power-operated tools checked regularly for deterioration or damage?

ABRASIVE WHEEL EQUIPMENT GRINDERS

- Is the work rest used and kept adjusted to within 1/8 inch of the wheel?
- Is the adjustable tongue on the top side of the grinder used and kept adjusted to within 1/4 inch of the wheel?
- Do side guards cover the spindle, nut, and flange and 75 percent of the wheel diameter?
- Are bench and pedestal grinders permanently mounted?
- Are goggles or face shields always worn when grinding?
- Is the maximum RPM rating of each abrasive wheel compatible with the RPM rating of the grinder motor?
- Are fixed or permanently mounted grinders connected to their electrical supply system with metallic conduit or other permanent wiring method?
- Does each grinder have an individual on and off control switch?
- Is each electrically operated grinder effectively grounded?
- Before new abrasive wheels are mounted, are they visually inspected and ring tested?
- Are dust collectors and powered exhausts provided on grinders used in operations that produce large amounts of dust?
- Are splashguards mounted on grinders that use coolant, to prevent the coolant reaching employees?
- Is cleanliness maintained around grinder?

POWDER ACTUATED TOOLS

- Are employees who operate powder-actuated tools trained in their use and carry a valid operator's card?
- Do the powder-actuated tools being used have written approval of the Division of Occupational Safety and Health?
- Is each powder-actuated tool stored in its own locked container when not being used?
- Is a sign at least 7" by 10" with bold type reading "POWDER-ACTUATED TOOL IN USE" conspicuously posted when the tool is being used?
- Are powder-actuated tools left unloaded until they are actually ready to be used?
- Are powder-actuated tools inspected for obstructions or defects each day before use?
- Do powder-actuated tools operators have and use appropriate personal protective equipment such as hard hats, safety goggles, safety shoes and ear protectors?

MACHINE GUARDING

- Is there a training program to instruct employees on safe methods of machine operation?
- Is there adequate supervision to ensure that employees are following safe machine operating procedures?
- Is there a regular program of safety inspection of machinery and equipment?
- Is all machinery and equipment kept clean and properly maintained?
- Is sufficient clearance provided around and between machines to allow for safe operations, set up and servicing, material handling and waste removal?
- Is equipment and machinery securely placed and anchored, when necessary to prevent tipping or other movement that could result in personal injury?
- Is there a power shut-off switch within reach of the operator's position at each machine?
- Can electric power to each machine be locked out for maintenance, repair, or security?

- Are the noncurrent-carrying metal parts of electrically operated machines bonded and grounded?
- Are foot-operated switches guarded or arranged to prevent accidental actuation by personnel or falling?
- Are manually operated valves and switches controlling the operation of equipment and machines clearly identified and readily accessible?
- Are all emergency stop buttons colored red?
- Are all pulleys and belts that are within 7 feet of the floor or working level properly guarded?
- Are all moving chains and gears properly guarded?
- Are splashguards mounted on machines that use coolant, to prevent the coolant from reaching employees?
- Are methods provided to protect the operator and other employees in the machine area from hazards created at the point of operation, ingoing nip points, rotating parts, flying chips, and sparks?
- Are machinery guards secure and so arranged that they do not offer a hazard in their use?
- If special hand tools are used for placing and removing material, do they protect the operator's hands?
- Are revolving drums, barrels, and containers required to be guarded by an enclosure that is interlocked with the drive mechanism, so that revolution cannot occur unless the guard enclosure is in place, so guarded?
- Do arbors and mandrels have firm and secure bearings and are they free from play?
- Are provisions made to prevent machines from automatically starting when power is restored after a power failure or shutdown?
- Are machines constructed so as to be free from excessive vibration when the largest size tool is mounted and run at full speed?
- If machinery is cleaned with compressed air, is air pressure controlled and personal protective equipment or other safeguards used to protect operators and other workers from eye and body injury?
- Are fan blades protected with a guard having openings no larger than 1/2 inch, when operating within 7 feet of the floor?
- Are saws used for ripping, equipped with anti-kick back devices and spreaders?
- Are radial arm saws so arranged that the cutting head will gently return to the back of the table when released?

LOCKOUT BLOCKOUT PROCEDURES

- Is all machinery or equipment capable of movement, required to be de-energized or disengaged and blocked or locked out during cleaning, servicing, adjusting or setting up operations, whenever required?
- Is the locking-out of control circuits in lieu of locking-out main power disconnects prohibited?
- Are all equipment control valve handles provided with a means for locking-out?
- Does the lockout procedure require that stored energy (i.e. mechanical, hydraulic, air,) be released or blocked before equipment is locked-out for repairs?
- Are appropriate employees provided with individually keyed personal safety locks?
- Are employees required to keep personal control of their key(s) while they have safety locks in use?
- Is it required that employees check the safety of the lock out by attempting a start up after making sure no one is exposed?
- Where the power disconnecting means for equipment does not also disconnect the electrical control circuit:
- Are the appropriate electrical enclosures identified?
- Is means provide to assure the control circuit can also be disconnected and locked out?

WELDING, CUTTING & BRAZING

- Are only authorized and trained personnel permitted to use welding, cutting or brazing equipment?
- Do all operator have a copy of the appropriate operating instructions and are they directed to follow them?
- Are compressed gas cylinders regularly examined for obvious signs of defects, deep rusting, or leakage?
- Is care used in handling and storage of cylinders, safety valves, relief valves, and the like, to prevent damage?
- Are precautions taken to prevent the mixture of air or oxygen with flammable gases, except at a burner or in a standard torch?

