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PRESS★

MANAGEMENT REVIEW OF
DIVISION OF INDUSTRIAL SAFETY
DEPARTMENT OF INDUSTRIAL RELATIONS

JANUARY 1972

Audits Division
Department of Finance

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 

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INDUSTRIAL SAFETY PROGRAM

EXECUTIVE SUMMARY

Coverage

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

<u>Section</u>	<u>Potential</u>	<u>Interviewed</u>	<u>Percent</u>
Administration	18	17	94%
Construction	48	46	96%
Electrical	10	10	100%
Elevators	20	15	75%
Industrial	67	58	87%
Pressure Vessels	51	47	92%
Total	214	193	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 the study conclusions are sound.

OVERALL CONCLUSIONS


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 Improvements

- Many employees feel a lack of policy direction from top management.
- Safety codes are not current.
- Application of safety requirements are not uniform.
- No feedback on permitted deviations from safety requirements.
- Supervisory personnel spend little or no time in field.
- Training for field personnel to update and refresh their skills is totally inadequate.

Management Support of Field Personnel Needs Strengthening

- In the Construction Section, 43% of employees interviewed (20 out of 46) rated management support as unsatisfactory.
- In other sections, there appeared to be reasonable management support; however, there were some indications that management support could be improved.
- There was a general feeling that field personnel do not always report all unsafe conditions due to anticipated lack of management support.
- Few recommendations to prosecute are upheld.
- Many field personnel feel that management's approach is "don't rock the boat".
- Field reports no longer provide for a prosecution recommendation. 

There Were Some Indications Of Favoritism

- Most employees felt that various segments of industry received some special treatment.
- At times, deviations from safety requirements may be granted to influential persons or organizations.
- Many employees indicated that failure to prosecute was unwarranted favorable treatment.

There Were Some Indications That Travel Funds Were Inadequate

- Employees indicated travel funds were adequate, except in the Construction and Electrical Sections.
- Lack of travel funds restricts needed reinspections, especially when jobs are dispersed over large geographical areas.
- All jobs that should be inspected cannot be inspected due to inadequate travel funds.

Additional Staffing Appears Needed

- Most employees expressed a need for additional staffing.
- Many employees felt staffing for enforcement was inadequate.
- Paperwork ties up professionals, need more clerks.
- There are inspection backlogs.
- Workload is increasing.
- Geographical areas too large to be adequately covered with present staff.

EMPLOYEE MORALE

Based upon the testimony at the select committee hearings, we anticipated that employee morale might be low in this Division. However, we were surprised with the extent that employees were particularly dissatisfied. X

In the Construction Section particularly, morale was as low as we have seen in any examination of State departments. Safety employees, in the main, were dedicated to their jobs, as they see them. However, the apparent ambivalence about the Division's role, the lack of communications, the apparent lack of management support for enforcement activities had all taken their toll.

In other sections, such as Pressure Vessels and Elevators, morale was considerably higher. This is possibly due to the fixed workload and the better defined programs of these sections.

The morale in the Industrial Section was below average. We believe the most significant contributing factor is there were insufficient employees to cover the industrial concerns on a reasonable cycle.

The noted low morale in Construction and in some of the other sections may have been one cause of the large number of adverse comments received about Division management.

Insufficient Equipment is Provided to Field Employees

- Outdated and worn out testing equipment should be replaced.
- At times, must borrow equipment from organizations being inspected.
- Need new, modern, specialized testing equipment.
- Two State automobiles were discarded as in poor condition.
- Many times it is necessary for employees to use their own or borrowed tools.

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 prosecution could be and were usually overruled at any management level.
- . Both staffing levels and travel funds are inadequate to do the job.

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. Exhibit 2, on the following page, summarizes the interviewing efforts.

Exhibit 2

Division of Industrial Safety

Employee Interview Coverage

<u>Units</u>	<u>Potential Number of Interviews</u>	<u>Number of Interviews Conducted</u>	<u>% of Potential Interviewed</u>
Administration	18	17	94%
Construction	48	46	96
Electrical	10	10	100
Elevators	20	15	75
Industrial	67	58	87
Pressure Vessels	<u>51</u>	<u>47</u>	<u>92</u>
Total	214	193	90%

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 3, 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 3

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.

Interview time _____ Date _____ Approximate Duration _____

1. Name _____ 2. Position _____

3. Office Location _____ 4. Territory _____

5. How 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? _____

8. In general how do you feel about the level of support that your recommendations receive from your management?

Additional Sheet ☐

9. Can you give us some examples where your recommendations were not supported when you feel they should have been? (Get approximate dates, job and firms involved, description of incident, safety engineer's recommendations, management action and by whom.)

