



Contractor Packet

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Checklist of Labor Law Requirements

(CCR Title 8, Section 16421)

Ultimately the prime contractor is liable for their sub and specialty contractors. This checklist is a useful tool for the prime contractor to ensure that their sub and specialty contractors know their responsibilities on public works projects. Contractors who understand and comply with the law are more likely to deliver the job on time, on budget and done right the first time. We suggest the prime contractor encourage completion of this checklist by their sub and specialty contractors.

NAME (PRINT) _____ DATE _____

COMPANY _____ PHONE _____

ADDRESS _____ FAX _____

CITY _____ STATE _____ ZIP CODE _____

PROJECT MANAGER _____ SUPERINTENDENT/FOREMAN _____

CERTIFIED PAYROLL _____ PHONE/EXT. _____

CONTRACTOR LICENSE NO. _____ EXP. DATE _____ SPECIALTY LICENSE NO. _____

SELF-INSURED CERTIFICATE NO. _____ WORKERS COMP. POLICY NO. _____

PROJECT NAME _____ PROJECT #/BID PACKAGE# _____

AWARDING BODY _____ ADVERTISEMENT DATE _____

IF SUB-CONTRACTING, LIST YOUR PRIME/GENERAL CONTRACTOR _____

CONTRACT AWARD AMOUNT _____

THE FEDERAL AND STATE LABOR LAW REQUIREMENTS APPLICABLE TO THE CONTRACT ARE COMPOSED OF, BUT NOT LIMITED TO, THE FOLLOWING:

Payment of Prevailing Wage Rates

The contractor to whom the contract is awarded and its subcontractors hired for the public works project are required to pay not less than the specified general prevailing wage rates to all workers employed in the execution of the contract. *Labor Code Section 1770 et seq.*

The contractor is responsible for ascertaining and complying with all current general prevailing wage rates for crafts and any rate changes that occur during the life of the contract. Information on all prevailing wage rates and all rate changes are to be posted at the job site for all workers to view. Additionally, current wage rate information can be found at the DLSR web site, www.dir.ca.gov/dlsr/statistics_research.html.

Apprentices

It is the duty of the contractor and subcontractors to employ registered apprentices on the public works project and to comply with all aspects of *Labor Code Section 1777.5*, relating to Apprentices on Public Works. (1) Notify approved apprenticeship programs of contract award; (2) employ apprentices; (3) pay training fund contributions.

Penalties

There are penalties required for contractor's/subcontractor's failure to pay prevailing wages and for failure to employ apprentices, including forfeitures and debarment under *Labor Code Sections 1775; 1776; 1777.1; 1777.7 and 1813*.

Certified Payroll Reports

Under *Labor Code Section 1776*, contractors and subcontractors are required to keep accurate payroll records showing the name, address, social security number and work classification of each employee and owner performing work; also the straight time and overtime hours worked each day for each week, the fringe benefits, and, the actual per diem wage paid to each owner, journey person, apprentice worker or other employee hired in connection with the public works project.

This requirement includes and applies to all subcontractors performing work on Awarding Body projects even if their portion of the work is less than one half of one percent (0.05%) of the total amount of the contract.

The certified payroll records shall contain the same data fields listed on the *Public Works Payroll Reporting Form (A-1-131)* and contain or is accompanied by a declaration made under penalty of perjury. (*California Code of Regulations, Section 16401*).

Prime Contractors are responsible for submittal of their payrolls and those of their respective subcontractors as one package. Any payroll not submitted in the proper form will be rejected. In the event that there has been no work performed during a given week, the Certified Payroll Report shall be annotated: "No work" for that week or a Non-Performance Statement must be submitted.

Checklist of Labor Law Requirements, continued

Employee payroll records shall be certified and shall be made available for inspection at all reasonable hours at the principal office of the contractor/subcontractor, or shall be furnished to any employee, or his/her authorized representative on request, pursuant to *Labor Code Section 1776*.

Under *Labor Code Section 1776(g)* there are penalties required for contractor's/subcontractor's failure to maintain and submit copies of certified payroll records on request.

Nondiscrimination in Employment

There exist prohibitions against employment discrimination under *Labor Code Sections 1735 and 1777.6*, the *Government Code*, the *Public Contracts Code*, and *Title VII of the Civil Rights Act of 1964*.

