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MEMO TO THE RESS

OFFICE OF THE GOVERN Sacramento, Californ Contact: Paul Beck 445-4571 2-1-72

> The Salaries and Wages supplement to the 1972-73 budget is now available to the Capitol Press Corps in the Governor's Press Office.



RELEASE: immediate

OFFICE OF THE GOVERNOR Sacramento, California Contact: Paul Beck 445-4571 2-2-72

#61

Governor Ronald Reagan acted today to gather all state forces concerned with earthquake preparedness and research under a single banner with the appointment of a 32-member Governor's Earthquake Council.

The council, which includes experts from all levels of government, the universities and the private sector, will coordinate preparedness and research programs, recommend and evaluate legislation, propose action to reduce the toll of lives and property damage, and work to develop an earthquake warning system.

"While we cannot prevent earthquakes, we know that much can be done to reduce the loss of life and property damage," Governor Reagan pointed out. "But we must also explore every avenue that can lead to a system that will help us to predict when and where earthquakes are likely to occur and their magnitude."

In announcing the formation of the council, the governor commended the legislature's Joint Committee on Seismic Safety for its "excellent progress in the development of earthquake legislation."

He also noted that the week of February 7 has been designated as "Seismic Safety Week" by the legislature in memory of the victims of the San Fernando earthquake of 1971.

"I believe that we can best honor those who suffered in that disaster by resolving to use all the knowledge we can acquire to prepare for and prevent future tragedies," he said.

The governor also endorsed a simulated earthquake exercise scheduled during Seismic Safety Week throughout Southern California by the State Office of Emergency Services in cooperation with local governmental agencies. The exercise will test responses and techniques learned during the 1971 earthquake.

Participants will include the University of Southern California's School of Business Administration and agencies of the City of Los Angeles and the counties of San Bernardino, Los Angeles, Orange, San Diego and Riverside.

The earthquake council, which will hold its organizational meeting later this month, will be headed by James G. Stearns, director of the State Department of Conservation, as chairman.

-1-

Col. Herbert R. Temple, Jr., director of the Office of Emergency Services, will serve as vice chairman and State Geologist Wesley G. Bruer will act as secretary.

Following are representatives and alternates named to the Governor's Earthquake Council:

Representative

Alternate

Dr. S. Theodore Algermissen Admin. Boulder, Colorado

> Rodney J. Diridon San Jose

none

Lawrence C. Baker, Jr. Los Angeles

Mary W. Henderson Redwood City

Professor Joseph Penzien Berkeley

Dr. Orville L. Bandy Los Angeles

Professor J. Freeman Gilbert Professor Richard A. Haubrich San Diego

Terence S. Meade San Francisco

Jay L. Smith Long Beach

Arthur L. Elliott Sacramento

Allen E. Wilmore Santa Rosa

Calvin Jepsen Sacramento

-2-

Dr. Robert E. Wallace Menlo Park

Dr. Leroy R. <u>Alldredge</u> National Oceanic and Atmospheric Admin. Boulder, Colorado

Dr. Clarence R. <u>Allen</u> California Legislature Joint Committee on Seismic Safety Pasadena

Art <u>Arthur</u> Public Member Beverly Hills

Richards D. <u>Barger</u> State Department of Insurance San Francisco

Gene <u>Block</u> League of California Cities Claremont

Professor Bruce A. <u>Bolt</u> University of California Berkeley

Dr. Frank R. <u>Bowerman</u> University of Southern California Los Angeles

Dr. James N. <u>Brune</u> University of California San Diego

Ralph D. <u>Burns</u> Office of Emergency Preparedness San Francisco

Lloyd S. <u>Cluff</u> Association of Engineering Geologists Oakland

Robert J. <u>Datel</u> State Department of Public Works Sacramento

Mrs. Frances K. <u>Dias</u> Office of Civil Defense, U.S. Department of the Army Santa Rosa

Art <u>Dreyer</u> State Department of Housing and Community Development Sacramento

Dr. Jerry P. Eaton U.S. Geological Survey, U.S. Department of the Interior Menlo Park Greer W. <u>Ferver</u> American Society of Civil Engineers San Diego

Kenneth H. <u>Hack</u> California Savings and Loan League San Francisco

Dr. Roy E. <u>Hanson</u> National Science Foundation Washington, D.C.

Dr. George W. <u>Housner</u> California Institute of Technology Pasadena

Fred <u>Hummel</u> State Department of General Services Sacramento

Professor Richard H. Jahns Stanford University Stanford

Robert B. <u>Jansen</u> State Department of Water Resources Sacramento

Willard F. <u>Libby</u> University of California Los Angeles

Daniel D. <u>Mikesell</u> County Supervisors Assn. of Calif. San Bernardino

Thomas J. <u>Nolan</u> State Department of Real Estate Sacramento

Melville <u>Owen</u> Public Member San Francisco

John B. <u>Passerello</u> State Office of Planning and Research Sacramento

William F. <u>Ropp</u> Structural Engineers Association of California, Los Angeles

G. Richard <u>Schermerhorn</u> U.S. Department of Housing and Urban Development, San Francisco

Karl V. <u>Steinbrugge</u> State Mining and Geology Board San Francisco

Ronald S. <u>Thacker</u> California Bankers Association Los Angeles

Mrs. Carol <u>Walker</u> Council on Intergovernmental Relations, Sacramento

Charles A. Zahn American Institute of Planners, California Chapter Martinez Jack S. Barrish Sacramento

James S. Brigham North Hollywood

Dr. Charles C. Thiel Washington, D.C.

none

William R. Vick Sacramento

Professor Robert L. Kovach Stanford

Laurence B. James Sacramento

Dr. Leon Knopoff Los Angeles

Edward E. Bernard St. Helena

Richard D. Carlson Sacramento

none

John Tooker Sacramento

H. Robert Hammill San Francisco

Dale James San Francisco

none

Fielding McDearmon San Francisco

none

none

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RELEASE: Imi liate

#62

Acting Governor Ed Reinecke today <u>reappointed Mrs. Rachel Ayers</u> of Pasadena and <u>Sister Helene Marie Sauers</u> of Burlingame to four-year terms on the <u>Board of Nursing Education and Nurse Registration</u> in the Department of Consumer Affairs.

Mrs. Ayers, Director of Nursing for the City of Hope Medical Center in Duarte, has served on the board since 1968. She lives at 1155 East Del Mar Street, Pasadena. She is a Republican.

Sister Helene, Health Services Education Coordinator for the Sisters of Mercy Convent in Burlingame, has served on the board since 1969. She is a Republican.

Board members receive \$25 per diem while on official duty.

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#63

Acting Governor Ed Reinecke today reappointed three members to four-year terms on the Board of Behavioral Science Examiners in the Department of Consumer Affairs.

They are <u>Richard A. Battaglia</u> of South San Francisco, <u>Mrs. Pearle</u> H. Miller of San Diego and Dr. Rosalio F. Munoz of Los Angeles.

Battaglia, office manager of a chemical firm, lives at 371 Valencia Drive, South San Francisco. He has represented the public on the board since 1969. He is a Republican.

Mrs. Miller, Director of Medical Social Service for the Department of Medical Institutions, San Diego, has represented registered social workers on the board since 1969. She lives at 3075 Malaga, San Diego. She is a Republican.

Dr. Munoz, coordinator of District Pupil Services and the attendance section of the Los Angeles City Board of Education, has represented registered social workers on the board since 1969. Dr. Munoz, who lives at 6164 Mt. Angelus Drive, Los Angeles, is a Democrat.

Board members receive \$25 per diem while on official duty.

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WAS

#64

Acting Governor Ed Reinecke today appointed <u>Dr. Joseph N. Fields</u> of Chula Vista to the <u>Podiatry Examining Committee</u> in the Department of Consumer Affairs.

Dr. Fields, a past president of the California Podiatry Association and a past trustee of California College of Podiatric Medicine, is president of the Arthritis Foundation of San Diego County and a member of the National Advisory Council for Health Professions Education Assistance of the Department of Health, Education and Welfare.

He succeeds Dr. Donald W. Field of San Leandro, whose term has expired.

Dr. Fields, a Republican, lives at 344 Kimble Terrace, Chula Vista. Members of the committee receive \$25 per diem while on official duty.

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RELEASE: Im liate

#65

Acting Governor Ed Reinecke today reappointed Camille M. Shaar of Hope Ranch and William A. DeGroot, Jr., of Venice to four-year terms on the Navigation and Ocean Development Commission, subject to Senate confirmation.

Shaar, director of the General Motors Corporation Defense Research Laboratory in Goleta, has served on the commission since 1969. He lives at 1124 Estrella, Hope Ranch.

DeGroot, a yachtsman and businessman, has also been a commissioner since 1969. He lives at 5205 Ocean Front, Venice.

Both men are Republicans.

Commissioners receive necessary expenses.

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RELEASE: . . nedia te

#66

Acting Governor Ed Reinecke today <u>reappointed Martin M. Cooper</u>, Mt. Shasta businessman and rancher, and <u>Ralph R. Turk</u>, Happy Camp cattleman, to four-year terms on the board of the <u>10th District</u> <u>Agricultural Association</u> (Siskiyou County Fair).

Cooper, who lives at 303 Adams Drive, Mt. Shasta, and Turk, whose address is Box 497 Happy Camp, have served on the board since 1968. Both are Republicans.

Board members receive necessary expenses.

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WAS

RELEASE: Im diate

#67

Acting Governor Ed Reinecke today <u>reappointed Norman T. R. Heathorn</u>, an Oakland contractor, to a four-year term on the <u>Contractors' State</u> <u>License Board in the Department of Consumer Affairs</u>.

Heathorn, who lives at 4834 Haley Drive, Castro Valley, has served on the board since 1968. He is a Republican.

Board members receive \$25 per diem while on official duty.

