Cal/OSHA

CMC's Cal/OSHA Practice turns California's rigorous and evolving safety mandates into manageable business practices through proactive compliance and strategic defense. Our deep bench of attorneys located throughout the state provides the localized expertise necessary to stay ahead of the nation's most aggressive enforcement environment.

Range of Work

Compliance & Counseling

- Advising on Cal/OSHA-specific regulatory requirements (e.g., IIPP, Heat Illness Prevention, Workplace Violence Prevention)
- Conducting workplace safety audits and gap analyses
- Drafting and reviewing Cal/OSHA-specific safety policies and programs Training management and employees on Cal/OSHA compliance and safety protocols
- Counseling on reporting obligations for serious injuries, illnesses, and fatalities

Inspections & Investigations

- Preparing employers for Cal/OSHA inspections
- Representing employers during on-site inspections and document requests
- Advising on employee and management interviews conducted by Cal/OSHA
- Managing post-incident investigations and internal root-cause analyses

Citations & Appeals

- Contesting Cal/OSHA citations and penalties
- Handling appeals before the Cal/OSHA Appeals Board
- Negotiating penalty reductions and abatement agreements
- Developing strategies to prevent repeat violations

Litigation & Enforcement Defense

- Defending employers in enforcement actions and administrative hearings before the Cal/OSHA Appeals Board
- Coordinating responses to criminal referrals arising from workplace incidents
- Litigating disputes related to workplace safety compliance, including Serious and Willful Petitions

Policy & Legislative Updates

- Monitoring and interpreting new Cal/OSHA standards and guidance
- Advising on the impact of California court decisions affecting workplace safety
- Preparing clients for emerging regulatory trends and anticipated rule changes

Rulemaking & Standards

- Participating in Cal/OSHA rulemaking process
- Drafting comments to draft standards and regulations
- Representing employers and trade associations in rulemaking process

Workplace Violence Prevention Restraining Orders

- Obtains workplace violence prevention temporary and permanent restraining orders.

Illustrative Experience

Advocacy

- Drafted employer and trade association comments to various Cal/OSHA proposed regulations including Wildfire Smoke Prevention, Workplace Violence Prevention in Healthcare, COVID-19 Prevention, and Workplace Violence in General Industry.

COVID-19

- Litigated California's first COVID-19 citations under the Cal/OSHA Aerosol Transmissible Disease standard on behalf of a leading health care system.

Health and Life Sciences

- Litigated California's first citations under the Cal/OSHA Aerosol Transmissible Disease standard on behalf of a leading healthcare system.
- Conducted due diligence prior to multi-million dollar acquisitions.

Natural Gas & Electrical Power

- Represented utility company in defending against Cal/OSHA citations related to one of the country's largest natural gas leaks.

Technology

- Designed and implemented global technology company's Workplace Violence Prevention and Response program to identify and mitigate risk of violence, harm, and disruption to the workplace.

Waste

- Represented waste management company during district attorney investigation and prosecution of alleged safety violations under the California Business and Professions Code Section 17200.

Wineries

- Managed intensive site inspection for a large winery related to confined spaces, lock out tag out, HazWoper, and HazCom.

Echoing our feedback from previous years, we could not be happier with the results your team continues to achieve for us. We truly appreciate the invaluable insight you bring to the table and your continued ability to support [us] at the highest level.

Client in the Retail Industry

Rachel is one of the top OSHA lawyers out there; she knows it like the back of her hand.

Client Quoted in Chambers USA

Rachel brings a wealth of knowledge to her work and is always so easy to work with. She delivers exceptional service and timely results.

Client Quoted in Chambers USA

You [Rachel] are a unicorn with respect to workplace violence challenges because of your expertise and knowledge in workplace safety, employment law, and privacy laws.

Current Client

First off – wow! I can tell you [Rachel] have a very wide and detailed amount of knowledge on workplace violence.

Participant, California Workplace Violence Prevention Program

So thankful for your workplace violence expertise and our partnership.

Participant, California Workplace Violence Prevention Program