Additional Sheet ☐

10. What percent of the time would you say your recommendations were not followed when they should have been?

Additional Sheet ☐

11. In your opinion, did any of the incidents described result in the injury or death of employees? (Elaborate)

Additional Sheet ☐

12. Do you have any feelings that employers are getting unwarranted favorable treatment 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. How adequate do you feel staffing levels are in your portion of the industrial safety program? Why? Additional Sheet ☐
16. In your opinion how well managed is the program? Why? Additional Sheet ☐

Auditor's Name _____

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 consultation, 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 4, below:

Exhibit 4

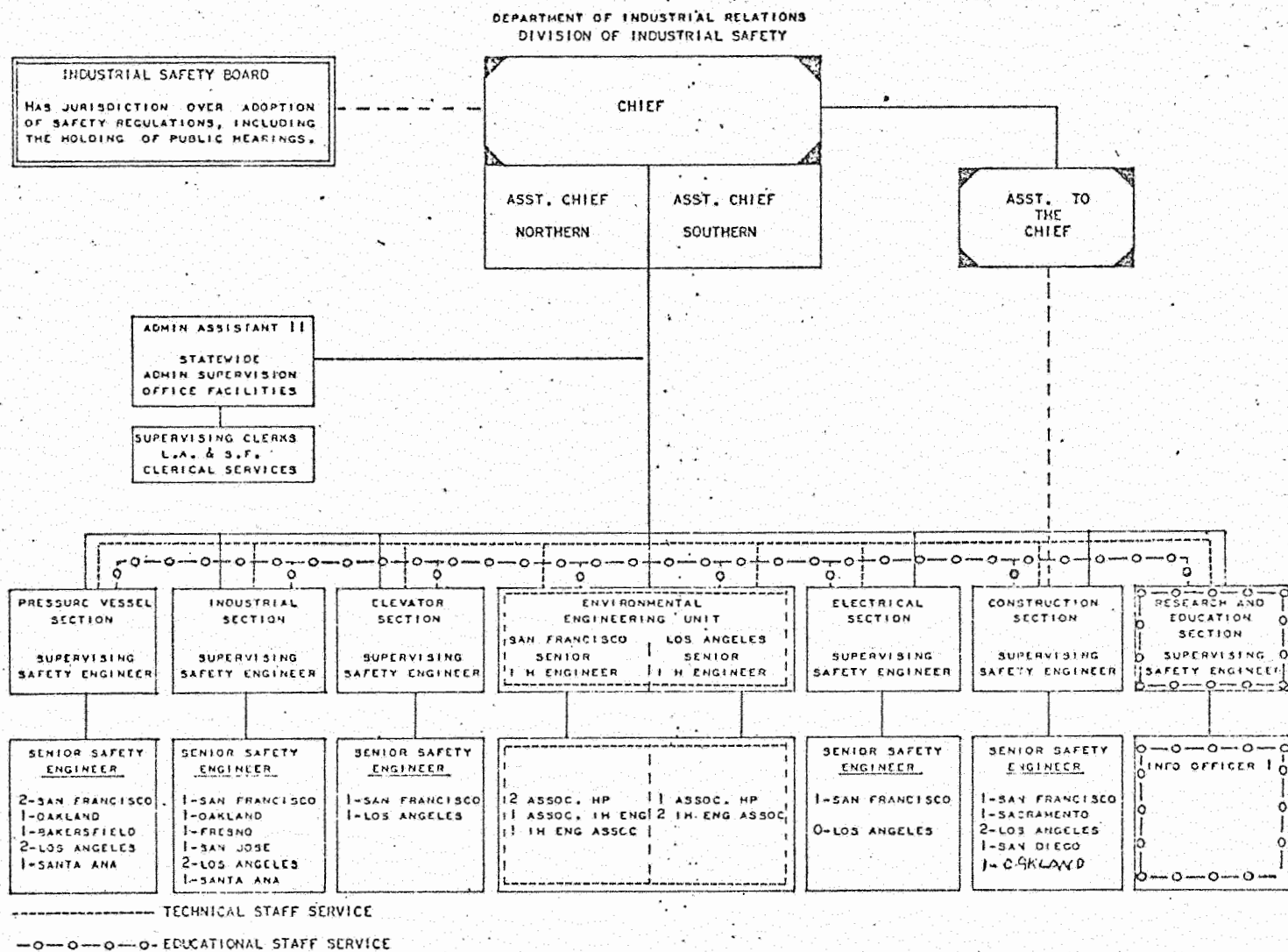
Program Elements - Division of Industrial Safety