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WAS

RELEASE: Immediate

#68

Acting Governor Ed Reinecke today announced the appointments of Dr. <u>Philip H. Pope of San Bernardino</u> and <u>Dr. Leo J. Poxon of Palos</u> Verdes Estates to four-year terms on the <u>Board of Dental Examiners</u> of California in the Department of Consumer Affairs. Both are Republicans.

Dr. Pope, who lives at 1414 East Citrus, San Bernardino, will succeed Dr. Lewis E. Martin of Downey, whose term has expired.

Dr. Poxon, who practices in Redondo Beach and lives at 5375 Rolling Ridge Road, Palos Verdes Estates, will succeed Dr. Robert D. Lawson of Upland who did not seek reappointment.

Members of the board receive \$25 per diem while on official duty.

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#69

Governor Ronald Reagan today sent the following telegram to Senator Russell B. Long, Chairman of the Senate Finance Committee, in Washington, D.C.:

"I again want to express my deep appreciation to you and the members of the committee for giving me the opportunity to urge that the kind of welfare reform we have pioneered in California be adopted as a model for the entire nation.

"The fact there are 176,000 fewer people on welfare in California today than there were nine months ago---when previously our welfare rolls were growing at the fantastic rate of 40,000 a month---simply has to remove any doubt that our tried and proven approach to welfare reform really works.

"On the basis of the success we have achieved, I am more convinced than ever before that Congress must act to assure that the states have the statutory and regulatory elbow room they need to adopt the welfare reforms best suited to their own particular needs----unhindered by the stultifying red tape and abuses of discretion so often imposed on us by the welfare bureaucracy at HEW.

"The modifications of federal law and welfare regulations which I proposed to your committee yesterday can provide the states all the tools they need to effectively overhaul and reform welfare. With your help and the support of the members of your committee, Congress can and must see to it that this is done at the earliest possible time. Thank you very much for all you are doing to help us succeed.

"Very sincerely, Ronald Reagan, Governor of California."

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#70

Governor Ronald <u>Reagan</u> today requested the legislature to expand the <u>1972-73</u> budget by approximately \$4 million to enable California to qualify for an anticipated \$60 million in the state's share of federal anti-crime funds.

The Governor said it would be necessary to increase the General Fund level by \$4,085,000 to meet a "state buy-in" provision which will be required next year under the federally-backed Omnibus Crime Control Program.

Since the federal block grant program began in mid-1969, the California Council on Criminal Justice has funded more than 525 projects to improve the police, courts, and correctional system with grant awards in excess of \$45 million from the federal Law Enforcement Assistance Administration. At present, the bulk of the projects are funded on a ratio of 75 percent federal funds, and 25 percent in local matching funds from cities and counties.

The governor said, "Beginning with 1972-73 funding under the Omnibus Crime Control Act, the State of California will be required to 'buy in' to the program by providing not less than one-fourth of the non-federal funds required for each of the crime-fighting projects funded throughout the state."

The governor also stated that by the end of this year, federal block grants to the California Council on Criminal Justice will have totaled nearly \$100 under the LEAA program. Seventy-five percent of these funds are funneled directly to cities and counties for a variety of crime reduction programs and to foster long-range planning in the criminal justice system. Major statewide programs include establishment of regional criminal justice training centers, creation of a statewide system of crime labs, use of electronic data processing to speed operations of the courts, and training of law enforcement personnel in riot control.

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WAS

RELEASE: Im diate

#71

Earl Coke, a member of the governor's cabinet and secretary of the State Agriculture and Services Agency, today sent the following letter to members of the Select Labor Management Factfinding Committee for the State Division of Industrial Safety.

The committee was formed January 24 to examine the operations of the State Division of Industrial Safety and to make appropriate recommendation to Earl Coke for whatever corrective action might be necessary within the division. The committee members are:

--Warren Mendel, Executive Vice President, Engineering and Grading Contractors' Association

--Thomas Richards, California Farm Bureau Federation --Emmons McClung, California Manufacturers' Association --James Lee, President, Building Trades Council, AFL-CIO --Frank Farrell, Teamsters Union

--Kenneth Larson, Chairman, State-wide AFL-CIO Safety Committee Coke forwarded with his letter copies of a "Management Review" of the Division of Industrial Safety which was prepared independently by Department of Finance auditors, at the request of the governor (attached).

Here is the text of Mr. Coke's letter:

"I want to thank you very much for serving on this important factfinding task force and for accepting the responsibility for examining the operations of the Division of Industrial Safety, Department of Industrial Relations.

"To assist you in your efforts, I am <u>enclosing copies of a management</u> <u>review of the Division which was prepared independently by Department of</u> <u>Finance auditors at the request of the governor. Before the review was</u> completed, the auditors' preliminary findings were forwarded to the governor's office.

"As you know, the governor has accepted the resignation of Jack Hatto as chief of the division and named Roy J. Bell as acting chief.

"In addition, the findings of a thorough internal investigation by Director Hern also are being turned over to you for your evaluation.

"Governor Reagan carefully read the preliminary findings and is deeply concerned that the Division of Industrial Safety meet its responsibilities. He has asked me to assume full responsibility for whatever corrective action may be necessary within the division.

- 1 -

"Let me stress that the objective of this administration has been, and continues to be, the protection of the health and safety of California workers through a balanced program of education and enforcement.

"Budgeting for this program has been complicated by the uncertain aspects of federal funding---available under provisions of the new Occupational Safety and Health Act. These uncertainties are not yet completely resolved. However, it now appears that at least \$2 million in additional federal funds can reasonably be expected during fiscal 1972-73. Thus, plans for more definitive budgeting can now be undertaken in the Division of Industrial Safety.

"In addition to the <u>indications of ineffective internal</u> <u>communications and other management deficiencies</u> within the Division of Industrial Safety, the enclosed management review outlines several areas of special concern to which I am directing the immediate attention of Acting Chief Roy Bell.

"First, the report points out some areas where <u>manpower</u> may boo inadequate to handle the workload of the division most efficiently and expeditiously. Several professional positions within the division are now vacant and I am asking Mr. Bell to fill them immediately. The effort of some employees might well be redirected toward field examinations and Mr. Bell tells me that he is already working on that problem.

"Second, the report points out that <u>travel funds</u> are inadequate. Not all travel funds budgeted for the division were utilized last year or it could be that not all are being utilized during the current year. I have asked Mr. Bell to ensure that all appropriations for travel purposes be fully utilized.

"Third, the report discusses the inadequacy of <u>equipment</u>. Although many vouchers may not be in, it appears possible that only a small portion of the equipment money budgeted for the current year actually has been used. Mr. Bell is being asked to immediately expend available funds to bring equipment up to an acceptable level.

"I want to urge that you assess the information contained in this management review along with the findings of Director Hern's investigatio and make appropriate recommendations to me for corrective action at the earliest possible time. The governor has assured me that your recommendations will be given full and careful consideration and will have a substantial impact on whatever decisions we reach.

- 2 -

#71

"We will take whatever steps are necessary, working with the legislature, to see that the Division of Industrial Safety fulfills its vital role of protecting the health and safety of California workers.

"Despite the shameful, politically motivated statements of some so-called legislative leaders, let me assure you that this administration will not compromise the integrity of the division's obligations for providing safe working conditions for the citizens of California. Sincerely,

> Earl Coke Agency Secretary"

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MANAGEMENT REVIEW OF DIVISION OF INDUSTRIAL SAFETY DEPARTMENT OF INDUSTRIAL RELATIONS

JANUARY 1972

Audits Division Department of Finance

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We express:

•

Our appreciation to the employees of the Division of Industrial Safety for their courteous attitudes, their frank and open discussion with our auditors and their willingness to participate on their own time and at their own homes.

Our thanks to Director Hern for the information, reports and cooperation he furnished us.

R. T. SODERBERG, Chief Audits Division

EXECUTIVE SUMMARY

Coverage

Professional employees below the level of Chief were interviewed as follows:

Section	Potential	Interviewed	Percent
Administration	16	15	94%
Construction ·	48	46	96%
Electrical	10	10	100%
Elevators	20	15	75%
Industrial	67	58	87%
Pressure Vessels	53	48	91%
Total	.214	192	90%

FACTS REGARDING STUDY METHODOLOGY

All data collection was done through employee interviews. No records, except the Governor's Budget, were reviewed. Solid data, supported by specific examples were hard to come by and in most instances lacking. Thus, this can be considered an opinion survey rather than a systematic program review.

Nevertheless, the size of the sample interviewed, the frequency of many responses and the convictions evidenced by the employees lead us to believe that the conclusions are sound and indicate that improvement is needed.

Symbols used throughout the Executive Summary are as follows:

- A Adequate
- E Excellent
- InA Inadequate
- NR No Response
- S Satisfactory
- T Total
- UnS Unsatisfactory

There is a Need for Improved Program Management

• Employee responses relating to program management are summarized below:

Section	Ē	<u>s</u>	UnS	NR	<u>T</u>
Administration	4	4	3	4	15
Construction	6	10	30		46
Electrical	2	5	3		10
Elevator	10	2	2	1	15
Industrial	10	30	12	6	58
Pressure Vessels	10	34	1	3	48
Total Employee Responses	42	85	51	14	192

- Of the total employee responses, 27% felt the need for improved program management.
- In the Construction Section, 65% of employee responses (30 out of 46) and in the Industrial Section, 21% of employee responses (12 out of 58) indicated the need for improved program management.
- In the other sections, there were some indications of the need for improved program management.

The Role of the Division is Not Well Defined

- There is a conflict between educational and enforcement activities.
- · Employees feel management stresses education.
- . Management feels employees stress enforcement.

Communications With Employees Needs Improvement

- Many employees feel a lack of policy direction from top management.
- · Safety codes are not current.
- . Application of safety requirements are not uniform.
- Deviations from safety requirements are permitted by higher levels with no feedback to employees as to why.