- Are only approved apparatus (torches, regulators, pressure-reducing valves, acetylene generators, manifolds) used?
- Are cylinders kept away from sources of heat?
- Is it prohibited to use cylinders as rollers or supports?
- Are empty cylinders appropriately marked their valves closed and valve-protection caps on?
- Are signs reading: DANGER NO-SMOKING, MATCHES, OR OPEN LIGHTS, or the equivalent posted?
- Are cylinders, cylinder valves, couplings, regulators, hoses, and apparatus keep free of oily or greasy substances?
- Is care taken not to drop or strike cylinders?
- Unless secured on special trucks, are regulators removed and valve-protection caps put in place before moving cylinders?
- Do cylinders without fixed hand wheels have keys, handles, or non-adjustable wrenches on stem valves when in service?
- Are liquefied gases stored and shipped valve-end up with valve covers in place?
- Are employees instructed to never crack a fuel-gas cylinder valve near sources of ignition?
- Before a regulator is removed, is the valve closed and gas released from the regulator?
- Is red used to identify the acetylene (and other fuel-gas) hose, green for oxygen hose, and black for inert gas and air hose?
- Are pressure-reducing regulators used only for the gas and pressures for which they are intended?
- Is open circuit (No Load) voltage of arc welding and cutting machines as low as possible and not in excess of the recommended limits?
- Under wet conditions, are automatic controls for reducing no-load voltage used?
- Is grounding of the machine frame and safety ground connections of portable machines checked periodically?

- Are electrodes removed from the holders when not in use?
- Is it required that electric power to the welder be shut off when no one is in attendance?
- Is suitable fire extinguishing equipment available for immediate use?
- Is the welder forbidden to coil or loop welding electrode cable around his body?
- Are weld machines thoroughly dried and tested before being used?
- Are work and electrode lead cables frequently inspected for wear and damage, and replaced when needed?
- Do means for connecting cables' lengths have adequate insulation?
- When the object to be welded cannot be moved and fire hazards cannot be removed, are shields used to confine heat, sparks, and slag?
- Are firewatchers assigned when welding or cutting is performed, in locations where a serious fire might develop?
- Are combustible floors kept wet, covered by damp sand, or protected by fire-resistant shields?
- When floors are wet down, are personnel protected from possible electrical shock?
- When welding is done on metal walls, are precautions taken to protect combustibles on the other side?
- Before hot work is begun, are used drums, barrels, tanks, and other containers so thoroughly cleaned that no substances remain that could explode, ignite, or produce toxic vapors?
- Is it required that eye protection helmets, hand shields and goggles meet appropriate standards?
- Are employees exposed to the hazards created by welding, cutting, or bracing operations protected with personal protective equipment and clothing?
- Is a check made for adequate ventilation in and where welding or cutting is performed?
- When working in confined places are environmental monitoring tests taken and means provided for quick removal of welders in case of an emergency?

COMPRESSORS & COMPRESSED AIR

- Are compressors equipped with pressure relief valves, and pressure gauges?
- Are compressor air intakes installed and equipped to ensure that only clean uncontaminated air enters the compressor?
- Are air filters installed on the compressor intake?

- Are compressors operated and lubricated in accordance with the manufacturer's recommendations?
- Are safety devices on compressed air systems checked frequently?
- Before any repair work is done on the pressure system of a compressor, is the pressure bled off and the system locked-out?
- Are signs posted to warn of the automatic starting feature of the compressors?
- Is the belt drive system totally enclosed to provide protection for the front, back, top, and sides?
- Is it strictly prohibited to direct compressed air towards a person?
- Are employees prohibited from using highly compressed air for cleaning purposes?
- If compressed air is used for cleaning off clothing, is the pressure reduced to less than 10 psi?
- When using compressed air for cleaning, do employees use personal protective equipment?
- Are safety chains or other suitable locking devices used at couplings of high pressure hose lines where a connection failure would create a hazard?
- Before compressed air is used to empty containers of liquid, is the safe working pressure of the container checked?
- When compressed air is used with abrasive blast cleaning equipment, is the operating valve a type that must be held open manually?
- When compressed air is used to inflate auto tires, is a clip-on chuck and an inline regulator preset to 40 psi required?
- Is it prohibited to use compressed air to clean up or move combustible dust if such action could cause the dust to be suspended in the air and cause a fire or explosion hazard?

COMPRESSED AIR RECEIVERS

- Is every receiver equipped with a pressure gauge and with one or more automatic, spring-loaded safety valves?
- Is the total relieving capacity of the safety valve capable of preventing pressure in the receiver from exceeding the maximum allowable working pressure of the receiver by more than 10 percent?
- Is every air receiver provided with a drainpipe and valve at the lowest point for the removal of accumulated oil and water?
- Are compressed air receivers periodically drained of moisture and oil?
- Are all safety valves tested frequently and at regular intervals to determine whether they are in good operating condition?
- Is there a current operating permit issued by the Division of Occupational Safety and Health?
- Is the inlet of air receivers and piping systems kept free of accumulated oil and carbonaceous materials?