Kickbacks Prohibited

Contractors and subcontractors are prohibited from recapturing wages illegally by accepting or extracting "kickbacks" from employee wages under *Labor Code Section 1778*.

Acceptance of Fees Prohibited

There exists a prohibition against contractor/subcontractor acceptance of fees for registering any person for public work under *Labor Code Section 1779*; or for filling work orders on public works contracts pursuant to *Labor Code Section 1780*.

Listing of Subcontractors

All prime contractors are required to list properly all subcontractors hired to perform work on the public works projects covering more than one-half of one percent, pursuant to *Government Code Section 4104*.

Proper Licensing

Contractors are required to be licensed properly and to require that all subcontractors be properly licensed. Penalties are required for employing workers while unlicensed under *Labor Code Section 1021* and under the California Contractor License Law found at *Business and Professions Code Section 7000 et seq.*

Unfair Competition Prohibited

Contractors and sub-contractors are prohibited from engaging in unfair competition as specified under *Business and Professions Code Sections 17200 to 17208*.

Workers Compensation Insurance

Labor Code Section 1861 requires that contractors and subcontractors be insured properly for Workers Compensation.

OSHA

Contractors and subcontractors are required to abide by the Occupational, Safety and Health laws and regulations that apply to the particular construction project.

Proof of Eligibility/Citizenship

The federal prohibition against hiring undocumented workers, and the requirement to secure proof of eligibility/citizenship from all workers, is required.

Itemized Wage Statement

Labor Code Section 226 requires that employees be provided with itemized wage statements.

CERTIFICATION

I acknowledge that I have been informed and am aware of the foregoing requirements and that I am authorized to make this

certification on behalf of _____

(COMPANY NAME)

I fully understand that failure to comply with any of the above requirements may subject me, or my company, to penalties as provided above.

Contractor _____

(SIGNATURE)

(DATE)

Awarding Agency /Labor Compliance Program _____

(SIGNATURE)

(DATE)

The following letter from the Contractors State License Board is important for awarding bodies to note because it is a practice that results in lower quality work and an unfair business advantage that contributes to the underground economy.



CONTRACTORS STATE LICENSE BOARD

9821 Business Park Drive, Sacramento, California 95827
Mailing Address: P.O. Box 26000, Sacramento, CA 95826
800-321-CSLB (2752)
www.cslb.ca.gov

STATE OF CALIFORNIA

Arnold Schwarzenegger, Governor

Avoid “Bid Shopping” for Public Works Projects

Whether you’re a contractor who regularly bids on public works projects or you are new to the process, it’s important to be familiar with the requirements related to proper subcontracting practices, and to give closer attention to the letter of the law.

The Subletting and Subcontracting Fair Practices Act (of California Public Contract Code (PCC) Sections 4100-4114) was created to combat the practice of “bid shopping.” Bid shopping often results in unfair competition among contractors, failure to pay prevailing wages to employees, and inferior workmanship. Bid shopping is illegal and is a violation of state law.

Bid shopping occurs when a prime contractor lists a subcontractor on a bid, but when it comes time to start the project, a different contractor executes the work. Subcontractors must be listed when the portion of the work they are going to perform is greater than one-half of one percent (.5) of the prime contractor’s total bid. If a contractor wants to change the listed subcontractor, the proper substitution process must be followed and approved by the awarding authority.

An example of bid shopping by a subcontractor is when a properly qualified subcontractor submits a bid to a prime contractor, but has no intention of actually performing the work. If the bid shopping contractor is, by chance, the low bid, the subcontractor may “call around” to other contractors to find out if another will perform the work at a lower price. In effect, the awarded subcontractor is selling the job to earn a commission. This tactic is used when specialty contractors informally refer to themselves as “brokers.”

Consequences of this illegal practice can result in squeezing the contractor that actually performs the work to cut corners, and the performing contractor may pay employees less than the prevailing wage or substitute inferior materials to make a profit.

The prime contractor is responsible for the first, second and third tier subcontractors working under their contract, and ignorance of the law is never a valid excuse. An illegal substitution occurs if the listed first tier subcontractor never performs any work, and instead a second or third tier subcontractor is employed on the job.