- · Supervisory personnel spend little or no time in field.
- Employee training to update and refresh their skills is totally inadequate.

Employee Morale Needs Improvement

- The large number of adverse employee responses concerning Division management indicates low employee morale.
- Administrative and supervisory personnel are not responsive to the needs of employees, who, in the main, are dedicated to their jobs.
- In the Construction Section particularly, morale is extremely low. The apparent lack of management support for enforcement has taken its toll.
- In the Electrical and Industrial Sections, morale is below average. It would appear that the most significant contributing factor is insufficient employees to make needed inspections on a reasonable cycle.
- In the Elevator and Pressure Vessels Sections, morale is somewhat higher. This may be due to the fixed workload and the better defined programs of their sections.

Management Support of Safety Engineers Needs Strengthening

Section	E	<u>S</u>	UnS	NR	<u>T</u>
Administration	10	3		2	15
Construction	11	15	19	1	46
Electrical	3	4	3		10
Elevator	14			1	15
Industrial	20 ·	34	1	3	58
Pressure Vessels	19	27		2	48
Total Employee Responses	77	83	23	9	192

The following is a summary of employee responses regarding the level of management support:

- Of the total employee responses, 12% felt that management support was unsatisfactory.
- In the Construction Section, 41% of the employee responses (19 out of 46) rated management support as unsatisfactory.
- In the other sections, most employees felt that management support was fairly reasonable.
- There was a general feeling, however, among employees that all unsafe conditions are not always reported. This was due to their anticipated lack of management support.
- · Few recommendations to prosecute are upheld.
- Inspection reports no longer provide for a prosecution recommendation.
- Many employees feel that management's approach is "don't rock the boat".

There Were Some Indications of External Pressure

• A summary of employee responses concerning employers getting unwarranted favorable treatment follows:

Section	Yes	No	NR	Ţ
Administration	2	11	2	15
Construction	18	28		46
Electrical	5	4	1	10
Elevator	2 .	12	1	15
Industrial	5	47	6	58
Pressure Vessels	2	42	4	48
Total Employee Responses	34	144	14	192

- The possibility of external pressure was indicated in 18% of the total employee responses.
- In the Construction Section, 39% of the employee responses (18 out of 46) indicated the possibility of external pressure.
- In the other sections, there was some concern over the possibility of external pressure.
- Many employees felt that failure to prosecute was indicative of external pressure.

Additional Staffing is Needed

A summary of employee responses concerning staffing follows:

Section	A	InA	NR	<u>T</u>
Administration	4	8	3	15
Construction	19	26	1	46
Electrical		9	1	10
Elevator	1	14		15
Industrial	15	42	1	58
Pressure Vessels	23	24	1	48
Total Employee Responses	62	123	7	192

- Of the total employee responses, 64% felt that staffing was inadequate.
- In all sections, 50% or more of the employee responses indicated that staffing was inadequate.
- Many employees felt that additional staffing was needed for enforcement.
- Some geographical areas are too large to be adequately covered with present staff.
- · There are inspection backlogs.
- Workload is increasing.
- · Paperwork ties up professionals, more clerks are needed.

Travel Funds are Inadequate

· Employee responses relating to travel funds are summarized below:

Section	A	InA	NR	<u>T</u>
Administration	12	1	2	15
Construction	27	19		46
Electrical	1	9		10
Elevator	14		1	15
Industrial	45	10	. 3	58
Pressure Vessels	28	16	4	48
Total Employee Responses	127	55	10	192

- Of the total employee responses, 29% felt that travel funds were inadequate.
- Employee responses indicated that travel funds were inadequate, except in the Administration and Elevator Sections.
- Lack of travel funds restricts needed reinspections, especially where jobs are dispersed over large geographical areas.
- All jobs that should be inspected cannot be inspected due to inadequate travel funds.

Insufficient Equipment is Provided to Safety Engineers

• The following is a summary of employee responses regarding equipment.

Section	A	InA	NR	<u>T</u>
Administration	5	8	2	15
Construction	26	18	2	46
Electrical	2	8		10
Elevators	10	4	1	15
Industrial	27	27	4	58
Pressure Vessels	34	11	3	48
Total Employee Responses	104	76	12	192

- Equipment was inadequate as indicated by 34% of the total employee responses.
- Employee responses indicated that equipment was inadequate in all sections.
- · Outdated and worn out testing equipment should be replaced.
- New, modern, and specialized testing equipment is needed.
- . Two State automobiles were described as being in poor condition.
- At times, employees must borrow equipment from organizations being inspected.
- Many times it is necessary for employees to use their own or borrowed tools.

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INTRODUCTION

The Assembly Select Committee on Industrial Safety, Assemblyman Jack R. Fenton, Chairman, recently held a series of hearings concerning the activities of the Division of Industrial Safety, Department of Industrial Relations. During the course of these hearings, numerous Division employees testified about conditions in the Division which they felt were seriously detrimental to the achievement of Division objectives.

Major complaints made before the commission by these employees included the following:

- Division management frequently fails to "back up" its field safety inspectors in disputes with employers over the enforcement of safety regulations.
- Specifically, on frequent occasions management countermands the attempts of its field inspectors to close down certain unsafe operations or equipment.
- Management shows favoritism toward employers, particularly larger employers.
- . There are an insufficient number of prosecutions recommended by the Division, and inspector's requests for prosectuion could be and usually were overruled at management levels above the

inspector.

Both staffing levels and travel funds are inadequate to do the job.

-1-

During the course of the committee hearings, the appointed Chief of the Division of Industrial Safety tendered his resignation, which was not accepted pending investigation. Governor Reagan directed the Director of Industrial Relations to conduct a study of the Division. Also, on January 21, 1972, in order to obtain the viewpoints and perspectives of a group from without the Department, the Audits Division, Department of Finance, was directed to investigate the problem independently. This is the report of that investigation.

Study Scope and Methodology

The study was a fact finding investigation as to the experiences, opinions and attitudes of the professional employees and supervisors of the Division of Industrial Safety. In the interest of assuring that all voices were heard, an attempt was made to contact all professional employees of the Division below the level of Chief, and to interview these employees at their homes. In addition, a few clerical employees were interviewed when such contacts were recommended by professional employees.

A listing of current Division employees names, home addresses and telephone numbers was obtained from the Department Director. Commencing at 6 p.m., Friday, January 21, attempts were made to reach all employees, at their homes, by telephone. These calls continued through Sunday night, until almost all Division professional employees were reached. The following statement was made to the employees contacted:

Exhibit I

Telephone Contact Speech

The Director of Finance has asked us to contact all professional employees of the Division of Industrial Safety. Our objective is to learn about the operation of the industrial safety program. We are particularly concerned with how well the recommendations of the safety engineers are supported by Division management. We are also concerned about the adequacy of resources assigned to the safety program.

You are no doubt aware of the legislative hearings that have been held on the subject. The administration is not trying to whitewash the problems raised in those hearings. Instead, the Governor wants us to gather additional facts, both good and bad, about the safety program's administration. We have to find out by Monday night.

We would like to interview you this weekend about your own experiences. We would like examples of how your safety recommendations have or have not been supported. We also want your general feelings about the adequacy of the program. If you feel it is inadequate, we want your recommendations as to how it could be improved.

The Director of your department is aware of the study and knows that we are telephoning you. When and where can our representative see you?

Most employees readily agreed to be interviewed at their homes, and appointments were made for Friday evening, Saturday or Sunday. A few insisted that the interviews be conducted on State time, these were interviewed at their work stations on Monday, January 24. Still fewer refused to be interviewed; no pressure was used to try to change their minds. As could be expected, a certain number of employees were unavailable. Interviewers were not directed to follow a specific (patterned) format. Instead, they were given a list of questions to be answered during the interview, but were instructed also to explore any other areas brought up by the interviewee, which were pertinent to the issues at hand. The specific questions, reproduced below as Exhibit 2, were designed with care to be unbiased and open ended, with the objectives of freeing results from distortion and maximizing further responses from the Division employees being interviewed.

Exhibit 2

SURVEY QUESTIONNAIRE

Auditor: Enter required information in space provided. Give detailed explanation on open ended questions. Check appropriate box where additional sheets are used. In addition, describe on reverse the general attitude of employee.

Int	crview time Date Approximate Duration
1.	Name2. Position
3.	Office Location 4. Territory
5.	Now long have you been in: a. Safety work?b. Your present job
6.	Describe your present job.
7.	In 1971, about how many:
	a. Inspections did you make?b. Violations did you find?
	c. Violations corrected by contractor?
	d. Disputed violations upheld by management?
	e. Disputed violations reversed by management?
	승규가 승규들은 가격 모양을 하지만, 영상에서 모양을 가지 않는 것은 모양을 가지 않는 것이 같아. 이렇게 가지 않는 것이 많은 것을 하는 것이 같아.

.8.	In general how do you feel about the level of support that you receive from your management?	ur recommendations
		Additional Sheet
9.	Can you give us some examples where your recommendations were you feel they should have been? (Get approximate dates, job description of incident, safety engineer's recommendations, m and by whom.)	and firms involved,
		Additional Sheet
- 10.	What percent of the time would you say your recommendations w they should have been?	entity and the second data <u>an an</u> da
		Additional Sheet
11.	In your opinion, did any of the incidents described result in of employees? (Elaborate)	Additional Sheet
12.	Do you have any feelings that employers are getting unwarrant from the department? Please give examples.	
		Additional Sheet
13.	How adequate are the travel funds at your disposal?	Additional Sheet
14.	How adequate is the equipment at your disposal?	Additional Sheet
15.	Now adequate do you feel staffing levels are in your portion safety program? Why?	
		Additional Sheet
16.	In your opinion how well managed is the program? Why?	Additional Sheet
Aud	itor's Name	

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When all of the interviews were completed, the interview reports were reviewed carefully by Audits Division supervisory personnel, and the field interviewers were questioned to be sure that all important information was captured.

