
City of Modesto

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CITY OF
MODESTO
C A L I F O R N I A

DRAFT

Safety Compliance Assessment June 2018

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EXECUTIVE SUMMARY

This safety assessment documents observations and gap analysis-type findings of the Interim City Safety Task Force, including a number of recommendations for improving the City of Modesto's safety programs. These observations indicate that the City is not in substantial compliance with most Cal/OSHA written safety program requirements and employee training requirements. Even though the City may never achieve *total* compliance with all requirements at any one time, a system should be established that demonstrates due diligence by conducting regular safety committee meetings and periodic inspections, establishing and updating written programs as needed, and providing for regular safety training.

A well-written Injury and Illness Prevention Program (IIPP) was adopted which established a Citywide safety committee and a high-hazard Public Works safety committee. However, the program has not been updated since it was adopted. Committee membership and purpose have also not been maintained as described in the IIPP. The City should reorganize these committees, designate their members in writing, and train members on their responsibilities. The committee's priority should be to begin updating and developing required written safety programs. The development priority of these safety programs should follow the recommendations of Du-All made in the last Citywide Safety Assessment.

We observed varying degrees of safety training occurring within the different departments and divisions of the City. The City should adopt a Citywide safety training strategy which identifies requirements as they apply to individual job duties and provides for the delivery of regular training to meet those requirements. Furthermore, the City should adopt a centralized and standardized recordkeeping system for safety training. We recommend TargetSolutions, an online learning management system, which the City already has access to.

Factors contributing to the disparities in department safety programs and training were the unequal dedication of personnel and resources to safety and a lack of oversight from City management. We recommend that the City form a dedicated Safety Division under the City Manager's Office to take the lead in the coordination of safety training and recordkeeping, medical surveillance, and testing as they pertain to workplace safety. We recommend the Safety Division be staffed at a minimum with a Safety Officer, capable of carrying out the IIPP, a Safety Analyst, and a confidential administrative assistant. The Safety Division's only task should be the administration and management of the City's Safety Program.

Management should:

- Designate safety committee members in writing for each department or division with the responsibility and authority to provide for safety in their area(s).
- Provide the safety committee with training on their responsibilities and authority.
- Amend/approve an annual safety plan of action that primarily focuses on employee safety training, written program development/updates, inspection schedules
- Amend/approve a master employee safety training matrix to determine new and/or current regulatory requirements for employee training.
- Amend/approve a safety training schedule to deliver training identified above.

1.0 INTRODUCTION

The Interim City Safety Task Force was requested to perform a Safety Needs Assessment of the City of Modesto's operations. The assessment included a review of activities conducted by employees at various City locations and safety related documentation including programs, policies, inspection records, and accident investigation records.

1.1 PURPOSE

The purpose of this Assessment is to assist City of Modesto in assessing the compliance status of its workplace safety program. This assessment has been prepared at the direction of City of Modesto and is intended to identify potential health and safety issues that may warrant additional actions and recommended methods to address these potential concerns.

1.2 METHODOLOGY AND LIMITING CONDITIONS

This assessment is delivered as an update to the 2012 Safety Compliance Assessment delivered by Du-All Safety. The majority of that document is still relevant as few of the corrective actions were ever implemented. During this assessment we visited sites throughout the City of Modesto and met with managers, supervisors, and employees to discuss safety practices and concerns. The individuals who participated in this assessment were cooperative and committed to compliance with safety regulations.

Sites visited include:

- City of Modesto Corporation Yard: Forestry, Green Waste/Street Sweeping, Water, Streets, Parks Operations, Electrical, Fleet
- Sutter Wastewater Treatment Plant
- Codoni Avenue Water Storage Facility
- Jennings Road Compost Facility
- Water Tank Six
- Modesto Police Department Range
- Airport
- Mary Grogan Sports Complex
- Elm Street: Traffic Operations, Building Services
- Tenth Street Place: C&ED, PR&N, Utilities, Public Works

2.0 SAFETY PROGRAM REVIEW

2.1 INJURY & ILLNESS PREVENTION PROGRAM REQUIREMENT

8 CCR §3203. The Injury & Illness Prevention Program (IIPP) is the framework safety program that applies to all workplace environments with 10 or more employees. The IIPP outlines the over-all responsibilities and program elements, which applies to all other programs that are task-specific and/or regulation-specific.