PCC Section 4100-4114 explains, in detail, the requirements of public works contracts for prime contractors, subcontractors and awarding bodies. Be sure you are familiar with these laws before bidding on a public works project.

Frequently-asked questions about public works requirements

Notification of Contract Award

Q. When should I submit a DAS 140 "Public Works Contract Award Information"?

A. Contractors must submit contract award information to an applicable apprenticeship program prior to beginning work on a public works contract. The information submitted must include an estimate of journeyman hours to be performed under the contract, the number of apprentice hours proposed to be performed, and the approximate dates the apprentices would be employed.

Q. Where do I send the DAS 140?

A. A completed DAS 140 must be sent to an applicable apprenticeship program for each craft required by your project. Contractors who are NOT already approved to train by an apprenticeship program sponsor must provide contract award information to ALL of the applicable apprenticeship committees whose geographic area of their public works project. Information about the approved programs is available at the DAS website www.dir.ca.gov/databases/das/pwaddrstart.asp

Contractor Responsibilities & Benefits

Q. What is a registered apprentice?

A. An apprentice is someone who has signed an agreement with an employer, or an approved apprenticeship program or program sponsor to enroll in a specific craft or trade. The agreement is then registered with the Division of Apprenticeship Standards (DAS), and only an approved apprenticeship program can provide a contractor with a registered apprentice on public works projects.

Q. Do programs that provide apprentices for public works projects provide workers compensation benefits for the apprentice they send to jobs or is that the responsibility of the contractor and/or subcontractor?

A. Responsibility for Workers' Compensation insurance lies with the contractor and/or subcontractor.

Q. How can I find the names of the applicable, approved apprenticeship programs/committees?

A. You can visit our interactive website at www.dir.ca.gov/databases/das/pwaddrstart.asp, or you may contact the DAS District office whose assigned geographic areas of responsibility cover the county/ies in which the public works project is located.

Q. As a contractor who has been awarded a public works contract, and has my own employees, am I still required to hire registered apprentices?

A. Yes.

Q. I am a non-union contractor. Am I required to hire an apprentice?

A. Yes, you must request dispatch from at least one approved program in the geographic area of the project.

Q. Can I employ my friend, family, or my own employee who is beginning to learn a particular trade, as an apprentice?

A. No. The law requires that you employ only apprentices who are registered with an approved program. However, if your friend or your employee is a registered apprentice, and has been dispatched to you by an approved apprenticeship program, yes you can.

Q. What happens if I employed my friend who is not a registered apprentice and I paid him the journeyman rate?

A. You may employ your friend and pay him journey wages but this does not affect the apprenticeship requirements.

Q. What are the benefits and advantages to hiring a registered apprentice?

A. There are significant benefits associated with hiring apprentices registered in state approved programs. Apprentices are less expensive than journeymen, they eliminate the need for recruitment programs for trained workers, create a larger, diversified and flexible workforce of employees with specific skills, increase productivity, and employees in a structured training program are motivated to achieve high quality results.

Training Fund Contributions

Q. What if a non-participating or non-signatory contractor or a contractor who is not approved to train apprentices does not make the training fund contributions to the applicable approved apprenticeship program? Can the contractor send instead the contributions to the [California Apprenticeship Council \(CAC\)](#)?

A. Yes. Contractors who do not contribute to an approved apprenticeship program must submit their contributions to the California Apprenticeship Council using *CAC Form 2*, or a letter containing the following information:

- name, address and telephone number of the contractor making the contribution.
- contractor's license number.
- name and address of the public agency that awarded the contract.
- jobsite location, including the county where the work was performed.
- contract or project number.
- time period covered by the enclosed contributions.
- contribution rate and total hours worked by apprenticeable occupation.
- name of the program(s) that provide apprentices if any.
- number of apprentice hours worked, by apprenticeable occupations and by program.

The *CAC Form 2*, or letter, should be mailed to:

California Apprenticeship Council (CAC)
P. O. Box 420603
San Francisco, California 94142

Q. Where can a contractor go to obtain journeyman prevailing wage rates and training fund amounts due?

A. You can get that information by calling the Division of Labor Statistics and Research (DLSR) at (415) 703-4774, or visit the web site at: www.dir.ca.gov/DLSR/statistics_research.html

Q. I am a contractor and I paid my employees the training fund contribution instead of the applicable program. Am I still required to pay into a training fund?

