



ACTION ALERT:

UNION CONSTRUCTION INDUSTRY URGED TO OPPOSE PROPOSED LEAD STANDARDS

Cal/OSHA Proposed Lead Standards Pose Significant Burden to Contractors & Construction Workers

Background: Cal/OSHA Standards Board has [proposed changes](#) to the "California Code of Regulations, Title 8, Section 1532.1" related to Lead. The Division of Occupational Safety and Health has framed the proposal as necessary to be in compliance with Federal OSHA regulations. However, the proposed regulatory changes include several provisions that go far beyond current Federal requirements. Cal/OSHA's proposed changes would reduce the lead Action Level (AL) from 30 to 2 micrograms per cubic meter of air and the Permissible Exposure Limit (PEL) from 50 to 10 micrograms per cubic meter of air. These *extremely* low thresholds raise fundamental questions about necessity, attainability, and practicality. They also present serious financial harm to the construction industry and trigger intrusive actions on workers.

The Negative Impacts and Unintended Consequences of Proposed Lead Standards Revisions:

The proposed revisions to the Lead in Construction Standard, Construction Safety Orders, 8CCR 1532.1 will present **significant costs to contractors for compliance and invasive medical and privacy requirements for workers without any evidence of being necessary to protect worker safety.** [Click here for additional details on the impact to industry.](#)

TAKE ACTION: Union construction industry urged to oppose the current version of the proposed lead standards regulations by placing the letter below on their letterhead and mailing it to the Cal/OSHA Standards Board.

In addition, please alert the Governor to your opposition by using our grassroots action page: www.unioncontractorvoice.com

Mail your letter today:

PLACE ON YOUR LETTERHEAD

DATE

The Honorable David Thomas, Chair
Cal/OSHA Standards Board

2520 Venture Oaks Way, Suite 350
Sacramento, CA 95833

Re: Opposition to Proposed General Industry and Construction Lead Standards

Dear Chair Thomas,

On behalf of **Insert Your Company/Organization**, I am writing in opposition to the Cal/OSHA Standards Board proposed changes to the California Code of Regulations related to lead in construction.

The negative impacts and unintended consequences the proposed revisions to the Lead in Construction Standard (Construction Safety Orders, 8CCR 1532.1) will present significant costs to contractors for compliance and invasive medical and privacy infringing requirements for workers, without any evidence of being necessary to protect worker safety.

The proposed lead regulations would lead to dramatic cost increases for contractors of all sizes. The frequent blood lead level (BLL) testing, the requirement to provide portable “decontamination showers” on job sites (which employees who are “presumed” to be doing lead work above the PEL will be required to use after completion of work), and the record-keeping mandates, in addition to other requirements, will significantly drive-up construction costs. Many contractors will incur costs in the hundreds of thousands of dollars or more to comply. Larger companies could incur costs in the millions. Small contractors, including DBE, DVBE, and women-owned businesses, will be most negatively impacted, with many being put out of business by the untenable cost increases.

In addition, the proposed Permissible Exposure Limit (PEL) and Action Levels (AL) are so low that nearly all types of construction work will trigger compliance. This new regulation will impact hundreds of thousands of construction workers, across all building and construction trades, requiring workers to be BLL tested frequently. Even infrequent tasks will require medical surveillance (employee physical exams) and for employees to undergo pre-exposure BLL testing before the project begins. The frequent BLL testing of construction workers and the required reporting and data record keeping of private health information to the California Department of Public Health is extremely intrusive to workers’ lives and privacy.

Further, the proposed changes are unnecessary. The Division of Occupational Safety and Health (DOSH) has not shown that the current lead health and safety standards are failing to protect workers and that there is a serious and immediate issue within the industry that warrants such a drastic, costly and invasive change to the current standards.

In closing, because the proposed lead standard revisions will significantly negatively impact construction companies and their workers, I believe more analysis is needed, including demonstrating that the extreme reduction in PELs is necessary and backed by science.

For these reasons we are opposed to the proposed revisions to the Lead in Construction Standard.

Sincerely,

YOUR NAME & TITLE