COMPRESSED GAS & CYLINDERS

- Are cylinders with a water weight capacity over 30 pounds equipped with means for connecting a valve protector device, or with a collar or recess to protect the valve?
- Are cylinders legibly marked to clearly identify the gas contained?
- Are compressed gas cylinders stored in areas which are protected from external heat sources such as flame impingement, intense radiant heat, electric arcs, or high temperature lines?
- Are cylinders located or stored in areas where they will not be damaged by passing or falling objects, or subject to tampering by unauthorized persons?
- Are cylinders stored or transported in a manner to prevent them creating a hazard by tipping, falling or rolling?
- Are cylinders containing liquefied fuel gas, stored or transported in a position so that the safety relief device is always in direct contact with the vapor space in the cylinder?
- Are valve protectors always placed on cylinders when the cylinders are not in use or connected for use?
- Are all valves closed off before a cylinder is moved, when the cylinder is empty, and at the completion of each job?
- Are low pressure fuel-gas cylinders checked periodically for corrosion, general distortion, cracks, or any other defect that might indicate a weakness or render it unfit for service?
- Does the periodic check of low pressure fuel-gas cylinders include a close inspection of the cylinders' bottom?

HOIST & AUXILIARY EQUIPMENT

- Is each overhead electric hoist equipped with a limit device to stop the hook travel at its highest and lowest point of safe travel?
- Will each hoist automatically stop and hold any load up to 125 percent of its rated load, if its actuating force is removed?
- Is the rated load of each hoist legibly marked and visible to the operator?
- Are stops provided at the safe limits of travel for trolley hoist?
- Are the controls of hoists plainly marked to indicate the direction of travel or motion?
- Is each cage-controlled hoist equipped with an effective warning device?
- Are close-fitting guards or other suitable devices installed on hoist to assure hoist ropes will be maintained in the sheave groves?
- Are all hoist chains or ropes of sufficient length to handle the full range of movement for the application while still maintaining two full wraps on the drum at all times?
- Are nip points or contact points between hoist ropes and sheaves which are permanently located within 7 feet of the floor, ground or working platform, guarded?
- Is it prohibited to use chains or rope slings that are kinked or twisted?
- Is it prohibited to use the hoist rope or chain wrapped around the load as a substitute, for a sling?
- Is the operator instructed to avoid carrying loads over people?
- Are only employees who have been trained in the proper use of hoists allowed to operate them?

INDUSTRIAL TRUCKS - FORKLIFTS

- Are only trained personnel allowed to operate industrial trucks?
- Is substantial overhead protective equipment provided on high lift rider equipment?
- Are the required lift truck operating rules posted and enforced?
- Is directional lighting provided on each industrial truck that operates in an area with less than 2 foot candles per square foot of general lighting?
- Does each industrial truck have a warning horn, whistle, gong or other device which can be clearly heard above the normal noise in the areas where operated?
- Are the brakes on each industrial truck capable of bringing the vehicle to a complete and safe stop when fully loaded?
- Will the industrial truck's parking brake effectively prevent the vehicle from moving when unattended?
- Are industrial trucks operating in areas where flammable gases or vapors, or combustible dust or ignitable fibers may be present in the atmosphere, approved for such locations?
- Are motorized hand and hand/rider trucks so designed that the brakes are applied, and power to the drive motor shuts off when the operator releases his/her grip on the device that controls the travel?
- Are industrial trucks with internal combustion engine operated in buildings or enclosed areas, carefully checked to ensure such operations do not cause harmful concentration of dangerous gases or fumes?

SPRAYING OPERATIONS

- Is adequate ventilation assured before spray operations are started?
- Is mechanical ventilation provided when spraying operation is done in enclosed areas?
- When mechanical ventilation is provided during spraying operations, is it so arranged that it will not circulate the contaminated air?
- Is the spray area free of hot surfaces?
- Is the spray area at least 20 feet from flames, sparks, operating electrical motors and other ignition sources?
- Are portable lamps used to illuminate spray areas suitable for use in a hazardous location?
- Is approved respiratory equipment provided and used when appropriate during spraying operations?
- Do solvents used for cleaning have a flash point of 100E F or more?
- Are fire control sprinkler heads kept clean?

- Are "NO SMOKING" signs posted in spray areas, paint rooms, paint booths, and paint storage areas?
- Is the spray area kept clean of combustible residue?
- Are spray booths constructed of metal, masonry, or other substantial noncombustible material?
- Are spray booth floors and baffles noncombustible and easily cleaned?
- Is infrared drying apparatus kept out of the spray area during spraying operations?
- Is the spray booth completely ventilated before using the drying apparatus?
- Is the electric drying apparatus properly grounded?
- Are lighting fixtures for spray booths located outside of the booth and the interior lighted through sealed clear panels?
- Are the electric motors for exhaust fans placed outside booths or ducts?
- Are belts and pulleys inside the booth fully enclosed?
- Do ducts have access doors to allow cleaning?
- Do all drying spaces have adequate ventilation?