The results of the interviews are summarized in the balance of this report, by Section. Our overall findings and conclusions are given in the Executive Summary which precedes this report section.

FACTS ABOUT THE DIVISION

The Division of Industrial Safety is in the State Department of Industrial Relations. It operates under the authority of Labor Code, Division 1, Chapter 6, Section 142, and Division 5, Part 1 through 7, which direct it to administer and enforce safety standards, investigate accidents, participate in educational activities and formulate statewide safety standards.

The overall program of the Division, then, provides for field safety surveys of places of employment to bring correction of unsafe conditions through code enforcement, to improve safety performance through education and consulation, to investigate accidents and complaints; and to develop, maintain and publish codes of safety standards and assist this endeavor. This overall activity is accomplished through eight program elements, staffed and funded as indicated in Exhibit 3, on the following page:

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Program Elements - Division of Industrial Safety

PROGRAM REQUIREMENTS Continuing program costs Workload adjustments	70-71 281.9	71-72 277.2 23	72 -73 276.8 -	1970-71 \$4,934,440	1971–72 \$4,965,098 388,663	1972–73 \$5,003,773
Totals, The Prevention of Industrial Injuries and Deaths to California Workers General Fund Federal funds Reimbursement	281.9	م د مرور د موند آبو		\$4.934,440 4,893,150 41,290	\$5,356,161 4,922,098 388,063 46,000	\$5.003,773 4,957,773 46,000
A. Safety for employees in construc- tion	58.1	63.1	60.1	\$1,051,459	\$1,119,543	\$1,077,221
 B. Safety for employees exposed to electrical hazards C. Safety for employees while using 	14.4	13.3	13.3	268,314	234,260	238,386
or repairing elevators, escalators or aerial tramways D. Safety of employees from radia-	30.8	30.3	30.1	518,492	553,387	571,276
tion, dusts, fumes, vapors, gases, etc. E. Safety for employees in industrial plants, and operations including	12.2	10.4	10.4	224,919	187,890	186,407
mineral industries F. Developing and coordinating Cali- fornia OSHA projects, cataloging California Health and Safety	83.7	87	80	1,456,830	1,526,602	1,433,904
Codes, and comparing state and federal health and safety laws	÷	13			233,484	
G. Safety for employees from pressure vessel failure or malfunction	78.5	79.7	79.5	1,346,595	1,423,496	1,435,636
H. Education and engineering research activities for industrial safety	4.2	3.4	3.4	67,831	77,499	60,943

The Division of Industrial Safety is organized into seven operating sections and functions out of its San Francisco headquarters and 21 field locations. Overall management comprises a Chief, (appointed) Assistant Chiefs, Northern and Southern (civil service) and an Assistant to the Chief (appointed). Each of the program elements, except Environmental Safety, is headed by a Supervising Safety Engineer (civil service) and each of the five major inspection programs (pressure vessels, industrial, elevator, electrical, and construction) have their own field organizations supervised by Senior Safety Engineers. There are no area supervisors in the field offices to coordinate division activities in the geographic regions. Field engineers report through their own chain of command, by section, to San Francisco headquarters.

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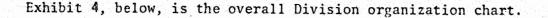
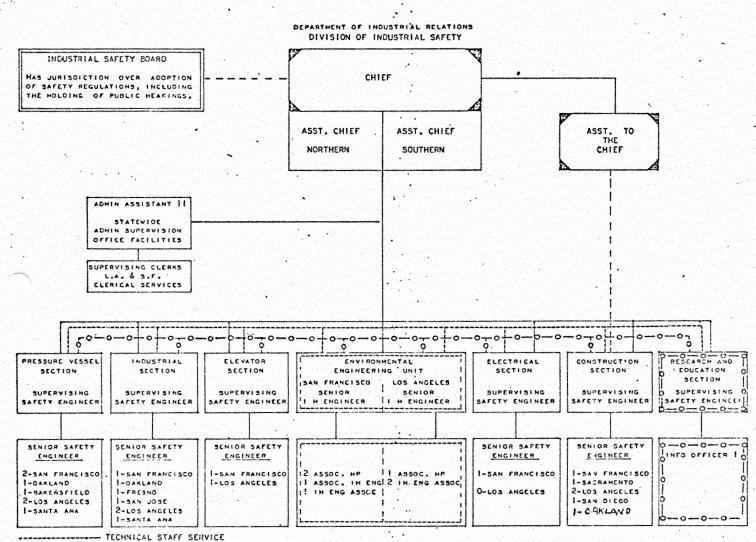


Exhibit 4



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-0-0-0-0-EDUCATIONAL STAFF SERVICE

NOTE: THIS CHART COVERS ONLY SUPERVISORY LEVELS OF THE LINE ORGANIZATION. SEE INDIVIDUAL ORGANIZATION CHARTS FOR SAFFTY ENGINEER ASSIGNMENTS WITHIN.EACH SECTION.

DECEMBER 1971

ADMINISTRATIVE UNIT

Unit Organization

The Administrative Unit of the Division of Industrial Safety is comprised of top management (Chief, Assistant to The Chief, 2 Assistant Chiefs, Administrative Assistant), as well as the Research and Education group and the Environmental Engineering group, for a total of 16 positions. Eleven of these positions are located in the San Francisco office and 5 in the Los Angeles office.

Study Coverage

The Division Chief was not interviewed, but all other 15 employees were.

Workload Data

Within this group, many of the employees are supervisory and do not regularly make inspections. For those employees regularly making inspections, workload statistics gathered during the interviews were not felt to be valid. Employees were interviewed on the weekend and hence, no accurate statistics were available. Several employees would not venture guesses and others made only gross approximations.

Management Support

As would be expected, this unit, which is primarily a management group, generally is supportive of present management practices. When questioned about the level of support their recommendations receive from top management, there were no responses indicating unsatisfactory support.

Favorable Treatment of Employers

On the question of employers receiving unwarranted favorable treatment from the Department, only two felt that this was the case, and neither could (or would) give specific examples.

Travel Funds

This group almost unanimously agreed that travel funds are adequate. One employee felt more funds were needed (to attend professional conferences).

Equipment

The group was split on the question of equipment. Generally speaking, Environmental Engineering group employees felt the greatest need for additional modern, specialized testing equipment.

Staffing Levels

Most employees felt strong needs for additional staff.

Overall Management

With respect to overall program management, interesting comments were made by several employees. One employee believes the Division is divided into two factions, one concerned with enforcement, the other with education. This, he states, is resulting in disagreements about the organization's role, which affects Division effectiveness, even though each group thinks it is doing what is best. This individual also stated that several safety engineers are incompetent and should be removed. Another employee, who asked to remain anonymous, felt overall Division management was quite poor. In his opinion, lines of authority were unclear, discipline lacking and no leadership existed. He commented that the Chief just wants to be a "good guy". It should be noted, however, that several other employees felt management was excellent.

CONSTRUCTION SECTION

Staffing and Organization

The needs, objectives, workload measures and inputs of this program element are shown in Exhibit 5 below.

Exhibit 5

A. Safety for Employees in Construction

Need

In 1969 the construction industry had an injury rate of 74.4 injuries per thousand workers, more than twice the overall rate for all industries of 31.6. The 1969 construction disabling injury total was 22,308 of which 134 were fatal. In 1968 there was an injury total of 21,072, a rate of 72.5 injuries per thousand workers, and a fatality total of 116.

Objectives

To prevent employee injuries at construction projects.

Output	Actual Estimated		Estimated	
	1969-70	1970-71	1971-72	
Unsafe conditions corrected	33,708	33,400	36,700	
Accidents investigated	607	600	660	
Special calls	6,210	6,150	6,760	
Complaints and requests investigated	2,089	2,070	2,280	
.Safety speeches	103	102	112	

General Description

This element involves conducting of field surveys by division engineers specializing in construction safety, for the purpose of bringing about corrections of unsafe practices; the investigation of accidents and establishment of preventive programs; the investigation of complaints and requests; the delivery of safety talks and educational materials; the preparation of proposed construction safety standards for possible board adoption as administrative law.

Input	Actual	Estimated	Estimated
	1969-70	1970-71	1971-72
Expenditures	\$1,009,785	\$1,033,509	\$1,069,512
Personnel man-years	60.7	60.1	60.1

Source: Governor's Budget 1971-72, pg. 284.

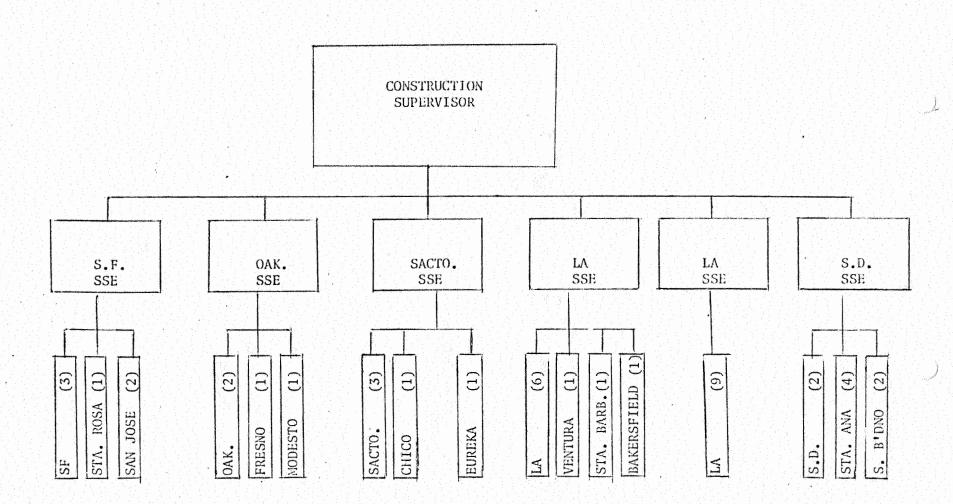
An organization chart follows (Exhibit 6). Note the geographic distances between the supervisor and the engineers in some areas.