2.1.1 WRITTEN PROGRAM ELEMENTS

- Current name of person or person(s) with the responsibility and authority for implementing and maintaining the program
- Communication (e.g., safety committee, hazard reports, tailgate meetings, etc.)
- Written safety rules or "Codes of Safe Practice" for each piece of construction equipment and/or construction activity
- Regularly scheduled or "periodic" safety inspections of each area and corrective action documentation
- Accident investigation including root cause analysis, corrective actions, recording & reporting procedures
- Employee training
- Enforcement and recognition procedures
- Recordkeeping

2.1.2 SCOPE & APPLICATION

All city employees are affected by the injury and illness prevention program (IIPP). Typical municipalities the size of Modesto will choose to develop one IIPP for all city operations and will assign Safety Coordinators from individual departments or locations to assist in program implementation. All employees are required to be included in, and receive training on, the IIPP.

2.1.3 Findings

1) Written program

Issue

The IIPP became effective on 4/18/13 and, from all information provided, the document has not been revised since and is in need of significant revisions. The IIPP addresses the majority of the program elements, but is lacking specific details and content that is needed.

Furthermore, activities onsite did not indicate that the plan as written has been fully implemented since the effective date. The most current IIPP is available on the City intranet, though most employees were unaware it was available there and it was not observed at any worksites. Few employees were familiar with the document.

Corrective Actions

- a) The City Safety Management Oversight Committee, once reorganized and trained, should conduct a complete revision of the IIPP as their first priority to bring the program into compliance with any regulatory changes and to demonstrate the City's commitment to improving their safety program.
- b) Training: Persons given the responsibility and authority for areas of safety, including managers, supervisors, and Safety Coordinators, should receive formal training on their responsibilities (i.e. recordkeeping, required trainings for employees, complete safety program overview, etc.).
- c) Responsibility: The IIPP identifies the person responsible for carrying out this program by title. It should be revised to identify the Safety Officer by name. Other responsible parties (i.e., Safety Coordinators) should be designated in writing, but do not need to be named in the IIPP itself. Specific responsibilities are laid out in the IIPP and Safety Coordinators should be trained on and acknowledge those responsibilities. There should be a responsibility for Department Directors to make timely written designations of new Safety Coordinators as necessary.
- d) Communication: The IIPP states that safety communication will occur during safety meetings and through safety suggestion boxes, a reporting hotline, Dept. safety committee meetings, tailgate meetings, etc. However, it was not apparent that the average employee was aware of these resources. Safety meetings appeared to be occurring in most divisions, but with infrequent and non-standardized documentation. The City should create standard templates for recording safety meetings and tailgates through TargetSolutions, and create a tailgate topic repository to assist in standardizing or regulating the topics being discussed. Amend IIPP to include making committee meeting minutes available to all employees.
- e) The IIPP identifies the requirement and a method for employees to anonymously report hazards and how the employee reporting would be informed of the resolution. This appears to have not been implemented. We recommend the City train employees on the IIPP and use the tools already in place to ensure communication remains clear from the employee, through management and the safety committees, and back to the employee once resolved.
- f) The IIPP contains a Safety Management Oversight Committee and Public Works Safety Committee and charters for both. The two committees do meet, with varying degrees of participation from the departments/divisions identified in the charter's membership sections. The committees meetings also stray from the scope and purpose established in the charter. The City should review the safety committee's charters to ensure the committees have the responsibility and authority to address safety and training needs and implement corrective actions. We recommend the City reorganize the committees

to ensure the people meeting are able to represent the safety needs and concerns of all employees in their areas. Those members should be designated in writing and the representatives should be trained to have the knowledge, skills, and abilities to carry out their written responsibilities in the IIPP. These committees should meet at a minimum monthly to develop or update written programs until complete. We also recommend establishing additional safety committees as necessary to address high-hazard areas such as the Wastewater Treatment Plants.