ENTERING CONFINED SPACES

- Are confined spaces thoroughly emptied of any corrosive or hazardous substances, such as acids or caustics, before entry?
- Before entry, are all lines to a confined space, containing inert, toxic, flammable, or corrosive materials valved off and blanked or disconnected and separated?
- Is it required that all impellers, agitators, or other moving equipment inside confined spaces be locked-out if they present a hazard?
- Is either natural or mechanical ventilation provided prior to confined space entry?
- Before entry, are appropriate atmospheric tests performed to check for oxygen deficiency, toxic substance and explosive concentrations in the confined space before entry?
- Is adequate illumination provided for the work to be performed in the confined space?
- Is the atmosphere inside the confined space frequently tested or continuously monitor during conduct of work?
- Is there an assigned safety standby employee outside of the confined space, whose sole responsibility is to watch the work in progress, sound an alarm if necessary, and render assistance?
- Is the standby employee or other employees prohibited from entering the confined space without lifelines and respiratory equipment if there is any questions as to the cause of an emergency?
- In addition to the standby employee, is there at least one other trained rescuer in the vicinity?
- Are all rescuers appropriately trained and using approved, recently inspected equipment?
- Does all rescue equipment allow for lifting employees vertically from a top opening?
- Are there trained personnel in First Aid and CPR immediately available?
- Is there an effective communication system in place whenever respiratory equipment is used and the employee in the confined space is out of sight of the standby person?
- Is approved respiratory equipment required if the atmosphere inside the confined space cannot be made acceptable?
- Is all portable electrical equipment used inside confined spaces either grounded and insulated, or equipped with ground fault protection?
- Before gas welding or burning is started in a confined space, are hoses checked for leaks, compressed gas bottles forbidden inside of the confined space, torches lighted only outside of the confined area and the confined area tested for an explosive atmosphere each time before a lighted torch is to be taken into the confined space?
- If employees will be using oxygen-consuming equipment such as salamanders, torches, furnaces, in a confined space, is sufficient air provided to assure combustion without reducing the oxygen concentration of the atmosphere below 19.5 percent by volume?
- Whenever combustion-type equipment is used in confined space, are provisions made to ensure the exhaust gases are vented outside of the enclosure?
- Is each confined space checked for decaying vegetation or animal matter, which may produce methane?
- Is the confined space checked for possible industrial waste, which could contain toxic properties?

- If the confined space is below the ground and near areas where motor vehicles will be operating, is it possible for vehicle exhaust or carbon monoxide to enter the space?

ENVIRONMENTAL CONTROLS

- Are all work areas properly illuminated?
- Are employees instructed in proper first aid and other emergency procedures?
- Are hazardous substances identified which may cause harm by inhalation, ingestion, skin absorption or contact?
- Are employees aware of the hazards involved with the various chemicals they may be exposed to in their work environment, such as ammonia, chlorine, epoxies, and caustics?
- Is employee exposure to chemicals in the workplace kept within acceptable levels?
- Can a less harmful method or product be used?
- Is the work area's ventilation system appropriate for the work being performed?
- Are spray painting operations done in spray rooms or booths equipped with an appropriate exhaust system?
- Is employee exposure to welding fumes controlled by ventilation, use of respirators, exposure time, or other means?
- Are welders and other workers nearby provided with flash shields during welding operations?
- If forklifts and other vehicles are used in buildings or other enclosed areas, are the carbon monoxide levels kept below maximum acceptable concentration?
- Has there been a determination that noise levels in the facilities are within acceptable levels?
- Are steps being taken to use engineering controls to reduce excessive noise levels?
- Are proper precautions being taken when handling asbestos and other fibrous materials?
- Are caution labels and signs used to warn of asbestos?
- Are wet methods used, when practicable, to prevent the emission of airborne asbestos fibers, silica dust and similar hazardous materials?
- Is vacuuming with appropriate equipment used whenever possible rather than blowing or sweeping dust?
- Are grinders, saws, and other machines that produce respirable dusts vented to an industrial collector or central exhaust system?
- Are all local exhaust ventilation systems designed and operating properly such as airflow and volume necessary for the application? Are the ducts free of obstructions or the belts slipping?
- Is personal protective equipment provided, used and maintained wherever required?
- Are there written standard operating procedures for the selection and use of respirators where needed?
- Are restrooms and washrooms kept clean and sanitary?
- Is all water provided for drinking, washing, and cooking potable?
- Are all outlets for water not suitable for drinking clearly identified?
- Are employees' physical capacities assessed before being assigned to jobs requiring heavy work?
- Are employees instructed in the proper manner of lifting heavy objects?
- Where heat is a problem, have all fixed work areas been provided with spot cooling or air conditioning?
- Are employees screened before assignment to areas of high heat to determine if their health condition might make them more susceptible to having an adverse reaction?
- Are employees working on streets and roadways where they are exposed to the hazards of traffic, required to wear bright colored (traffic orange) warning vest?
- Are exhaust stacks and air intakes located that contaminated air will not be recirculated within a building or other enclosed area?
- Is equipment producing ultra-violet radiation properly shielded?

FLAMMABLE & COMBUSTIBLE MATERIALS

- Are combustible scrap, debris and waste materials (i.e. oily rags) stored in covered metal receptacles and removed from the worksite promptly?
- Is proper storage practiced to minimize the risk of fire including spontaneous combustion?
- Are approved containers and tanks used for the storage and handling of flammable and combustible liquids?

