

Preparing For New Calif. Hotel Housekeeper Regs

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Earlier this year, the California [Occupational Safety and Health Administration Standards Board](#) and Office of Administrative Law approved a "Hotel Housekeeping Musculoskeletal Injury Prevention Program" that may result in sweeping changes to hospitality employers' written policies and training practices concerning workplace injuries. The regulations take effect July 1, 2018, and affected employers have until Oct. 1, 2018, to complete their initial "work site evaluation."

The new regulations are intended to control the risk of musculoskeletal injuries and disorders to housekeepers working in certain establishments such as hotels, motels, resorts and bed and breakfast inns. They expressly define "musculoskeletal injury" as acute injury or cumulative trauma of a muscle, tendon, ligament, bursa, peripheral nerve, joint, bone, spinal disc or blood vessel.

Pursuant to the regulations, each affected employer must establish, implement and maintain an effective, written, musculoskeletal injury prevention program, or MIPP, that addresses hazards specific to housekeeping. The written MIPP may be incorporated into an existing written injury and illness prevention program, or IIPP, or maintained as a separate program. Either way, it must be readily accessible to employees, and must include:

- Names or job titles of the persons with authority and responsibility for implementing the MIPP at each work site;
- A system for ensuring that supervisors and housekeepers comply with the MIPP, follow the employer's safe workplace housecleaning practices, and use the housekeeping tools or equipment deemed appropriate for each housekeeping task;
- A system for communicating with housekeepers in a form readily understandable by all housekeepers on matters relating to occupational safety and health, including provisions designed to encourage housekeepers to inform the employer of hazards at the work site, and injuries or symptoms that may be related to such hazards without fear of reprisal;
- Procedures to investigate musculoskeletal injuries to housekeepers. Injury investigations shall include at a minimum: (1) the procedures or housekeeping tasks being performed at the time of the injury and whether any identified control measures were available and in use; (2) if required tools or other control measures were not used, or not used appropriately, a determination of why those measures were not used or were not used appropriately; and (3) input from the

injured housekeeper, the housekeeper's union representative and the housekeeper's supervisor as to whether any control measure, procedure or tool would have prevented the injury;

- Methods or procedures for correcting hazards identified in the "work site evaluation" (discussed below) or in the investigation of musculoskeletal injuries to housekeepers, including involving housekeepers and their union representative in identifying and evaluating possible corrective measures; and
- Procedures for reviewing, at least annually, the MIPP at each work site to determine its effectiveness and make any corrections when necessary, including procedure for obtaining the active involvement of housekeepers and their union representative in reviewing and updating the MIPP.

The MIPP must include procedures for identifying and evaluating housekeeping hazards through a "work site evaluation." The initial work site evaluation must be completed by Oct. 1, 2018, three months after the regulations' effective date. The procedures shall include an effective means of involving housekeepers and their union representative in designing and conducting the work site evaluation, and the work site evaluation must be reviewed and updated at least annually for each work site.

Additionally, the work site evaluation must identify and address potential injury risks to housekeepers at each respective work site, including but not limited to: slips, trips and falls; prolonged or awkward static postures; extreme reaches and repetitive reaches above shoulder height; lifting or forceful whole-body or hand exertions; torso bending, twisting, kneeling and squatting; pushing and pulling; falling and striking objects; pressure points where a part of the body presses against an object or surface; excessive work-rate; and inadequate recovery time between housekeeping tasks.

The new regulations require hospitality employers to evaluate each housekeeping task or process, identify potential hazards, train staff appropriately, and control exposure to injuries. For those with multiple hotels in California, it will be important to keep in mind that a one-size-fits-all program may not suffice. The regulations require an individual evaluation of each work site and identification of its respective risks and hazards.

A copy of the MIPP and all work site evaluations must be maintained at the work site and available to Cal/OSHA within 72 hours of request.

The regulations also require employers provide training to housekeepers and their supervisors in a language easily understood by the employees. The training must be provided to all housekeepers and supervisors when the MIPP is first established, to all new housekeepers and supervisors, and to all housekeepers given new job assignments for which training was not previously provided. It must also be provided at least annually thereafter, and whenever new equipment or work practices are introduced or the employer becomes aware of a new or previously unrecognized hazard.

Further, the training must include (1) the signs, symptoms and risk factors commonly associated with musculoskeletal injuries; (2) the elements of the employer's MIPP; (3) the process for reporting safety and health concerns without fear of reprisal; (4) body mechanics and safe practices including identification of hazards, how hazards are controlled, the appropriate use of cleaning tools and equipment, and the importance of following safe work practices; (5) the importance of, and process for, early reporting of symptoms and injuries to the employer; (6) practice using the types and models of equipment or tools that the housekeeper will be expected to use; and (7) an opportunity for interactive questions and answers with a person knowledgeable about hotel housekeeping equipment and procedures.

Employers are also required to train housekeeping supervisors on how to identify hazards, the employer's hazard correction procedures, how defective equipment can be identified and replaced, how to obtain additional equipment, how to evaluate the safety of housekeepers' work practices, and how to effectively communicate with housekeepers regarding any problems needing correction.

California hospitality employers must be prepared to not only complete the requisite work site evaluations, but also designate and retain, where appropriate, training professionals to instruct on the required components. Given the numerous requirements and the regulations' mandate that employers receive input from housekeepers and their union representatives, employers should not wait until the last minute to establish their compliance protocols.