PROGRAM REQUIREMENTS	70-71	71-72	72-73	1970-71	1971-72	1972-73
Continuing program costs -----	281.9	277.2	276.8	\$4,934,440	\$4,968,098	\$5,003,773
Workload adjustments -----	-	23	-	-	388,063	-
Totals, The Prevention of Industrial Injuries and Deaths to California Workers -----	281.9	300.2	276.8	\$4,934,440	\$5,356,161	\$5,003,773
General Fund -----				4,893,150	4,922,098	4,957,773
Federal funds -----				-	388,063	-
Reimbursement -----				41,290	46,000	46,000
Program Elements:						
A. Safety for employees in construction -----	58.1	63.1	60.1	\$1,051,459	\$1,119,543	\$1,077,221
B. Safety for employees exposed to electrical hazards -----	14.4	13.3	13.3	268,314	234,260	238,386
C. Safety for employees while using or repairing elevators, escalators or aerial tramways -----	30.8	30.3	30.1	518,492	553,387	571,276
D. Safety of employees from radiation, dusts, fumes, vapors, gases, etc. -----	12.2	10.4	10.4	224,919	187,890	186,407
E. Safety for employees in industrial plants and operations including mineral industries -----	83.7	87	80	1,456,830	1,526,602	1,433,904
F. Developing and coordinating California OSHA projects, cataloging California Health and Safety 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.

Exhibit 5, below, is the overall Division organization chart. Charts for each section, as appropriate, are included in the appropriate report section.

Exhibit 5



NOTE: THIS CHART COVERS ONLY SUPERVISORY LEVELS OF THE LINE ORGANIZATION. SEE INDIVIDUAL ORGANIZATION CHARTS FOR SAFETY 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 group, which was primarily a management group, generally is supportive of present management practices, with some exceptions. When questioned about the level of support their recommendations receive from top management, the following responses were elicited:

Excellent	10
Satisfactory	3
Unsatisfactory	0

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; adequate, 5; inadequate, 8. Generally speaking, Environmental Engineering group employees felt the greatest need for additional modern, specialized testing equipment.

Staffing Levels

Eight employees felt strong needs for additional staff, while only four felt staffing was adequate.

Overall Management

With respect to overall program management, 4 felt it was excellent, 4 called it adequate and 3 found it unsatisfactory. Four employees did not respond.

Interesting comments were made by several employees. The Information and Education Offices believes the Division is divided into two factions, with Division administrators generally being pro-management and the safety engineers being pro-labor. This, he states is resulting in in-fighting which seriously affects Division effectiveness, even though each group thinks it is doing what is best. This individual also stated that several safety engineers were incompetent and would have been fired long ago were it not for powerful labor protection.

Another high level 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 6 below.

Exhibit 6

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.

<u>Output</u>	<u>Actual</u> 1969-70	<u>Estimated</u> 1970-71	<u>Estimated</u> 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.

<u>Input</u>	<u>Actual</u> 1969-70	<u>Estimated</u> 1970-71	<u>Estimated</u> 1971-72
Expenditures	\$1,009,785	\$1,053,509	\$1,069,512
Personnel man-years	60.7	60.1	60.1