- Are all connections on drums and combustible liquid piping, vapor and liquid tight?
- Are all flammable liquids kept in closed containers when not in use (e.g. parts cleaning tanks, pans)?
- Are bulk drums of flammable liquids grounded and bonded to containers during dispensing?
- Do storage rooms for flammable and combustible liquids have explosion-proof lights?
- Do storage rooms for flammable and combustible liquids have mechanical or gravity ventilation?
- Is liquefied petroleum gas stored, handled, and used in accordance with safe practices and standards?
- Are liquefied petroleum storage tanks guarded to prevent damage from vehicles?
- Are all solvent wastes and flammable liquids kept in fire-resistant covered containers until they are removed from the worksite?
- Is vacuuming used whenever possible rather than blowing or sweeping combustible dust?
- Are fire separators placed between containers of combustibles or flammables, when stacked one upon another, to assure their support and stability?
- Are fuel gas cylinders and oxygen cylinders separated by distance, fire resistant barriers or other means while in storage?
- Are fire extinguishers selected and provided for the types of materials in areas where they are to be used?
- Class A: Ordinary combustible material fires.
- Class B: Flammable liquid, gas or grease fires.
- Class C: Energized-electrical equipment fires.
- If a Halon 1301 fire extinguisher is used, can employees evacuate within the specified time for that extinguisher?
- Are appropriate fire extinguishers mounted within 75 feet of outside areas containing flammable liquids, and within 10 feet of any inside storage area for such materials?
- Is the transfer/withdrawal of flammable or combustible liquids performed by trained personnel?
- Are fire extinguishers mounted so that employees do not have to travel more than 75 feet for a class "A" fire or 50 feet for a class "B" fire?
- Are employees trained in the use of fire extinguishers?
- Are extinguishers free from obstructions or blockage?
- Are all extinguishers serviced, maintained and tagged at intervals not to exceed one year?
- Are all extinguishers fully charged and in their designated places?
- Is a record maintained of required monthly checks of extinguishers?
- Where sprinkler systems are permanently installed, are the nozzle heads directed or arranged so that water will not be sprayed into operating electrical switchboards and equipment?
- Are "NO SMOKING" signs posted where appropriate in areas where flammable or combustible materials are used or stored?
- Are "NO SMOKING" signs posted on liquefied petroleum gas tanks?
- Are "NO SMOKING" rules enforced in areas involving storage and use of flammable materials?
- Are safety cans used for dispensing flammable or combustible liquids at a point of use?
- Are all spills of flammable or combustible liquids cleaned up promptly?
- Are storage tanks adequately vented to prevent the development of excessive vacuum or pressure as a result of filling, emptying, or atmosphere temperature changes?
- Are storage tanks equipped with emergency venting that will relieve excessive internal pressure caused by fire exposure?
- Are spare portable or butane tanks, which are used by industrial trucks stored in accord with regulations?

FIRE PROTECTION

- Do you have a fire prevention plan?
- Does your plan describe the type of fire protection equipment and/or systems?
- Have you established practices and procedures to control potential fire hazards and ignition sources?
- Are employees aware of the fire hazards of the material and processes to which they are exposed?
- Is your local fire department well acquainted with your facilities, location and specific hazards?
- If you have a fire alarm system, is it tested at least annually?

- If you have a fire alarm system, is it certified as required?
- If you have interior standpipes and valves, are they inspected regularly?
- If you have outside private fire hydrants, are they flushed at least once a year and on a routine preventive maintenance schedule?
- Are fire doors and shutters in good operating condition?
- Are fire doors and shutters unobstructed and protected against obstructions, including their counterweights?
- Are fire door and shutter fusible links in place?
- Are automatic sprinkler system water control valves, air and water pressures checked weekly/periodically as required?
- Is maintenance of automatic sprinkler system assigned to responsible persons or to a sprinkler contractor?
- Are sprinkler heads protected by metal guards, when exposed to physical damage?
- Is proper clearance maintained below sprinkler heads?
- Are portable fire extinguishers provided in adequate number and type?
- Are fire extinguishers mounted in readily accessible locations?
- Are fire extinguishers recharged regularly and noted on the inspection tag?
- Are employees periodically instructed in the use of extinguishers and fire protection procedures?

HAZARDOUS CHEMICAL EXPOSURES

- Are employees trained in the safe handling practices of hazardous chemicals such as acids, caustics, and the like?
- Are employees aware of the potential hazards involving various chemicals stored or used in the workplace--such as acids, bases, caustics, epoxies, and phenols?
- Is employee exposure to chemicals kept within acceptable levels?
- Are eye wash fountains and safety showers provided in areas where corrosive chemicals are handled?
- Are all containers, such as vats and storage tanks labeled as to their contents--e.g. "CAUSTICS"?
- Are all employees required to use personal protective clothing and equipment when handling chemicals (i.e. gloves, eye protection, and respirators)?
- Are flammable or toxic chemicals kept in closed containers when not in use?
- Are chemical piping systems clearly marked as to their content?
- Where corrosive liquids are frequently handled in open containers or drawn from storage vessels or pipelines, is adequate means readily available for neutralizing or disposing of spills or overflows properly and safely?
- Have standard operating procedures been established and are they being followed when cleaning up chemical spills?
- Where needed for emergency use, are respirators stored in a convenient, clean and sanitary location?
- Are respirators intended for emergency use adequate for the various uses for which they may be needed?
- Are employees prohibited from eating in areas where hazardous chemicals are present?
- Is personal protective equipment provided, used and maintained whenever necessary?
- Are there written standard operating procedures for the selection and use of respirators where needed?
- If you have a respirator protection program, are your employees instructed on the correct usage and limitations of the respirators?
- Are the respirators NIOSH approved for this particular application?
- Are they regularly inspected and cleaned sanitized and maintained?
- If hazardous substances are used in your processes, do you have a medical or biological monitoring system in operation?
- Are you familiar with the Threshold Limit Values or Permissible Exposure Limits of airborne contaminants and physical agents used in your workplace?
- Have control procedures been instituted for hazardous materials, where appropriate, such as respirators, ventilation systems, handling practices, and the like?
- Whenever possible, are hazardous substances handled in properly designed and exhausted booths or similar locations?
- Do you use general dilution or local exhaust ventilation systems to control dusts, vapors, gases, fumes, smoke, solvents or mists which may be generated in your workplace?

- Is ventilation equipment provided for removal of contaminants from such operations as production grinding, buffing, spray painting, and/or vapor decreasing, and is it operating properly?
- Do employees complain about dizziness, headaches, nausea, irritation, or other factors of discomfort when they use solvents or other chemicals?
- Is there a dermatitis problem--do employees complain about skin dryness, irritation, or sensitization?
- Have you considered the use of an industrial hygienist or environmental health specialist to evaluate your operation?
- If internal combustion engines are used, is carbon monoxide kept within acceptable levels?
- Is vacuuming used, rather than blowing or sweeping dusts whenever possible for clean up?
- Are materials, which give off toxic asphyxiant, suffocating or anesthetic fumes, stored in remote or isolated locations when not in use?

