



## Ergonomic Standards for California

On July 3, 1997 Cal/OSHA began enforcing California's Ergonomic Standard, the nation's first attempt at regulating repetitive motion injuries (RMI) in the workplace. The regulation, Section 5110 of Title 8 of the California Code of Regulations, applies to all California businesses. The standard covers any job, process, or operation where a repetitive motion injury has occurred to more than one employee as a result of performing an identical work activity.

An employer would be considered covered by the standard when at least two workers performing repetitive tasks, have been diagnosed with repetitive motion injuries within a 12-month period at the same work site. Identical work activity means that the employees were performing the same repetitive motion task, such as but not limited to word processing, assembly, or loading. The standard is not triggered if the two repetitive motion injuries occurred at geographically separated locations. Therefore, an employer with a facility in Los Angeles, and a second facility in Fresno, would not have to implement a RMI prevention program if only one employee in each facility had sustained a RMI in a 12-month period.



The repetitive motion injuries must be identified and diagnosed by a licensed physician as musculoskeletal injuries caused by a repetitive job, process, or operation. The diagnosis cannot be based on the employee's subjective complaints. As of the effective date of the standard, when a second employee injury is reported to the employer within a 12-month period, the employer must establish and implement a program designed to minimize RMIs. The program should include a work site evaluation, control of exposures which caused the RMIs and employee training.

In the work site evaluation, each job, process or operation of identical work activity or a representative number of them, must be evaluated for exposures which caused the RMIs. Any exposures determined to have caused the RMIs must be corrected in a "timely manner". The employer should consider engineering controls, such as workstation redesign, adjustable fixtures or tool redesign, and administrative controls, such as job rotation, work pacing or work breaks. If the conditions cannot be corrected then the exposures must be minimized to the extent feasible.

The employee training should include: an explanation the employer's RMI program and methods used by the employer to minimize RMIs; the exposures which were associated with the RMIs; the symptoms and consequences of injuries caused by repetitive motion; and the importance of reporting symptoms and injuries to the employer. Once the employer has met all the above requirements, Cal/OSHA can order the business to do more only if Cal/OSHA can prove the employer knew of, but did not implement measures that are guaranteed to be more effective and not impose additional unreasonable costs.

While the standard does not specifically require a written program, the prudent employer will add a section on ergonomics to their Injury & Illness Prevention Program (IIPP) and document any evaluations and training performed.

*This Alliant Risk Control Consulting fact sheet is not intended to be exhaustive. The discussion and best practices suggested herein should not be regarded as legal advice. Readers should pursue legal counsel or contact their insurance providers to gain more exhaustive advice.*

**For more information on this topic, please contact Alliant Risk Control Consulting at (949) 260-5042 or [riskcontrol@alliant.com](mailto:riskcontrol@alliant.com)**

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