A. Yes.

Q. Can I wait until the end of the project to pay my training funds?

A. No, sorry. Training funds are due and payable by the 15th of the month after the month the work was performed.

Exemptions

Q. Under what circumstances is a contractor on a public works project considered exempt from the requirements of LC 1777.5?

A. There are some exemptions when LC 1777.5 does not apply, including the following:

- general contractors whose contract is under \$30,000
- craft or trade is not apprenticeable
- contractor holds a sole proprietor license, employs no workers, performs the entire work from start to finish working alone
- Federal projects and the funding contains no city, county, and/or state monies.
- project is private and not covered by the definition of public works as found in LC 1720.

Q. What if I am exempt from the requirements of LC Section 1777.5 as my situation falls under one of the exemptions listed above? Do I still have to provide a "Public Works Contract Award Information" (DAS 140 Form) to the applicable program?

A. No, you do not have to submit a "Public Works Contract Award Information" form. However, you may want to provide the form to the applicable program to make them aware that you are exempt.

Prevailing Wages

Q. I am considering bidding on a public works project. How does the prevailing wage affect me?

A. Anyone who bids on a public works project in California is required by law to pay not less than the general prevailing rate of per diem wages to all workers employed on the project. All bidders are required to use the same wage rates when bidding on a public works project, to ensure that the ability to win a public works contract is not based on paying lower wage rates than a competitor.

Q. What is a general prevailing wage determination?

A. When a general prevailing wage rate for a particular craft, classification or type of worker is found by the Director of the Department of Industrial Relations (DIR) to be uniform throughout an area, the Director issues a prevailing wage determination. The determination establishes the rate of pay for the specific crafts, classifications or workers who perform labor on public works projects county by county in the entire area. General determinations are issued twice a year on February 22 and August 22.

Q. Can there also be special prevailing wage determinations?

A. Yes, when a particular craft, classification or type of worker is NOT covered by a general determination, an agency awarding a contract for a public works project may request a SPECIAL prevailing wage determination for that uncovered craft or occupation. However, requests for a special prevailing wage determination must be made at least 45 days PRIOR to the bid advertisement date.

Q. How are prevailing wage rates determined?

A. Prevailing wage rates are determined by surveying workers in a particular craft, classification or type of work in a locality, and in the nearest labor market area, to determine what rate of pay a majority is being paid, if a majority is being paid at a single rate. If there is NO single rate being paid to a majority, then the single or modal rate being paid to the greatest number of workers becomes the prevailing rate.

For more information on prevailing wages, visit www.dir.ca.gov/dlsr/statistics_research.html

**Prevailing Wages,
Continued**

Q. Are there any public works projects that do not require prevailing wages to be paid?

A. Yes, but if the public works project is over \$1,000 prevailing wages must be paid to all workers employed on the project. However, prevailing wages are not required to be paid for any public works construction projects of \$25,000 or less, or for an alteration, demolition, repair or maintenance work of \$15,000 or less, IF the awarding public agency initiates and enforces a labor compliance program approved by the DIR Director for every public works project under its authority.

Q. What is a coverage determination?

A. An awarding public agency, or any other interested party such as a contractor, employee, union or labor-management compliance organization, may request a written determination about a specific construction project or type of work to be performed from the DIR Director.

Q. What is the effective date of a prevailing wage determination, what is an issue date, and why is there an expiration date for each prevailing wage determination?

A. The effective date of a prevailing wage determination is 10 days after the DIR Director issues the determination. The issue date is the date the DIR Director deposits the determination in the mail. Determinations are issued twice a year on February 22 and August 22. The expiration date indicates when the determination is subject to change.

Q. What do the single and double asterisks after the expiration dates of a prevailing wage determination mean?

A. A single asterisk after the expiration date means the prevailing wage determination in effect on the date of the advertisement for bids will remain in effect for the ENTIRE LIFE of the project. Double asterisks after the expiration date indicates that the basic hourly wage rate, overtime, holiday pay rates and employers' payments for work performed after the expiration date have been pre-determined. If work is to extend past that date, the new rates must be incorporated into contracts when the project begins and must be paid.