HAZARDOUS SUBSTANCES COMMUNICATION

- Is there a list of hazardous substances used in your workplace?
- Is there a written hazard communication program dealing with Material Safety Data Sheets (MSDS) labeling, and employee training?
- Who is responsible for MSDSs, container labeling, employee training?
- Is each container for a hazardous substance (i.e. vats, bottles, storage tanks,) labeled with product identity and a hazard warning (communication of the specific health hazards and physical hazards)?
- Is there a Material Safety Data Sheet readily available for each hazardous substance used?
- How will you inform other employers whose employees share the same work area where the hazardous substances are used?
- Is there an employee training program for hazardous substances?
- Does this program include:
 - An explanation of what an MSDS is and how to use and obtain one?
 - MSDS contents for each hazardous substance or class of substances?
 - Explanation of "Right to Know"?
 - Identification of where employees can see the employer's written hazard communication program and where hazardous substances are present in their work area?
 - The physical and health hazards of substances in the work area, how to detect their presence, and specific protective measures to be used?
 - Details of the hazard communication program, including how to use the labeling system and MSDSs?
 - How employees will be informed of hazards of non-routine tasks, and hazards of unlabeled pipes?

ELECTRICAL

- Are your workplace electricians familiar with the Cal/OSHA Electrical Safety Orders?
- Do you specify compliance with Cal/OSHA for all contract electrical work?
- Are all employees required to report as soon as practicable any obvious hazard to life or property observed in connection with electrical equipment or lines?
- Are employees instructed to make preliminary inspections and/or appropriate tests to determine what conditions exist before starting work on electrical equipment or lines?
- When electrical equipment or lines are to be serviced, maintained or adjusted, are necessary switches opened, locked-out and tagged whenever possible?
- Are portable electrical tools and equipment grounded or of the double insulated type?
- Are electrical appliances such as vacuum cleaners, polishers, vending machines grounded?
- Do extension cords being used have a grounding conductor?
- Are multiple plug adapters prohibited?
- Are ground-fault circuit interrupters installed on each temporary 15 or 20 ampere, 120 volt AC circuit at locations where construction, demolition, modifications, alterations or excavations are being performed?
- Are all temporary circuits protected by suitable disconnecting switches or plug connectors at the junction with permanent wiring?
- Is exposed wiring and cords with frayed or deteriorated insulation repaired or replaced promptly?

- Are flexible cords and cables free of splices or taps?
- Are clamps or other securing means provided on flexible cords or cables at plugs, receptacles, tools, and equipment and is the cord jacket securely held in place?
- Are all cord, cable and raceway connections intact and secure?
- In wet or damp locations, are electrical tools and equipment appropriate for the use or location or otherwise protected?
- Is the location of electrical power lines and cables (overhead, underground, underfloor, other side of walls) determined before digging, drilling or similar work is begun?
- Are metal measuring tapes, ropes, handlines or similar devices with metallic thread woven into the fabric prohibited where they could come in contact with energized parts of equipment or circuit conductors?
- Is the use of metal ladders prohibited in area where the ladder or the person using the ladder could come in contact with energized parts of equipment, fixtures or circuit conductors?
- Are all disconnecting switches and circuit breakers labeled to indicate their use or equipment served?
- Are disconnecting means always opened before fuses are replaced?
- Do all interior wiring systems include provisions for grounding metal parts of electrical raceways, equipment and enclosures?
- Are all electrical raceways and enclosures securely fastened in place?
- Are all energized parts of electrical circuits and equipment guarded against accidental contact by approved cabinets or enclosures?
- Is sufficient access and working space provided and maintained about all electrical equipment to permit ready and safe operations and maintenance?
- Are all unused openings (including conduit knockouts) in electrical enclosures and fittings closed with appropriate covers, plugs or plates?
- Are electrical enclosures such as switches, receptacles, junction boxes, etc., provided with tight-fitting covers or plates?
- Are disconnecting switches for electrical motors in excess of two horsepower, capable of opening the circuit when the motor is in a stalled condition, without exploding? (Switches must be horsepower rated equal to or in excess of the motor hp rating).
- Is low voltage protection provided in the control device of motors driving machines or equipment, which could cause probably injury from inadvertent starting?
- Is each motor disconnecting switch or circuit breaker located within sight of the motor control device?
- Is each motor located within sight of its controller or the controller disconnecting means capable of being locked in the open position or is a separate disconnecting means installed in the circuit within sight of the motor?
- Is the controller for each motor in excess of two horsepower, rated in horsepower equal to or in excess of the rating of the motor it serves?
- Are employees who regularly work on or around energized electrical equipment or lines instructed in the cardiopulmonary resuscitation (CPR) methods?
- Are employees prohibited from working alone on energized lines or equipment over 600 volts?

NOISE

- Are there areas in the workplace where continuous noise levels exceed 85 dBA? (To determine maximum allowable levels for intermittent or impact noise, see Title 8, Section 5097.)
- Are noise levels being measured using a sound level meter or an octave band analyzer and records being kept?
- Have you tried isolating noisy machinery from the rest of your operation?
- Have engineering controls been used to reduce excessive noise levels?
- Where engineering controls are determined not feasible, are administrative controls (i.e. worker rotation) being used to minimize individual employee exposure to noise?
- Is there an ongoing preventive health program to educate employees in safe levels of noise and exposure, effects of noise on their health, and use of personal protection?
- Is the training repeated annually for employees exposed to continuous noise above 85 dBA?
- Have work areas where noise levels make voice communication between employees difficult been identified and posted?

