

Standards Board Adopts Emergency Regulation to Protect Outdoor Workers from Wildfire Smoke

Employers must quickly adopt the new requirements in early August

San Diego—The Department of Industrial Relations' (DIR) Occupational Safety and Health Standards Board [today adopted an emergency regulation](#) to protect workers from hazards associated with wildfire smoke. The regulation is expected to go into effect in early August.

The emergency regulation will be effective for one year and applies to workplaces where the current Air Quality Index (AQI) for airborne particulate matter (PM) is 151 or greater, and where employers should reasonably anticipate that employees could be exposed to wildfire smoke.

Under the new regulation, employers must take the following steps to protect workers who may be exposed to wildfire smoke:

- Identify harmful exposure to airborne particulate matter from wildfire smoke before each shift and periodically thereafter by checking the AQI for PM 2.5 in regions where workers are located.
- Reduce harmful exposure to wildfire smoke if feasible, for example, by relocating work to an enclosed building with filtered air or to an outdoor location where the AQI for PM 2.5 is 150 or lower.
- If employers cannot reduce workers' harmful exposure to wildfire smoke so that the AQI for PM 2.5 is 150 or lower, they must provide:
 - Respirators such as [N95 masks](#) to all employees for voluntary use.
 - Training on the new regulation, the health effects of wildfire smoke, and the safe use and maintenance of respirators.

This [emergency rulemaking process](#) began last December, after the Standards Board received a [petition](#) to protect workers from wildfire smoke before this year's wildfire season. The Standards Board will file the regulation tomorrow with the Office of Administrative Law, which has 10 working days to review and approve it as a new workplace safety standard enforced by Cal/OSHA. Once approved and published, the full [text of the adopted emergency regulation](#), including all requirements, exemptions and exceptions, will appear in the new Title 8 section 5141.1 of the [California Code of Regulations](#).

The Standards Board has also requested that Cal/OSHA conduct a follow-up comprehensive review of the regulation with an advisory committee using the regular rulemaking process in order to adopt permanent regulations. The emergency regulation will remain in effect during that process. Meeting details and documents will be posted on [Cal/OSHA's website](#).

The [Occupational Safety and Health Standards Board](#), a seven-member body appointed by the Governor, is the standards-setting agency within the Cal/OSHA program. The Standards Board's objective is to adopt reasonable and enforceable standards at least as effective as federal standards. The Standards Board also has the responsibility to grant or deny applications for variances from adopted standards and respond to petitions for new or revised standards.

Cal/OSHA helps protect workers from health and safety hazards on the job in almost every workplace in California. Employers and workers who have questions or need assistance with workplace health and safety programs can call [Cal/OSHA's Consultation Services Branch](#) at 800-963-9424.