EXHIBIT 6

Construction Section Organizational Chart

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State of California Department of Industrial Relations Division of Industrial Safety



Scope

In this review, we contacted 46 professional employees headquartered in 16 localities. Thirty nine were safety engineers and seven were in supervisory capacities.

Number of Inspections and Violations Reported

We asked how many inspections were made and how many violations were reported. These statistics vary widely. Frequently employees indicated they were relatively meaningless because there is no standard method of counting violations.

When we asked whether disputed violations were reversed by management, we received strong indications that many violations are not reported, because the engineers have little faith that management will support them. There were frequent comments that Division management does not want controversial items reported, so consequently the engineers do not report them. Instead, the man in the field frequently handles the violations himself, or lets them go uncorrected.

In part, this may be due to difference in philosophy between management and field engineers. Much of management seems to believe that the best job can be done by educating contractors in safe practices, while most field engineers want strict enforcement, including prosecution of habitual offenders or serious offenses.

Therefore, while few disputed violations were reported as reversed by management, an apparent cause is that engineers have learned not to report items they feel will be reversed. Pertinent comments regarding reversals included the following:

- "Management is not always wrong in reversing the field engineers".
- . "Management reports are carefully prepared so as to leave no options to management but to back me up."
- "I go out of my way to keep my administration from getting involved in my field work because of past sad experiences."

Level of Support for Recommendations

We asked each interviewee: "In general how do you feel about the level of support that your recommendations receive from management?"

The percentage of employees who felt support was unsatisfactory is, in our opinion, indicative of major problems. In addition, many employees reiterated that support was satisfactory only because the employees only recommended what they believed management would support.

Pertinent comments included the following:

"Backing is inadequate. I feel responsible for enforcing laws, yet management is passive toward backing the engineer. My power to enforce is inadequate."

- One employee said that only one-third of the prosecutions recommended by inspectors included sufficient cause for action under existing Division policy.
- Change in policy and administration were reported as resulting in decreased enforcement powers.
- Recommendations are frequently overruled without the recommender's knowledge and without his being consulted.

Examples of Non-support of Recommendations

Eighteen of forty-four employees interviewed gave us examples of nonsupport with varying amounts of detail.

One engineer noted that the form used to report violations formerly contained a space for the engineer's recommendation to prosecute or not. About two years ago the space was dropped.

Some employees indicated that support was received only when it was a very serious situation.

Other pertinent comments included the following:

- "Construction section engineers avoid controversial situations by selecting the jobs and times to inspect so that violations are not likely to be present. There would be more violations reversed by management if inspectors reported everything."
- Inspectors do not report everything because Division does not like to prosecute.

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Recommendations Not Followed When They Should Have Been

We asked about "the percent of time you would say your recommendations were not followed when they should have been". Percentages reported varied from 0% to 50% with 24 reporting 0% to 1%. However, many employees reporting 0 percent also stated that they did not report what they knew management would not support. Before they adopted this posture, rejections were reported as having been high.

Injuries or Deaths

Ten employees cited examples of incidences of non-support of their recommendations which in their opinion resulted in subsequent injury or death.

Preferential Treatment

Eighteen engineers, or 46% of the non-supervisors, felt that some employers receive unwarranted preferential treatment, especially large, influential companies.

Many engineers indicated that contractors do not comply as they should because they know the Division will not prosecute. Some are habitual offenders. One engineer categorized the Division as a "paper tiger".

Many felt that employers were getting unwarranted favorable treatment because the power to prosecute is seldom used. In addition, employees complain that the policy is not to red tag, but to be gentle.

Adequacy of Travel Funds

There is a wide variation in opinions as to whether travel expenses are adequate.

Many indicated they have had inadequate allowances in the past. However, most supervisors feel travel allowances are adequate.

The method generally used is to allot to each engineer an amount that he may use for travel in a given month. These amounts generally are assigned by the supervisor and vary from \$125 to \$200 including about \$84 used to finance auto mileage. There were indications that:

- Engineers make repeat inspections around headquarters because they do not have funds to go further into the field.
- Many inspections are delayed longer than advisable because of lack of funds.
- . Engineers can't make all the trips they should.
- Orders are not to stay overnight at Location X. May lose 4 hours of work, driving 180-200 miles in one day.

Adequacy of Equipment

Some comments on inadequacy were:

- No standard tools furnished. Bought own.
- Absolute minimum in quality in less than first class condition.
- Several felt air conditioned cars were needed particularly in hot areas.
 - Lack of testing equipment. Several mentioned lack of gas meters and noise level meters.

Staffing Levels

When asked: "How adequate are staffing levels in the Construction Sections?," answers seem to differ among the field men depending on their understanding of the Division's mission. Those who believe it is to "educate" felt staffing was adequate. Those who felt their primary job was "enforcement" felt staffing was inadequate.

One comment repeated several times was that the section was overstaffed with Senior Engineers, but understaffed in working level engineers. Some felt that Seniors were "not doing a job"; others felt that the job assigned to Seniors was not worth doing as many of the duties were clerical in nature. Some felt that the Seniors' experience and talent are being wasted. Others reported that some Senior Engineers were not well qualified.

Other comments on staffing included:

- "Can't have someone on a construction job daily. Lucky to hit the big ones once a month."
 - "Staffing would be adequate if we were backed by management. As we are not, no number of staff could effectively enforce safety regulations."

"We are low on clerical help."

"Salaries are lower than Federal and private industry". (One said 30% lower.)

Opinion of Management

The high incidence of dissatisfaction with Division management is unique in our experience and warrants careful attention.

Several of the employees interviewed felt that reorganization of the Division was necessary to correct the situation. Many felt that supervisors should be closer geographically to the field employees. Supervisors are frequently in cities far removed from the headquarters of the engineer and communications between them are poor.

Other comments made several times included:

- Employees need more training in new methods and equipment.
- . Management is poor because they do not prosecute enough.
- Management policy de-emphasizes enforcement and emphasizes training of contractors through education.
- Attitude of present management is "Don't Rock the Boat" (dont' report controversial violations).

Other comments on inadequacy were:

- . Division lacks leadership.
- . Management is excellent, however, enforcement in the construction section cannot be accomplished within the present administration framework.

Division lacks policy statements.

- Contractor knows that field men will have difficulty getting stop orders approved by management.
- "I have never been instructed on what to enforce. In 5 years we have had only 3 staff meetings."
- . Esprit de corps has dropped.
- . Disunity between North and South. No statewide leadership.
- Not enough legal advice available.

Conclusion

Our interview in the Construction Section disclosed that this Section has more major problems than any other portion of the Division. Morale is exceedingly low. Communications, according to all indications, need substantial improvement. There is a serious split between what the safety engineers feel to be the role of the Section (enforcement) and management's emphasis (education). Inspectors believe that punitive actions against employers who deviate from safety regulations have sunk to such a low level that the Division has become "a paper tiger". Consequently, they be ieve that habitual offenders ignore safety inspectors warnings and continue unsafe practices because no actions will be taken against them.

Field inspectors also believe that favoritism is shown for major employers. This, of course, could not be verified. Staffing levels may be too low. Certainly, small jobs far from headquarters are infrequently inspected. However, this determination again depends upon one's interpretation of the Division's role and about management determinations as to the required frequency of inspection.

ELECTRICAL SECTION

Program Data

Safety engineers in this section conduct field surveys to identify and correct unsafe conditions and practices; investigate accidents, complaints and requests; and establish preventative programs. This section also proposes electrical safety standards for possible board adoption.

Budget and Staffing

The 1972-73 expenditures are estimated at \$238,386. Currently there are 8 Safety Engineers and 2 Supervising Safety Engineers, distributed as follows:

Fres	sno 1
Los	Angeles 2
Reda	ling 1
Saci	ramento 1
San	Bernardino 1
San	Diego 1
San	Francisco 3

Total 10

Both supervisors are located in San Francisco and have statewide responsibility.

Interview Coverage

All ten professional employees of the Electrical Section were interviewed in person by members of the review team.

Inspections and Violations

The reported number of inspections and related violations varied widely among the inspectors interviewed for a number of reasons:

- Inspectors guessed at the numbers
- Some "did not know"

- Different areas being inspected
- . Probable different criteria for tabulating the number of inspections.

Consequently, the workload data collected for this survey is of doubtful accuracy. The information concerning employee experiences, attitudes and opinions is considered to be valid.

Violations Reversed by Management

Only one major violation on which the Safety Engineer had been reversed by management during 1971 was reported. Details were not revealed, except that the violation was by a major company in the Los Angeles area.

Management Support

Field-level management support is generally considered by Electrical Section employees to be satisfactory to excellent. However, two staff members feel that they receive very little support from top management. Both were quite vocal on this subject: they believe top management "always" puts them on the defensive and "usually" overturns their decisions in favor of employers, other state agencies (the Building Standards Commission), and even other sections of their division. Because of this, one seeks every opportunity to circumvent or to not involve top management. When he must, he anticipates reversal of his recommendations.

Examples of Non-Support by Management

Only three employees reported incidents involving electrical violations on which the inspectors were not supported by management. Examples are:

- 1. Improperly installed air conditioning.
- An unidentified job where, allegedly, external pressure was used to circumvent regulations.
- State operations which Electrical Section employees are not allowed to inspect.
- 4. Improper fuses supplied by a major manufacturer.
- 5. A major business firm not required to meet national standards.

Recommendations Not Followed by Management

Practically all field engineers reported that their recommendations were accepted. However, one reported a low exception rate, since he "did not involve management"; another reported that he was reversed on 20 percent of all violations that he found.