- Is approved hearing protective equipment (noise attenuating devices) available to every employee working in areas where continuous noise levels exceed 85 dBA?
- If you use ear protectors, are employees properly fitted and instructed in their use and care?
- Are employees exposed to continuous noise above 85 dBA given periodic audiometric testing to ensure that you have an effective hearing protection system?

FUELING

- Is it prohibited to fuel an internal combustion engine with a flammable liquid while the engine is running?
- Are fuelling operations done in such a manner that likelihood of spillage will be minimal?
- When spillage occurs during fueling operations, is the spilled fuel cleaned up completely, evaporated, or other measures taken to control vapors before restarting the engine?
- Are fuel tank caps replaced and secured before starting the engine?
- In fueling operations is there always metal contact between the container and fuel tank?
- Are fueling hoses of a type designed to handle the specific type of fuel?
- Is it prohibited to handle or transfer gasoline in open containers?
- Are open lights, open flames, or sparking or arcing equipment prohibited near fueling or transfer of fuel operations?
- Is smoking prohibited in the vicinity of fueling operations?
- Are fueling operations prohibited in building or other enclosed areas that are not specifically ventilated for this purpose?
- Where fueling or transfer of fuel is done through a gravity flow system, are the nozzles of the self-closing type?

IDENTIFICATION OF PIPING SYSTEMS

- When nonpotable water is piped through a facility, are outlets or taps posted to alert employees that it is unsafe and not to be used for drinking, washing or other personal use?
- When hazardous substances are transported through above ground piping, is each pipeline identified at points where confusion could introduce hazards to employees?
- When pipelines are identified by color painting, are all visible parts of the line so identified?
- When pipelines are identified by color painted bands or tapes, are the bands or tapes located at reasonable intervals and at each outlet, valve or connection?
- When pipelines are identified by color, is the color code posted at all locations where confusion could introduce hazards to employees?
- When the contents of pipelines are identified by name or name abbreviation, is the information readily visible on the pipe near each valve or outlet?
- When pipelines carrying hazardous substances are identified by tags, are the tags constructed of durable materials, the message carried clearly and permanently distinguishable and are tags installed at each valve or outlet?
- When pipelines are heated by electricity, steam or other external source, are suitable warning signs or tags placed at unions, valves, or other serviceable parts of the system?

MATERIAL HANDLING

- Is there safe clearance for equipment through aisles and doorways?
- Are aisleways designated, permanently marked, and kept clear to allow unhindered passage?
- Are motorized vehicles and mechanized equipment inspected daily or prior to use?
- Are vehicles shut off and brakes set prior to loading or unloading?
- Are containers or combustibles or flammables, when stacked while being moved, always separated by dunnage sufficient to provide stability?
- Are dock boards (bridge plates) used when loading or unloading operations are taking place between vehicles and docks?
- Are trucks and trailers secured from movement during loading and unloading operations?

- Are dock plates and loading ramps constructed and maintained with sufficient strength to support imposed loading?
- Are hand trucks maintained in safe operating condition?
- Are chutes equipped with sideboards of sufficient height to prevent the materials being handled from falling off?
- Are chutes and gravity roller sections firmly placed or secured to prevent displacement?
- At the delivery end of rollers or chutes, are provisions made to brake the movement of the handled materials.
- Are pallets usually inspected before being loaded or moved?
- Are hooks with safety latches or other arrangements used when hoisting materials so that slings or load attachments won't accidentally slip off the hoist hooks?
- Are securing chains, ropes, chockers or slings adequate for the job to be performed?
- When hoisting material or equipment, are provisions made to assure no one will be passing under the suspended loads?
- Are Material Safety Data Sheets available to employees handling hazardous substances?

TRANSPORTING EMPLOYEES & MATERIALS

- Do employees who operate vehicles on public thoroughfares have valid operator's licenses?
- When seven or more employees are regularly transported in a van, bus or truck, is the operator's license appropriate for the class of vehicle being driven?
- Is each van, bus or truck used regularly to transport employees, equipped with an adequate number of seats?
- When employees are transported by truck, are provision provided to prevent their falling from the vehicle?
- Are vehicles used to transport employees, equipped with lamps, brakes, horns, mirrors, windshields and turn signals in good repair?
- Are transport vehicles provided with handrails, steps, stirrups or similar devices, so placed and arranged that employees can safely mount or dismount?
- Are employee transport vehicles equipped at all times with at least two reflective type flares?
- Is a full charged fire extinguisher, in good condition, with at least 4 B:C rating maintained in each employee transport vehicle?
- When cutting tools with sharp edges are carried in passenger compartments of employee transport vehicles, are they placed in closed boxes or containers which are secured in place?
- Are employees prohibited from riding on top of any load, which can shift, topple, or otherwise become unstable?

CONTROL OF HARMFUL SUBSTANCES BY VENTILATION

- Is the volume and velocity of air in each exhaust system sufficient to gather the dusts, fumes, mists, vapors or gases to be controlled, and to convey them to a suitable point of disposal?
- Are exhaust inlets, ducts and plenums designed, constructed, and supported to prevent collapse or failure of any part of the system?
- Are clean-out ports or doors provided at intervals not to exceed 12 feet in all horizontal runs of exhaust ducts?
- Where two or more different type of operations are being controlled through the same exhaust system, will the combination of substances being controlled, constitute a fire, explosion or chemical reaction hazard in the duct?
- Is adequate makeup air provided to areas where exhaust systems are operating?
- Is the intake for makeup air located so that only clean, fresh air, which is free of contaminates, will enter the work environment?
- Where two or more ventilation systems are serving a work area, is their operation such that one will not offset the functions of the other?