- g) Inspections: The IIPP states that inspections are to be conducted annually in all City workspaces and semi-annually in high-hazard areas. Inspection documentation showing that these inspections are conducted is limited. Any person conducting inspections should receive formal training (what to look for, codes and regulations, documentation requirements, etc.). We recommend that the designated Safety Officer be present for all inspections, as well as the designated Safety Coordinator for that area and the area manager. Standard templates should be developed in the Safety Committee and then templates should be tailored to specific high-hazard areas. There should be a corrective action time-frame included by assigning risk level to each finding. A simple Risk Assessment Class system was adopted, but with no corresponding correction time- frame. Timelines should be assigned to each classification, for example:

The Risk Assessment Classification is determined as follows:

Class 1: Critical (may cause death, serious injury, significant environmental impact, or substantial financial losses) and/or is likely to occur soon. Corrective action within the day.

Class 2: Serious (may cause injury, occupational illness, or environmental or property damage) and/or probably will occur in time. Corrective action within 30 days.

Class 3: Minor (probably would not significantly affect personnel or environmental safety or health, but is a violation of specific criteria). Corrective action within three months.

- h) Periodic Inspections: In addition to the above comments, the IIPP includes requirements for additional inspection/maintenance frequencies as identified in the equipment manufacturer's owner's manual. Hazardous waste storage areas and emergency response equipment (fire extinguishers, eyewash stations, first aid kits, automated external defibrillators, etc.) also require scheduled inspections as identified in the IIPP. We found no evidence that these inspections were being carried out consistently. The Safety Officer should provide oversight and standardize the inspection process to assist departments in complying with these requirements.
- k) Injuries and Investigations: This section identifies that serious injuries must be reported to Cal/OSHA within 8 hours after management learns of the incident. This section also provides a set of procedures for reporting, accident investigation, "Serious injury" definition, contact information for the local OSHA office, and reporting exemptions.

Supervisors must be trained in these procedures for them to be effective.

- l) Training: We are developing a Safety Training Matrix which should be reviewed and finalized by the Safety Management Oversight Committee. The Safety Training Matrix should be reviewed annually to ensure the classifications and requirements identified are current.
- m) Codes of Safe Practices/COSP: The IIPP contains a section referencing the Construction Safety Orders' requirement for Codes of Safe Practices for construction activities. The IIPP goes on to even provide physical locations to find the Codes of Safe Practices but we found no existing SOPs meeting this requirement. The IIPP contains a section identifying City operations which fall under the Construction Safety Orders. We recommend the City Safety Officer, Department Safety Coordinators, and Supervisors work together to create Codes of Safe Practices for all activities identified in this section.

2) **Additional Written Programs**

Issue

Cal/OSHA requires written programs on a variety of topics including Lockout/Tagout, Heat Illness Prevention, Exposure Control, Respiratory Protection, Confined Spaces, Fall Protection, and several others. The City has some of these programs in varying degrees of rough and final drafts as well as some completed programs which are in need of review/update to ensure they are still in compliance with regulatory updates.

Corrective Action

The Safety Management Oversight Committee should focus on writing or updating written programs as necessary, starting with a review of the IIPP. Remaining programs should be completed in the order suggested by Du-All in their 2012 assessment as attached.

3) **Safety Committee Structure**

Issue

The City of Modesto is lacking an effective safety committee. Some departments and divisions meet regularly, or are represented on the Citywide safety committee, to discuss safety related topics and discuss hazards with employees; but the structure of these groups/meetings do not follow the established committee charters. For those departments that do meet, meeting notes and sign in sheets were observed. An exception to this is the Wastewater Safety Task Force that appears to be meeting regularly and promotes safety throughout the division. We recommend their task force be adopted as a third committee in the IIPP for that high-hazard area.