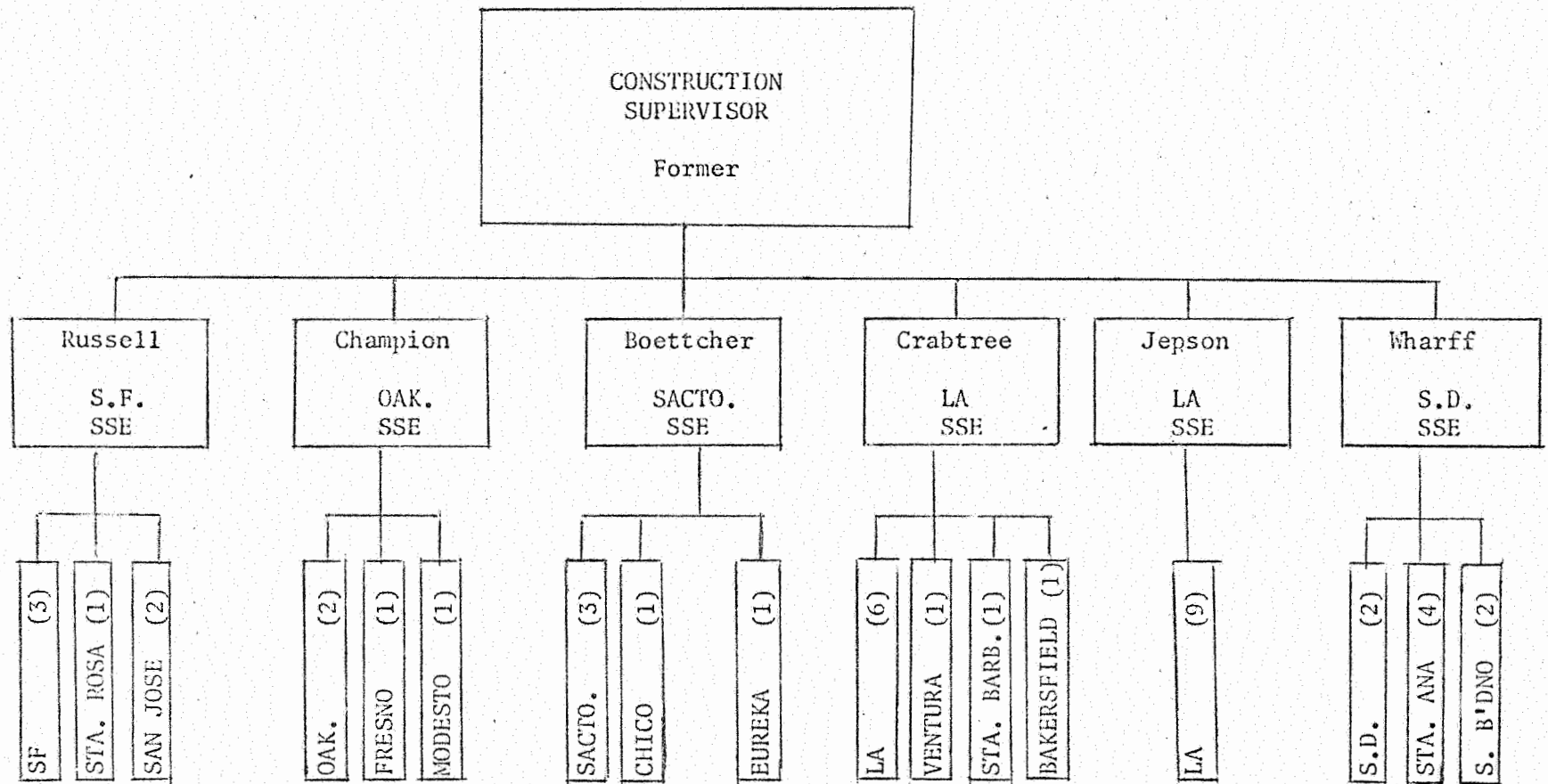
Source: Governor's Budget 1971-72, pg. 284.

An organization chart follows (Exhibit 7). Note the geographic distances between the supervisor and the engineers in some areas.

EXHIBIT 7

Construction Section
Organizational Chart

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 themselves, 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 re 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?"

Responses were as follows:

Excellent	11	24%
Satisfactory	15	33%
Unsatisfactory	20	43%

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 Senior 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 non-support 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.

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:

Adequate	27	59%
Inadequate	19	41%

Many more 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 Plant X. May lose 4 hours of work, driving 180-200 miles in one day.

Adequacy of Equipment

When asked about adequacy of equipment, 26 answered that it was adequate while 18 felt it was inadequate. 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", the following responses were received:

Adequate	19, including 2 supervisors
Inadequate	26

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

Excellent	6
Adequate	10
Unsatisfactory	30

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" - (don't 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, needs 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 believe 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 and persons with political influence. 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. Professional staffing comprises 8 Safety Engineers and 2 Supervising Safety Engineers, distributed as follows:

Fresno	1
Los Angeles	2
Redding	1
Sacramento	1
San Bernardino	1
San Diego	1
San Francisco	<u>3</u>
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, the supervisory personnel themselves feel that they receive very little support from top management. Both supervisors 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 supervisor 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, including the two supervisors, reported incidents involving electrical violations on which the inspectors were not supported by management. Examples are:

1. Improperly installed air conditioning.
2. An unidentified job in Corona or Covina where, allegedly, political influence was used to circumvent regulations.
3. 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. The major exceptions were the two supervision engineers. One of these reported a low exception rate, since he "did not involve management"; the other 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 the supervisors, 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. The one exception is San Francisco where the administrative offices are located. These employees are most critical of management. However, that may be due to their close proximity to top administrators.

It is difficult to determine if there are personality conflicts, if the supervisors themselves are at fault, or if there is a management problem.

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 organization of the Elevator Section is as follows. There are a total of 22 authorized positions for the 1971-72 fiscal year.