Q. What is a pre-determined change?

A. Changes to the basic hourly wage rate, overtime, holiday pay rates and employer payments that are known and specified in any applicable collective bargaining agreements at the time of the bid advertisement, and which are referenced in the general prevailing rate of per diem wage determination, are known as pre-determined changes.

Q. When does overtime apply?

A. Compensation for all hours worked in excess of eight (8) hours per day and 40 hours during any one week may not be less than 1-1/2 times the basic rate of pay. For overtime requirements on specific projects, check the prevailing wage determination.

Q. How do you define residential and commercial projects?

A. Single-family homes and apartments up to and including four (4) stories are defined as residential projects and are subject to payment of prevailing wages when they are paid for in whole or in part with public funds, including federally-funded, or assisted residential projects controlled or carried out by an awarding public agency. Commercial projects are defined as all non-residential construction projects including new work, additions, alterations, reconstruction and repairs, and residential projects over four (4) stories.

For more information
on prevailing wages, visit
[www.dir.ca.gov/dlsr/
statistics_research.html](http://www.dir.ca.gov/dlsr/statistics_research.html)

Journeyman

Q. What is a journeyman?

A. A journeyman is a person who has completed an apprenticeship program or is an experienced worker, not a trainee, and is fully qualified and able to perform a specific trade without supervision. But, that person does not have a license and is not able to contract for jobs of value more than \$500 in labor and materials.

Q. What is an apprenticeable occupation?

A. An "Apprenticeable Occupation" is one that requires independent judgment and the application of manual, mechanical, technical, or professional skills and is best learned through an organized system of on-the-job training together with related and supplemental instruction. For additional information on apprentice skills and programs visit www.dir.ca.gov.

Q. I trained for three months and was then given a truck and told to go do the jobs assigned. Does that make me a journeyman?

A. Most trades require one to five years of apprentice time in order to fully understand the complexity of the work along with codes, standards, business management, and troubleshooting. Just because an employer is sending you out on basic jobs, it does not qualify you as a journeyman.

The apprentice time is valuable learning time that can not be skipped. Writing an invoice and collecting for services is not the same as processing the invoice, depositing the money, balancing books monthly, paying expenditures, processing payroll, and providing the government with all applicable paperwork.

Q. I built the house I live in and remodeled a rental. Does this qualify me to be a journeyman as it took four years to complete both projects? I also hired all the subcontractors with no problem.

A. Owner/builder qualifications are difficult to assess. The Contractors State License Board (CSLB) may consider the work if there is verifiable evidence that it was completed to code. Also in consideration is how long it would have taken a licensed contractor to complete the same project. A new home and remodel could take less than a year to complete. As such only one year's experience would be credited. However, you still needed to complete two to four years of apprentice training prior to your owner/builder experience.

Learning along the way and being sure that it is done right does not automatically qualify for journeyman accreditation. Hiring subcontractors to complete the work on the house does not qualify you to be a journeyman. Experience must be hands-on in the trade.

Q. Can I substitute any education, technical training, or apprenticeship training for the required journeyman experience?

A. You may receive credit for your technical training, apprenticeship training, or education in place of a portion of the required four years of practical experience. At least one year must be practical experience. You must provide written documentation of any training or education claimed in place of experience. Acceptable documentation includes copies of apprenticeship certificates and college transcripts. For more information, check out www.cslb.ca.gov/Applicants/.

For more information on journeymen and contractors, visit the Contractors State License Board Web site, www.cslb.ca.gov

**Journeyman,
Continued**

Q. I worked for myself since I was 16 years old. I am now 21. Does that qualify for four years of journeyman experience?

A. Provided you submit verifiable evidence that you worked full-time for the last four years, you may qualify, depending on the trade. Verifiable evidence includes, but is not limited to invoices, income tax reports, 1099s, and copies of contracts. If you were paid in cash and kept no records and filed no taxes, it will be difficult for you to prove you actually did any work.

An important aspect of being a journeyman ready to be a contractor is knowing how a business is run and demonstrating that knowledge whether you are licensed or not. Depending on the trade, you also need to prove 1-4 years of apprentice experience in addition to the four years of journeyman time.