Corrective Action

Review the safety committees' charters and designate members in writing to attend the meetings on behalf of the departments/divisions in the charter. All committee members should be trained on the IIPP, especially the communication section, to ensure safety issues brought up in the committees follow the appropriate reporting chain so that management is aware of the potential hazard.

4.0 EMPLOYEE SAFETY TRAINING

Quality safety training for employees is a key element of an effective safety program. Training needs to be consistent and ongoing to meet employees' needs. Safety coordinators and supervisors need to be trained on their responsibilities and the rights of employees. Individual employee plans mentioned in the previous sections each have a training component. In addition to these program training requirements, training is required for certain operations and equipment.

4.1 Findings

1) Training Delivery

Issue

Training is not occurring in a standardized way throughout the City. No department is completely compliant with all Cal/OSHA requirements, but some areas are conducting regular training and have made significant efforts to develop training plans and to work towards compliance. The biggest contributing factor here appears to be oversight. Departments with the funding to do so have developed their own safety training programs while other departments have gone without training for years.

Corrective Action

The City should establish a centralized Safety Fund to cover the costs of meeting employee training requirements. Training is a critical requirement of state and federal workplace safety regulations and cannot be left up to individual work sections. This Safety Fund can be funded by individual departments/divisions as a fraction of their size and requirements as identified in the Safety Training Matrix. As more regular training becomes available from the Safety Officer and departments are able to schedule employees out weeks in advance, it will become infeasible to split invoices to potentially dozens of cost centers. A centralized fund will eliminate this problem.

2) Safety Training Matrix

Issue

The City does not use a safety training matrix and/or training log to show training topics required and when and how they will be delivered. Some individual departments such as the Water and Wastewater divisions have a training calendar or list of required trainings that their employees participate in on a regular basis. However, there is no standard format

Citywide.

Corrective Action

Use a standard format throughout the City to document employee training requirements. Attached to this report is a training matrix that can be revised and adopted by the Safety Committee.

3) **Recordkeeping**

Issue

Some departments have records that indicated employee training is being conducted on a somewhat regular basis. The records included sign in sheets, certifications, and Excel spreadsheets summarizing employee attendance. Water and Wastewater even purchased their own training management system at the suggestion of a safety consultant. Some of the sign in sheets were lacking required information such as the time the training took place and the length of the class. A standard Training Sign-In Sheet is located in the IIPP, but is not uniformly used. One other recordkeeping component not observed throughout the City is a course evaluation form which is a valuable tool in assessing the knowledge and abilities of an instructor as well as the relevance of the course material.

Corrective Action

Implement TargetSolutions as a centralized Training Records Management System for the City. Standardized templates should be created in TargetSolutions for training events/certifications/Inspections that occur throughout the City for easy department use. Department Safety Coordinators should be trained to oversee their department/division TargetSolutions portal. Supervisors should be trained on how to record unit-level training that occurs, such as bi-weekly tailgate meetings or on-the-job training. Recommend the City adopt a standardized course evaluation form to be handed out and completed optionally by all attendees at all training events, especially outside training. These forms should be delivered to the Safety Officer and should be logged and recorded in a way that creates a database to assess employee satisfaction and confidence with a given instructor/consultant/course.

3.0 CONCLUSION

The safety assessment for the City of Modesto identified areas of compliance that need improvement and/or revision. Meeting and sustaining compliance will involve continually updating the identified written programs, employee training, and routine inspections to identify and correct hazards. Authority must be given to the Safety Officer to carry out the IIPP. Ultimately, the City will have to work on shifting its culture toward prioritizing Safety. This push needs to come from the very top of management to prevent this effort from losing momentum. The City should adopt workplace safety as part of its Strategic Commitments, and acknowledge that our employees are our most important asset. Without this support from upper management, the safety program will not receive the personnel, funding, and attention required to implement the IIPP and achieve compliance.