Injuries and Deaths

No known deaths or injuries resulted when reported violations were overruled by management. However, 52 electrical fatalities occurred in 1970 due to other reasons.

Special Treatment to Employers

The majority of the employees contacted felt the various segments of industry received some special treatment. Some either had no proof or were unwilling to cite specifics.

Examples of entities reported as receiving special treatment included:

- . Certain farmers
- . Utility companies
- . Certain manufacturers or large corporations
- . Some state operations

Travel Funds

Practically all employees of this section stressed the lack of adequate funds for travel. They are limited to monthly allotments and mileage restrictions which they believe are insufficient to allow the travel necessary to do the job.

Equipment

Most employees felt they needed additional equipment, including testing devices, meters and gauges. At present, employees borrow these from other jurisdictions, when obtainable.

Staffing

All section employees consider staffing levels to be totally inadequate. They estimated that 50 men could not cover the State properly. The current staffing of ten is reported to allow for scheduling on a crisis basis and the investigation of accidents, rather than a program of accident prevention.

Program Management

Section employees report that program management is generally adequate to excellent. Adverse criticism was confined to the aforementioned complaints of certain employees, staffing and travel expense level complaints, and excessive workload.

Other Problem Areas

There appears to be a need for standardized electrical regulations and updating of safety orders. Various other Division sections and other state organizations adopt, apply and interpret regulations in conflict with the Electrical Section.

Conclusion

Few problems exist at the field level in most district offices of this section. In attempting to determine how well the programs are managed, the major complaint was excess workload for the amount of staff assigned. Complaints of favoritism, while few, warrant further investigation. This is difficult, however, without specific examples.

ELEVATOR SECTION

Organization

Briefly, the employees of the Elevator Section are distributed as follows:

	Supervising Safety Engineer	Senior Safety Engineer	Safety Engineer
Northern Region San Francisco Sacramento	•	1	10 1
Southern Region Los Angeles San Diego		1	5 <u>1</u>
Total Positions	1	2	17

Responsibilities

The Supervising Safety Engineer is responsible statewide for the safety inspection program directed toward annual licensing of about 38,000 elevators, escalators, ski lifts and tramways. Inspections are also made when requested by insurance companies. In addition, elevator company plans are reviewed.

Inspections resulting in observations of unsafe conditions are posted with a red tag (Notice of Unsafe Conditions). If the inspection results in a shutdown, a yellow tag (Notice of Shut-Down) is posted. Before a yellow tag is posted, it must be approved by the Supervisor, Assistant Chief, and Chief.

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Management Support

We interviewed the Supervisor, two Seniors, and 12 Safety Engineers. They all indicated that they received excellent support from higher management levels. A few cases of recommendations being reversed were reported. They are as follows:

- · Public building with home elevator.
- · Illegal dumbwaiter.
- · Small superficial breaks in elevator cable.
- Elevator machine room did not provide sufficient working space for service and repair workers.
- . Insufficient access to service elevator mechanism.
- · Elevator motor installed halfway under a wall.

Apparently most of these reversals permitted deviations from requirements because they did not create unsafe conditions and to make changes would be costly and may cause unsafe conditions. Also, at times there are judgmental differences between the safety engineer and his superiors.

There was some feeling expressed that deviations from requirements may be granted due to external pressure.

Travel Funds

All employees in this section indicated that travel funds were adequate.

Equipment

Most employees felt that equipment was adequate. However, some employees indicated the need for testing devices (scales, voltage meters, torque gauge, etc.). Two state automobiles were described as in poor condition.

Staffing

All of the employees expressed a need for additional staff. Some reasons were as follows:

- . Overall backlog of inspections--about 5,000.
- . Nine months inspection backlog in San Francisco.
- . Two to three months inspection backlog in Los Angeles.
- . Six months to a year inspection backlog in San Diego.
- . In San Francisco, some reinspections deferred 16 to 18 months.
- . Increased workload as insurance companies discontinued inspections. Now use division inspections.
- . Recruiting problems, private sector and Los Angeles County salaries greater than state salaries.
- . Need more capable clerical help.

One employee thought that the 1972-73 budget request included 11 new positions; however, he believes that they may have been eliminated.

Program Management

Most employees thought that the program was well managed. Some suggestions for improvement were made as follows:

- . Increase communication from top management.
- . Reduce paperwork.
- · Increase the fee structure to make inspections self-supporting.
- . Establish a fee for reviewing elevator plans.
- . Establish uniform applications of inspection requirements between Northern and Southern Regions.
- . Increase revenue by reducing inspection backlogs.

- Attend American National Standards Association Conference and help establish standards.
- Charge for inspection of ski lifts (fee collected in Northern Region but not in Southern Region).

Conclusion

Employees indicate excellent support from higher management levels. Their concern for additional staffing appears to have merit. Backlogs of inspections, increased workload, and recruiting problems impede program accomplishments. Suggestions for improved program management are worthy of further consideration, especially those relating to uniform application of inspection requirements, which should include permitted deviations, and the development of a fee structure to make inspections self-supporting.

Introduction

The Industrial Section of the Division of Industrial Safety is responsible for the safety of employees in industrial plants and operations including mineral industries. Accident prevention is accomplished through an organized safety program encompassing numerous activities. Aspects of the program assigned higher priorities include inspections at plant sites and operations to bring about corrections to unsafe conditions and practices; investigating and reporting accidents; answering complaints or requests from employers, labor, or interested parties to investigate what is believed to be an unsafe condition or practice; furnishing technical advice and guidance to various organizations including registered architects, contractors, and city building inspection departments in order to assure new construction plans and specifications comply with California Safety Orders; lecturing on safety subjects upon request; and evaluating or assisting with safety programs sponsored by employers.

The Section is staffed with one supervising safety engineer, eight senior safety engineers and 58 safety (field) engineers. One senior is a temporary appointment resulting from the Division's involvement in the OSHA Program (Public Law 91-596, the Occupational Safety and Health Act). Six field engineers are currently assigned to pilot or other special activities. The safety engineers are spread out geographically throughout California in 19 cities. We interviewed nearly 90 percent of all the engineers.

Level of Support for Recommendations

The following query was posed to all field engineers interviewed, "In general how do you feel about the level of support that your recommendations for corrective action received from your management?" The general consensus was

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that recommendations were supported by management. Examples of the responses are, "good, adequate, strong support, excellent, etc." One employee, however, stated that generally recommendations are now supported, but this has not always been the case. Another field engineer stated that during the first eight years of employment, there were only three instances where top management refused to back him. He also indicated that in each case he managed to get all unsafe conditions corrected.

As a follow up to the previous question, field engineers were asked to give examples where their recommendations were not supported when they felt they should have been. As indicated by the preceding paragraph, almost every response was negative. One employee said that a request for a special tag order was withdrawn because of pressure from outside the division. Another stated that a recommendation was reversed without an explanation. It was reported that an employee was seriously injured because a supervisor granted an employer an extension of time while the field engineer wanted to stop the operations immediately. The incident occurred several years ago.

When we asked employees to give us examples of where and when their recommendations had not been supported by management, we received 52 answers stating they had no examples; that management had always supported them or had convinced them that an alternative recommendation was more feasible.

The examples cited by the six employees who said their recommendations had not been supported when they should have been included:

• One industry's sound levels are above legal requirements and employees had not been required to wear ear protection. The engineer's supervisor would not support him in requiring compliance.

- About 1969, an engineer wrote requirements for a firm to (1) install safety railings in certain areas and (2) a method of handling combustible dust. A supervisor subsequently went to the employer, conducted an inspection and rescinded the engineer's requirements. The reason was not explained and the engineer was not present during the inspection by the supervisor.
- One engineer stated that in the first eight years of his employment there were three instances of management not supporting him when they should have. In two of those cases, he obtained compliance without support from management. He states now he tries not to seek support of management, relying only on his own devices.
- An office building did not have exit railings. A special tag order requested was withdrawn. The engineer believes it was because of external pressure put on management.
- An employer was cited for 56 violations. The engineer was not supported. He believes it was because of external pressure put on management.

Cases Which Resulted in Injury or Death

Of the 50 field safety engineers interviewed by our staff, we asked each if, in their opinion, there had been instances where their recommendations had not been supported by management of their section or division or followed by employers and as a result there had been an employee injured or killed. We received 47 "no" answers and three "yes" answers.

In one instance, involving an exposed mechansim, an employer was under written requirement to correct the matter. Before reinspection and before correction, an employee's clothing caught in the mechanism. The employee was thrown clear when his clothing tore and he received only bruises and cuts. In the opinion of the engineer, the employee would have been killed had the In another instance, about five years ago, an employee was killed by a mower along a freeway grade. The engineer attributes his death to the failure of the division to require roll-over bars on mowers.

In another instance, again several years ago, an employee lost a limb because a division supervisor refused to go along with the safety engincer's decision to issue a "show cause" order. The supervisor gave the employer a time extension instead.

Within the time constraints our staff worked under, we were not able to analyze or even verify the positive answers. We note that two of the instances cited to our staff happened some time ago.

Feelings of Employers Getting Unwarranted Favorable Treatment

Do you have any feelings that employers are getting unwarranted favorable treatment from the department? In response to this question, we received a feeling that there is a reluctance to issue "show cause" orders to employers. Such orders would cause employers inconvenience and result in increased costs. Violations are reported and rereported without penalties being inflicted. Certain large employers seem to be favored. Chances are good that field personnel can be reversed if appeals are made to headquarters.

Examples of other comments made by division employees were:

Some industries operate at excessive sound levels with most employees being very hard of hearing.

- A manufacturer did not have to comply with field findings on two of its products.
- · An unsafe ladder can be corrected over a four to six-month period.
- · Prosecution of employers is dependent on long drawn-out legal processes.
- A hospital has an unsafe smokestack, but no action is taken.
- Safety requirements for an employer were dropped as a result of external pressure.