	<u>Supervising Safety Engineer</u>	<u>Senior Safety Engineer</u>	<u>Safety Engineer</u>
Northern Region			
San Francisco	1	1	11
Sacramento			1
 Southern Region			
Los Angeles		1	6
San Diego	—	—	<u>1</u>
 Total Positions	1	2	19

Of the 19 safety engineer positions, two are vacant; one each in both the Northern and Southern Regions.

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 shut-down, 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.

Management Support

We interviewed the Supervisor, two Seniors, and 13 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:

- . Universal Plaza Building--public building with home elevator
- . Universal Studios--illegal dumbwaiter
- . Bank of America Building--small superficial breaks in elevator cable
- . Marin County Court House--elevator machine room did not provide sufficient working space for service and repair workers.
- . Bank of America Building--insufficient access to service elevator mechanism.
- . Hilton Hotel--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 to influential persons or organizations.

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, tongue 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 RR inspections 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 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.
- . Change fee inspection of ski lifts (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.

INDUSTRIAL SECTION

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 by one supervising safety engineer, eight senior safety engineers, one of which is a temporary appointment resulting from the Division's involvement in the OSHA Program (Public Law 91-596, the Occupational Safety and Health Act), and approximately 60 safety (field) engineers. These safety engineers are spread out geographically throughout California in 19 cities. We interviewed about 90 percent of them.

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

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 political pressure from outside the division. Another stated that a recommendation was reversed without an explanation. It was reported that an employee lost a limb because a supervisor granted an employer an extension of time. 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:

- . Cotton gin 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 coal 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 pressure put on management.
- . A country club was cited for 56 violations. The engineer was not supported. He believes it was because of 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 shaft on a cotton gin, an employer was under written requirement to correct the matter. Before reinspection and before correction, an employee's clothing caught in the shaft. 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 clothing been stronger.

In another instance, about five years ago, an employee was killed by a mower along a freeway grade south of Red Bluff. 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 engineer'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 these answers:

Yes	5
No	47
No Opinion	6

There is a reluctance to issue show cause letters 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 comments made by division employees were:

- Cotton gins operate at excessive sound levels but most cotton gin operators are very hard of hearing.

- . A crane manufacturer situated in San Francisco did not have to comply with field findings in Long Beach on two of its cranes.
- . An unsafe ladder in a mine can be corrected over a four- to six-month period.
- . Prosecution of employers is dependent on foot-dragging district attorney.
- . Stockton hospital has unsafe smokestack.
- . Los Coyotes Country Club findings were dropped after pressure from State Senator.

Adequacy of Travel Funds

The answers to the question, "How adequate are travel funds at your disposal?", were as follows:

Adequate	45
Inadequate	10
No Opinion	3

Mixed feelings exist on travel funds. 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? The answers were:

Adequate 27

Inadequate 27

No Opinion 4

The above tabulation shows that the 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 smaller, 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 testers

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 responses were:

Adequate	15
Inadequate	42
No opinion	1

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 gets a greater proportion of 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.
- . 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?" The responses received were as follows:

Very Good or Excellent	10
Satisfactory or Adequate	30
Unsatisfactory or Inadequate	12
No response	<u>6</u>
Total	58

In response to the question "Why?", we received a wide variety of responses. 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."
- . Management is subject to "political pressure." Frequently cited was the ability of large employers to influence legislators 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 political 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 Bakersfield, 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 a staff of 7 Senior Safety Engineers and 47 Safety Engineers.

Study Coverage

The interview teams directly contacted the Supervising Safety Engineer, all 7 of the Senior Safety Engineers and 40 of the 47 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.

When the employees were asked how they felt about management support of their recommendations, the employees responded in this manner:

Excellent	19
Satisfactory	27
Unsatisfactory	0

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 owned by a major oil company 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 elicited the following responses:

Yes	2
No	42

Both employees responding "yes" were from the Bakersfield office. One felt that this was not done intentionally, however, and the other felt it was due to understaffing.

Travel Funds

This unit consists primarily of field inspectors. The question on the adequacy of travel funds was answered thusly:

Adequate	28
Inadequate	16

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, 34 employees responded that it was adequate and 11 that it was inadequate. Most of the "inadequate" responses were centered in the Los Angeles-Long Beach-Santa Ana area. The complaints concerned out-dated or worn out testing equipment.

Staffing Levels

The question on adequate staffing levels split the group almost down the middle:

Adequate	23
Inadequate	24

The employees from Bakersfield, San Diego and Santa Ana were unanimous that staffing was inadequate. 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:

Excellent	10
Adequate	34
Unsatisfactory	1

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

One supervisor in the Southern California area 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 consensus 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.