Q. I have been a property manager for four years at an apartment complex. Does this experience count as journeyman?

A. This could be very difficult to prove as verifiable experience because you do not complete any one trade on a regular basis for four years. If you wanted to apply for a C36 Plumbing license you would need to show that you performed plumbing every day for four full years for approximately eight hours per day.

Note: A plumbing apprenticeship is normally five years. Plus another four years of journeyman time in order to apply. Most apartment complexes have a variety of trades that need attention but rarely the same trade day after day. To qualify for a B license you would have to prove that you actually built or rebuilt apartments on a daily basis not just repaired siding or drywall on occasion.

Q. Can you come out and see me work to prove I am a journeyman? How about if I send photos?

A. The CSLB does not visit worksites. The CSLB exam tells us if you know your trade. The burden of proof for your experience is upon you, the applicant. Photos tell us nothing but that you are on a site. Whether you actually performed any of the work there is inconclusive.

You must provide verifiable evidence of your experience. All experience claims must be verified by a qualified and responsible person, such as a homeowner, an employer, fellow employee, other journeymen, contractor, union representative, building inspector, architect, or engineer.

The person verifying your claim must have firsthand knowledge of your experience during the time period covered — that is, he or she must have observed the work that you have completed and must complete the Certification of Work Experience form that is included with the application.

Even if you provide a Certification of Work Experience form, be prepared to furnish documentation of any experience you claim on the form whenever such documentation is requested. The failure to provide this documentation will result in rejection of your application or denial of the license.

*For more information
on journeymen and
contractors, visit the
Contractors State License
Board Web site,
www.cslb.ca.gov*

Find all the forms you need for your public works project on-line at www.calpublicworks.com

Do you have questions about public works apprentice requirements? Email daspublicworks@dir.ca.gov

Among the many resources found on www.calpublicworks.com are the forms you'll need for your public works project. The required forms are listed below.

DAS Form 140 – Contract Award Information

www.dir.ca.gov/DAS/DASForm140.pdf

Contract award information must be sent to your Apprenticeship Committee if you are approved to train. If you are NOT approved to train, you must send the information to ALL applicable Apprenticeship Committees in your craft or trade in the area of the public works project.

DAS Form 142 - Request for Dispatch of an Apprentice

www.dir.ca.gov/DAS/DASForm142.pdf

This form is used to request the dispatch of an apprentice from the Apprenticeship Committee in the craft or trade in the area of the public work to be done. Visit www.dir.ca.gov/DAS/PublicWorksForms.htm for information about programs in your area and trade. You may also consult your local Division of Apprenticeship Standards (DAS) office whose telephone number may be found in your local directory under California, State of, Industrial Relations, Division of Apprenticeship Standards, or at www.dir.ca.gov/das/DAS_Offices.htm.

CAC Form 2 - Training Fund Contributions

www.dir.ca.gov/DAS/DASCAC2.pdf

Contractors approved to train and who contribute to an apprenticeship program are entitled to a full credit in the amount of those contributions. Contractors who DO NOT contribute to an apprenticeship program must submit their contributions using CAC Form 2 or a letter with all pertinent information to: California Apprenticeship Council, PO Box 420603, San Francisco, CA 94142-0603. (For details, please see the Instructions at www.dir.ca.gov/cac/Form2-Ins.pdf)

Certified Payroll Reporting Format

www.dir.ca.gov/dlse/DLSE-PublicWorks.htm

Public Works Payroll Reporting Form A-1-131

www.dir.ca.gov/dlse/publicWorksPayrollInstructions.htm

Statement of Employer Payments PW 26

www.dir.ca.gov/dlse/DLSEForm-PW26.pdf

Frequently Asked Questions

What does an employer requested on-site consultation cost?

Nothing. It's free – your tax dollars at work!

Will Cal/OSHA Enforcement know we are working with Consultation?

No. We are completely separate programs. We do not share information with Cal/OSHA Enforcement.

Will you "OSHA proof" me?

No. We can't guarantee that Enforcement wouldn't find any violations. But better safety will make an inspection much less likely and less serious.

Will I be fined if you find hazards?

No. Consultation does not issue citations, fines or penalties.

What's the catch?

You'll have to fix any hazards we identify.