Adequacy of Travel Funds

The answers to the quesiton, "How adequate are travel funds at your disposal?", indicated mixed feelings exist. Men in isolated locations covering large areas felt travel funds were insufficient. Employees seem to be satisfied if their work is within easy commuting distance. Field men tend to believe supervisors should get out of office more often.

Examples of these mixed feelings were:

- · Infrequent staff meetings are held due to lack of travel funds.
- . Advised to limit travel as much as possible in his 12 northern counties.
- Limited to 1,200 miles in Los Angeles area per month but adequate.
- · Cannot cover territory and assigned areas of responsibility.

- . Travel with Bureau of Mines forces division to provide sufficient travel funds.
- . Funds for outlying areas are inadequate.
- . The word is watch travel expenditures and overnight trips.
- . Funds are only one-half of what is needed.

Adequacy of Equipment

"How adequate is the equipment at your disposal?"

Safety engineers are about evenly divided in their opinion as to the adequacy of equipment to do their work. However, this division is misleading as most of the men stating that equipment was adequate were from the large metropolitan offices. In the samller, more isolated offices, the inadequacy of equipment becomes more apparent. In part, this inadequacy may be in the use and distribution of available equipment rather than in statewide deficiencies.

Some of the items listed to be in short supply are:

Sound and noise level meters (most frequent) Projectors and visual aid equipment Industrial hygiene testing equipment Light meters Velometers Photographic equipment Mine gas testors A few men stated that they had to borrow equipment from employers to make their tests or have local government make their tests. One man stated that he had personally invested \$2,000 in photographic and projection equipment, a typewriter and a tape recorder.

The responses show that there is a real need for the Industrial Section to survey its equipment needs and correlate these needs with available equipment in the division or in the department.

Adequacy of Staffing

"How adequate do you feel staffing levels are in your portion of the industrial safety program?"

The consensus of the safety engineers is that the Industrial Section is grossly understaffed. The general feeling is that workload has grown immensely in the last twenty years with no increase in staff. There was also a feeling that the Construction Section has a greater proportionate staff. Some of the comments were as follows:

- . Too much industry to be covered by the present staff.
- . Takes ten years to cover territory once.
- Many more inspectors could be used if all the high risk areas are to be inspected every few years.
 - Not half enough men in the field.

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- . Staffing needs to be tripled.
- . Must cover the territory of four men.
- . Respond mainly to fires -- need 100 percent increase.
- . So shorthanded not able to answer complaints within five days.
- . Paperwork ties up professionals--need more clerks.

Management of Program

We asked all employees interviewed the questions "In your opinion, how well managed is the program? Why?"

In response, we received a wide variety of opinions. Quite often, comments made by those interviewed did not appear consistent with their overall evaluation of the management of the program.

On the positive side, a most frequent answer given had to do with either the dedication or skill of particular individual managerial personnel and, frequently, comments were made to the effect that management had recently improved or was in the process of improving.

On the negative side, several specific comments were made. Included in these were:

> Management does not protect safety of workers. Frequently cited was "management's failure to support safety orders on Roll-Over protection devices."

> > 10

- Management is subject to external pressure. Frequently cited was the ability of large employers to ask the division to relax or rescind a requirement.
- The field engineers receive little input from management. Management is not sensitive to the needs of lower ranks.

The unit cannot compete salarywise with other organizations and salary ranges between classes are too compacted. They cannot attract many good employees and there is no good incentive for promotion. As a result, too many new hires are retirees from another career, frequently the military.

There is an inadequate number of personnel, inadequate equipment, and inadequate travel funds. As a result, the energies of the unit are used in putting out "fires" and they do not have the resources to plan and execute an overall good safety program.

Department and division management are so subject to external pressure that they do not make and vigorously defend adequate budget requests.

Based on our review, we conclude there is a fairly wide-based dissatisfaction in the unit with management at the division and department levels and with other agencies of state government.

Other Comments

There were a number of comments made in addition to responses to specific questions which are useful to gauging the morale and the feelings of the employees in the organization. These include:

- . Top management has never been exposed to actual field conditions and is inexperienced in dealing with problems.
- . Not enough communications from top to bottom of organization.
- . Unsafe conditions which should be taken to enforcement are not written up because of nonenforcement climate.
- Violations are statistics which are inflated through administrative pressure--playing numbers game with workload statistics for budgetary purposes.
- . Great need for method to identify high risk industries and areas for special attention.
- A "show cause" order is a weak enforcement instrument--fines would be more effective.

PRESSURE VESSELS SECTION

Section Objectives

The objective of this unit is to prevent employee injuries caused by pressure vessel failure or malfunction. The unit conducts field inspections of pressure vessels and makes shop inspections of new pressure vessels.

Organization

Offices are located in Bakersifield, Chico, Fresno, Long Beach, Los Angeles, Modesto, Oakland, Sacramento, San Bernardino, San Diego, San Francisco, San Jose, Santa Ana, Santa Barbara, Santa Rosa and Stockton. The section is headed up by a Supervising Safety Engineer with 7 Senior Safety Engineers responsible for the supervision of Safety Engineers.

Study Coverage

The interview teams directly contacted the Supervising Safety Engineer, all 7 of the Senior Safety Engineers and 40 of the Safety Engineers.

Workload Data

Most of the interviewed employees are inspectors. Even so, it would seem that the workload statistics obtained from them may not be valid because the employees were interviewed on the weekend and could only give approximations.

Management Support

One fact that came out very clearly was that violation decisions made by the field staff in this section were almost never reversed by top management. Not one example could, or would, be given where an employee recommendation was not supported by supervisors. Employees were asked how they felt about management support of their recommendations.

In no case did an employee feel his recommendations were not followed over one percent of the time.

Injuries and Deaths

One employee reported that on one occasion, a vessel blew up, killing 3 people. His investigation revealed that illegal repairs had earlier been made to the vessel. Although his findings were reported on "up the line" no further action was taken. This employee still felt management was doing a good job. With the limited details available, we do not feel justified in disputing his opinion.

Unwarranted Favorable Treatment

The question as to whether employers are getting unwarranted favorable treatment from the department was asked. The two employees responding "yes" were from the same office. One felt that this was not done intentionally, however, and the other felt it was due to understaffing.

Travel Funds

Some employees felt that they were not able to make enough inspections because of travel fund restrictions; most did not feel this way.

Equipment

When asked how they felt about the sufficiency of equipment, most employees responded that it was adequate. The "inadequate" responses concerned out-dated or worn out testing equipment.

Staffing Levels

The question on adequate staffing levels split the group almost down the middle. Their general feeling was that there are sufficient supervisors, but more field inspectors and clerical staff were needed.

Program Management

Employees in this unit almost unanimously agreed that program management was satisfactory.

The only comment made by an employee responding "unsatisfactory" was that communications between division sections and between top management and employees was poor.

One supervisor would not respond directly to the questionnaire, but made comments such as:

- . Some people are afraid to talk
- . Supervision is very weak
- . Communications are bad (several others also made this point)
- . Suspects contractors are bribing employees
- . Tremendous waste in the Construction Unit
- . Records disappear from files
- . Lack of support for inspectors
- . Top management acts like it's retired

This individual could not, or would not, provide any specific data. Several of his comments were directly contradicted by the results of our questionnaire.

Conclusions

In general, it appears to be the concensus of most employees that this unit is well managed and has relatively few problems. Several employees commented that Construction was the only unit in the division to have serious problems.

MEMO TO THE PALESS

OFFICE OF THE GOVERNOR Sacramento, California Contact: Paul Beck 445-4571 2-3-72

> Governor Reagan's Los Angeles press conference on Friday, February 4, in the Century Plaza West Side Room will be held at <u>10:30 a.m.</u> (instead of 10:00 a.m.).

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#72

Governor Ronald Reagan announced today state license fees for real estate brokers and salesmen will be reduced by \$10 effective April 1, 1972.

Real Estate Commissioner Robert W. Karpe instituted new regulations to allow the reduced fees after passage of Assembly Bill 324 paved the way. That bill enables the commissioner to prescribe lower license fees by regulation.

Governor Reagan said, "I am very pleased to see that in spite of inflation, one of our state agencies is making it possible for licensees to look for their first reduction in fees in 40 years. I congratulate Bob Karpe and his department for effecting substantial economies while still providing the same efficient service to the public at a reduced cost to the licensees."

Governor Reagan added, "I believe license fees should correspond as closely as possible to the cost of administering the laws."

The fee cut will mean annual savings to California real estate practitioners of approximately \$500,000. Under the new regulation, real estate brokers and salesmen will pay \$75 and \$50 respectively for a four year license.

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Further change in time of Governor's Press Con-

ference scheduled for Los Angeles, Century Plaza West

Side Room, tomorrow:

11:00 A.M.

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instead of 10:30 a.m.

OFFICE OF THE GOVERNC Sacramento, Californ. Paul Beck Contact: 445-4571 2-3-72

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#73

Governor Ronald Reagan today branded as "sheer obstructionism" a decision by Sacramento Superior Court Judge William Gallagher which effectively prohibits the state from checking the outside incomes of welfare recipients.

Judge Gallagher issued the temporary restraining order Monday, but the state was not informed of the existence of the order and the state officials lawsuit until this afternoon. In effect, it prevents from checking 1 on the income of welfare recipients unless the individual gives his personal consent.

"Such a ruling is sheer obstructionism and goes far beyond the discretion of the court, " the governor said in announcing the state would appeal immediately.

"How anyone in a responsible position --- especially a judge --- could rule that the state cannot check into the outside income of welfare recipients is almost beyond belief, although this is not the first decision of this court that meets that description.