SANITIZING EQUIPMENT & CLOTHING

- Is personal protective clothing or equipment, that employees are required to wear or use, of a type capable of being easily cleaned and disinfected?
- Are employees prohibited from interchanging personal protective clothing or equipment, unless it has been properly cleaned?
- Are machines and equipment, which processes, handle or apply materials that could be injurious to employees, cleaned and/or decontaminated before being overhauled or placed in storage?
- Are employees prohibited from smoking or eating in any area where contaminants are present that could be injurious if ingested?
- When employees are required to change from street clothing into protective clothing, is a clean changeroom with separate storage facility for street and protective clothing provided?
- Are employees required to shower and wash their hair as soon as possible after a known contact has occurred with a carcinogen?
- When equipment, materials, or other items are taken into or removed from a carcinogen regulated area, is it done in a manner that will not contaminate non-regulated areas or the external environment?

TIRE INFLATION

- Where tires are mounted and/or inflated on drop center wheels is a safe practice procedure posted and enforced?
- Where tires are mounted and/or inflated on wheels with split rims and/or retainer rings is a safe practice procedure posted and enforced?
- Does each tire inflation hose have a clip-on chuck with at least 24 inches of hose between the chuck and an in-line hand valve and gauge?
- Does the tire inflation control valve automatically shut off the airflow when the valve is released?
- Is a tire restraining device such as a cage, rack or other effective means used while inflating tires mounted on split rims, or rims using retainer rings?
- Are employees strictly forbidden from taking a position directly over or in front of a tire while it's being inflated?

EMERGENCY ACTION PLAN

- Are you required to have an emergency action plan?
- Does the emergency action plan comply with requirements of T8CCR 3220(a)?
- Have emergency escape procedures and routes been developed and communicated to all employees?
- Do employees, who remain to operate critical plant operations before they evacuate, know the proper procedures?
- Is the employee alarm system that provides a warning for emergency action recognizable and perceptible above ambient conditions?
- Are alarm systems properly maintained and tested regularly?
- Is the emergency action plan reviewed and revised periodically?
- Do employees know their responsibilities:
 - For reporting emergencies?
 - During an emergency?
 - For conducting rescue and medical duties?

INFECTION CONTROL

- Are employees potentially exposed to infectious agents in body fluids?
- Have occasions of potential occupational exposure been identified and documented?
- Has a training and information program been provided for employees exposed to or potentially exposed to blood and/or body fluids?
- Have infection control procedures been instituted where appropriate, such as ventilation, universal precautions, workplace practices, and personal protective equipment?
- Are employees aware of specific workplace practices to follow when appropriate? (Hand washing, handling sharp instruments, handling of laundry, disposal of contaminated materials, reusable equipment.)

- Is personal protective equipment provided to employees, and in all appropriate locations?
- Is the necessary equipment (i.e. mouthpieces, resuscitation bags, and other ventilation devices) provided for administering mouth-to-mouth resuscitation on potentially infected patients?
- Are facilities/equipment to comply with workplace practices available, such as hand-washing sinks, biohazard tags and labels, needle containers, detergents/disinfectants to clean up spills?
- Are all equipment and environmental and working surfaces cleaned and disinfected after contact with blood or potentially infectious materials?
- Is infectious waste placed in closable, leak proof containers, bags or puncture-resistant holders with proper labels?
- Has medical surveillance including HBV evaluation, antibody testing and vaccination been made available to potentially exposed employees?
- Training on universal precautions?
- Training on personal protective equipment?
- Training on workplace practices, which should include blood drawing, room cleaning, laundry handling, clean up of blood spills?
- Training on needlestick exposure/management?
- Hepatitis B vaccinations?

ERGONOMICS

- Can the work be performed without eyestrain or glare to the employees?
- Does the task require prolonged raising of the arms?
- Do the neck and shoulders have to be stooped to view the task?
- Are there pressure points on any parts of the body (wrists, forearms, back of thighs)?
- Can the work be done using the larger muscles of the body?
- Can the work be done without twisting or overly bending the lower back?
- Are there sufficient rest breaks, in addition to the regular rest breaks, to relieve stress from repetitive-motion tasks?
- Are tools, instruments and machinery shaped, positioned and handled so that tasks can be performed comfortably?
- Are all pieces of furniture adjusted, positioned and arranged to minimize strain on all parts of the body?

VENTILATION FOR INDOOR AIR QUALITY

- Does your HVAC system provide at least the quantity of outdoor air required by the State Building Standards Code, Title 24, Part 2 at the time the building was constructed?
- Is the HVAC system inspected at least annually, and problems corrected?
- Are inspection records retained for at least 5 years?

CRANE CHECKLIST

- Are the cranes visually inspected for defective components prior to the beginning of any work shift?
- Are all electrically operated cranes effectively grounded?
- Is a crane preventive maintenance program established?
- Is the load chart clearly visible to the operator?
- Are operating controls clearly identified?
- Is a fire extinguisher provided at the operator's station?
- Is the rated capacity visibly marked on each crane?
- Is an audible warning device mounted on each crane?
- Is sufficient illumination provided for the operator to perform the work safely?
- Are cranes of such design, that the boom could fall over backward, equipped with boomstops?
- Does each crane have a certificate indicating that required testing and examinations have been performed?
- Are crane inspection and maintenance records maintained and available for inspection?