Contact the nearest office:

Fresno 559-454-1295

Oakland 510-622-2891

Sacramento 916-263-0704

San Diego 619-767-2060

San Bernardino 909-383-4567

Santa Fe Springs 562-944-9366

San Fernando Valley 818-901-5754

State wide 800-963-9424

Cal/OSHA Consultation Service provides safety and health assistance to employers. We are completely separate from Cal/OSHA Enforcement. Our professional staff helps companies prevent occupational injuries and illnesses.

The Benefits of On-Site Consultation

The more you know about your workplace hazards and how to correct them, the more effective your safety program. Our consultants help by:

- Identifying and analyzing hazards
- Recommending best-practice solutions
- Helping you with your safety program
- Helping you strengthen your safety culture
- Providing training assistance

The Consultation Process . . .

Requesting Assistance

Call your local Consultation Service office and request an on-site visit. The request will be assigned to a consultant who will contact you to schedule a date and time.

Preparing for the Visit

Have ready:

- Company safety programs
- Workers' compensation loss runs
- Cal/OSHA Form 300's

Opening Conference

The visit opens with a conference. For union companies, the representative should be present. Any employee participation is welcome. The consultant will explain the process, and management can decide whether to proceed.

Learning from Your Safety Record

The consultant will help identify hazards by analyzing your past injuries and illnesses. The focus will be on preventing future losses.

Program Review

The consultant will review all written safety programs, and assess how well they are being put into practice. You'll receive materials and guidance in setting-up an effective injury and illness prevention program.

Walk-Around Hazard Identification

The consultant will conduct a walk-around inspection and help you identify and correct unsafe conditions and work practices.

Closing Conference

At the end of the on-site visit. The consultant will summarize the findings and timeframes for correcting hazards with a written report to follow.

Visit www.dir.ca.gov/dosh/consultation.html for a complete listing of our services.

Consider a free consultation evaluation for your job site.

Contact Cal/OSHA Consultation at 1-800-963-9424 or email infocons@dir.ca.gov for more information.

A contractor committed to workplace safety is most likely going to be efficient and more likely to understand and comply with the law and deliver your project on time, on budget and done right the first time. It is critically important for agencies awarding public works contracts to promote the health and safety of their projects.

Through experience these contractors have learned the value of a safe workplace and its importance to enabling employees, supervisors and managers to be productive. Such owners and managers will actively seek everyone's involvement in developing goals for safety performance and take special efforts to recognize safe behaviors from company employees.

Cal/OSHA's free Consultation Service shares these beliefs and supports and promotes positive safety cultures by working one-on-one with owners, managers and supervisors to help identify and implement an effective Injury and Illness Prevention Program (IIPP). Frequently, Cal/OSHA consultants coach—free of charge—plant and field managers/supervisors on the best means and methods to get employees more involved with the safety program.

The Cal/OSHA consultation program has three partnership programs that recognize construction companies that have developed and implemented an effective IIPP to ensure worker safety. The three partnership programs are:

- The Golden Gate
- Safety and Health Achievement Recognition Program (SHARP)
- Volunteer Protection Program (VPP)

Here's how they work:

Employers who demonstrate that they have an effective IIPP during a full Cal/OSHA on-site assistance consultation receive a Golden Gate recognition letter. While the Golden Gate recognition letter does not offer any exemption from Cal/OSHA Enforcement visits, it can be the first step in qualifying for either the Cal/SHARP and/or Cal/VPP recognition.

Cal/OSHA awards Cal/SHARP and Cal/VPP for Construction companies that demonstrate that they are industry leaders in safety and health management systems. One of the benefits to a company that receives SHARP recognition is that its job site will be exempt from programmed Cal/OSHA Enforcement inspections for two years in the designated counties or location. Similarly, those receiving VPP recognition will have an exemption for three years statewide.

Involvement in the SHARP and VPP programs requires employers to be self compliant and proactive in seeking and correcting hazards while they improve their overall safety and health management system with continuous employee involvement. California worksites under SHARP and VPP Construction programs have fewer injuries and have reduced risk for serious accidents than other employers in the same industry. In turn, this allows Cal/OSHA to focus its programmed inspection efforts on worksites that are not as committed to workplace safety and health.