"Perhaps the judge did not realize what he was doing because it is difficult to believe that any intelligent person would say the state does not have a moral as well as legal obligation to determine a person's eligibility before handing out the taxpayers' cash willy-nilly."

The governor also said it was "unconscionable, indeed a flagrant violation of public trust" that Judge Gallagher issued his order without any notice whatsoever to the state and without hearing any evidence to support the state's position.

"Such action is totally unfair to the tax-paying citizens of California since it fails to afford them due process of law. Such judicial misconduct certainly reinforces the public's low opinion of our court system, " the governor said.

Judge Gallagher's decision enjoins the State Department of Social Welfare from consulting with or obtaining any information from the State Department of Human Resources Development having to do with the outside earnings or income of welfare recipients. The Department of Social Welfare began exhanging such information with HRD in late December when Social Welfare's new computerized Earnings Clearance Reports System was instituted.

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GOVERNOR'S SCHEDULE February 7, 1972 through February 13, 1972

Monday, February 7

No public appointments scheduled

Overnight - Sacramento

Tuesday, February 8

10:30 a.m.

PRESS CONFERENCE

Overnight - Sacramento

Wednesday, February 9

Thursday, February 10

Friday, February 11

Saturday, February 12

Sunday, February 13

11:30 a.m.

Meeting with 9th grade students from Compton, Governor's Office. <u>Overnight - Sacramento</u> No public appointments scheduled <u>Overnight - Sacramento</u> No public appointments scheduled <u>Overnight - Los Angeles</u> No public appointments scheduled <u>Overnight - Los Angeles</u> No public appointments scheduled <u>Overnight - Los Angeles</u>

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#75

Governor Ronald Reagan today appointed seven members to the new California Hospital Commission.

Created by 1971 legislation, the commission is empowered to develop and approve systems for accounting and uniform reporting by hospitals with the aim of stabilizing hospital costs through efficiency and economy.

Members of the commission, whose appointments are subject to Senate confirmation, include:

Everett Southard, assistant economist for the Kaiser Foundation Health Plan, Oakland; <u>Henry B. Dunlap</u>, administrator of Children's Hospital of Los Angeles; <u>Dr. James B. D. Mark</u>, Professor of Surgery, Stanford University School of Medicine; Mrs. <u>Elizabeth Rowen</u>, a San Rafael business woman and civic leader; <u>Albert B. Halverson</u>, a Los Angeles insurance executive; <u>Theodore E. Cummings</u>, a Los Angeles businessman, and <u>Allen J. Manzano</u>, president of a Sacramento management systems firm.

Southard, who lives at 985 Euclid Avenue, Berkeley, will represent comprehensive group practice prepayment health care service plans on the commission. He is a Democrat.

Dunlap, who lives at 881 Cumberland Road, Glendale, will represent hospital chief executive officers. He is a Republican.

Dr. Mark, a resident of 921 Casanueva Place, Stanford, will represent licensed physicians. He is a Republican.

Mrs. Rowen, who lives with her husband James and their family at 360 Johnstone Drive, San Rafael, will represent consumers. She is a Republican.

Halverson, who is Senior Executive Vice President of Occidental Life Insurance Company, will represent health insurance plans. He lives at 1615 Pegfair Estates Drive, Pasadena. He is a Republican.

Cummings, director of Pacific Coast Properties in Los Angeles, will represent consumers. He lives at 911 Hillcrest Road, Beverly Hills. He is a Republican.

Manzano, a former chief deputy director of the Department of Health / lives at 1013 Fordham Drive, Davis. Care Services, He will represent consumers. He is a Republican.

The commissioners, who will serve four-year terms, will receive necessary expenses

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#76

Governor Ronald Reagan today <u>reappointed Dr. Glenn S. Dumke</u>, Chancellor of the California State Colleges, to a four-year term on the Western Interstate Commission for Higher Education.

Dr. Dumke, who has served on the commission since 1971, lives at 285 West California Boulevard, Pasadena. He is a Republican.

His appointment is subject to Senate confirmation.

Members of the commission receive necessary travel expenses.

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#77

Mrs. <u>Olive H. Auser</u> of Groveland and <u>Edgar H. Popke</u> of Sonora were <u>reappointed</u> today by Governor Ronald Reagan to four-year terms on the board of the <u>29th District Agricultural Association</u> (Mother Lode Fair).

Mrs. Auser, a Groveland civic leader, and Popke, a rancher, have served on the board since 1968. Her address is Box 113, Groveland, and his address is Box 1182, Sonora. Both are Republicans.

Board members receive necessary expenses.

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RELEASE: I >diate

#78

Governor Ronald Reagan today reappointed Charles C. Messick, a Marysville farmer, and <u>Martin J. Newkom</u>, a Yuba City real estate salesman, to four-year terms on the <u>13th District Agricultural</u> Association board (Yuba-Sutter Fair).

Messick lives at 7652 B Plantz Road, Marysville, and Newkom lives at 1235 Stewart Road, Yuba City. Both have served on the board since 1968. Both are Republicans.

Board members receive necessary expenses.

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RELEASE: I ediate

#79

Governor Ronald Reagan today reappointed Alfred J. Bianchi of Point Reyes Station and William A. Gnoss of Novato to four-year terms on the board of the Fourth District Agricultural Association (Sonoma-Marin District Fair).

Bianchi, a retired dairyman, has served on the board since 1941. He is a Republican. His address is Box 146, Point Reyes Station.

Gnoss, a rancher and farmer, has also served on the board since

1941. He is a Democrat. He lives at 623 Olive Avenue, Novato. Board members receive necessary expenses.

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RELEASE: 1 ediate

#80

Governor Ronald Reagan today reappointed B. H. Hill, a retired farmer, and <u>Walter W. Stroming</u>, a hardware store owner, both of Mariposa, to four-year terms on the 35a District Agricultural Association (Mariposa County Fair and Homecoming).

Hill, whose address is Star Route Box 232, Mariposa, and Stroming, whose address is P.O. Box 667, Mariposa, have served on the board since 1968. Both are Republicans.

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Board members receive necessary expenses.

#81

Governor Ronald Reagan today <u>reappointed Walter J. Holmdahl</u>, a Lompoc rancher and businessman, and <u>William F. Luton, Sr.</u>, president of a Santa Barbara television station, to four-year terms on the 37th District Agricultural Association (Santa Barbara County Fair).

Holmdahl, whose address is P.O. Box 1084, Lompoc, has served on the board since 1968. He is a Republican.

Luton, a rancher and president of KEYT-TV, lives at Rancho San Juan, Los Alamos. He has served on the board since 1968. He is a Republican.

Board members receive necessary expenses.

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#82

Governor Ronald Reagan today reappointed John Cotton, a San Diego realtor, and <u>Grant B. Potter</u>, president of a Dinuba forest products company, to four-year terms on the <u>Real Estate Commission</u>.

Cotton, who lives at 2980 Nichols Street, San Diego, has served as a commissioner since 1968.

Potter, who has represented the public on the commission since 1970, lives at 785 Saginaw, Dinuba.

Both are Republicans.

Commissioners receive actual and necessary travel expenses.

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#83

Governor Ronald Reagan today appointed Dr. <u>S. Don Schultz</u>, a consulting psychologist and Dean of the California School of Professional Psychology in San Francisco, to the <u>Psychology Examining Committee</u> in the Department of Consumer Affairs.

Dr. Schultz, 46, will fill the unexpired term of Dr. Rudolph J. Brandt of Los Angeles, who has resigned. The term ends in June, 1975.

Dr. Schultz, who earned his Ph.D. from Pennsylvania State College, practices in Palo Alto. His home is at 330 Lunada Drive, Los Altos. He is a Democrat.

Committee members receive \$25 per diem for each day of official duty.

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#84

Governor Ronald Reagan today named Los Angeles Deputy City Attorney Michael T. Sauer to the Los Angeles Judicial District Municipal Court.

Sauer, 35, a Republican, will receive an annual salary of \$32,273. He succeeds the late Judge David Mohr.

A member of the Los Angeles City Attorney's staff since 1964, Sauer is a graduate of the University of Santa Clara and earned his law degree from the Loyola University School of Law.

He is a member of the Los Angeles County Bar Association, the American Bar Association, the American Judicature Society, the Criminal Courts Bar Association, the Advocates (Loyola Law School Contributors Organization), Phi Delta Phi Legal Fraternity and the Attorney General's Committee on Pornography.

Sauer and his wife Marianne live in Los Angeles.

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RELEASE: ____mediate

#85

Governor Ronald Reagan today appointed <u>Albert L. Buffington</u> of Stockton and <u>reappointed three members</u> to four-year terms on the board Of the <u>Second District Agricultural Association</u> (San Joaquin County Fair).

Buffington, president and general manager of the Diamond Walnut Growers, Inc., of Stockton, succeeds Albert D. Aringa of Stockton, whose term has expired.

Buffington, a Republican, lives at 7221 Alexandria Street, Stockton.

Reappointed were <u>Robert Ryburn</u>, a rancher, of P.O. Box 684, Linden, who has served on the board since 1954; <u>Ellsworth S. Beckman</u>, a banker, 7868 East Highway 12, Lodi, and <u>John H. Dillon</u>, a retired labor official, 1120 West Mariposa Street, Stockton.

Beckman has served on the board since 1970 and Dillon has been a member since 1965.

Ryburn and Dillon are Democrats. Beckman is a Republican.

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RELEASE: ...mediate

#86

Governor Ronald Reagan today appointed Municipal Judge <u>William H.</u> <u>Woodward of Stockton as a public member of the Areawide Mental</u> <u>Retardation Program Board for Area VI</u>, which includes the counties of Amador, Calaveras, San Joaquin and Tuolumne.

Judge Woodward, who has served on the Stockton Judicial District Municipal Court bench since 1967, will succeed Clifford Wisdom of Stockton whose term has expired.

The term is for three years. Judge Woodward is a Republican.

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