

Cal/OSHA – Expected Outlook for 2026

March 12, 2026 Mini Kapoor, Jonathan Keller, Harry Phillips

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California employers can expect several developments from Cal/OSHA this year. Stricter lead exposure limits, enhanced confined space protocols and new training recordkeeping requirements all took effect on Jan. 1, 2026. Cal/OSHA also continues to advance rulemaking, including a general industry Workplace Violence Prevention standard due by the year's end and a worker walkaround rule heading to public hearing. Additionally, the California State Auditor's July 2025 report recommended implementation of several reforms by July 2026. These and other key developments are summarized below.

Enforcement Updates

Workplace Lead Exposure: Cal/OSHA revised employee lead exposure regulations—adopted in April 2024, with certain provisions taking effect Jan. 1, 2025, and others Jan. 1, 2026—will require, among other things, more stringent lead medical surveillance.¹ Specifically, effective Jan. 1, 2026, employers must remove an employee from the workplace if (1) the employee's last two blood lead test results are at or above 20 µg/dl, or (2) the average of all blood lead tests conducted for the employee in the last six months is at or above 20 µg/dl (though removal is not required if the last blood lead test indicates a blood lead level below 15 µg/dl). Prior to 2026, employers were required to temporarily remove an employee from a work area if the employee's last blood test indicated that the employee's blood lead level was at or above 30 µg/dl. Also effective Jan. 1, 2026, employers must provide change rooms, end-of-shift showers and lunchroom facilities for employees whose airborne lead exposure is above the permissible exposure limit but not above 50 µg/m³. These changes apply to both general industry² and construction.³

Confined Spaces in Construction: Effective Jan. 1, 2026, revised rules require a competent person to conduct an initial survey at the start of work, perform frequent inspections to identify newly created or discovered confined spaces and promptly notify employees and the controlling contractor when new confined spaces arise.⁴ Key definitions were updated, including "entry employer," "hazardous atmosphere," "lockout," "tagout" and "minimum explosive concentration." To ensure compliance, employers may consider verifying that their written procedures, entry permits, coordination with host/controlling employers and rescue capabilities align with the revised requirements, in addition to ensuring competent-person training and documentation that aligns with the updated rules.

Recordkeeping: Effective Jan. 1, 2026, revisions to California Labor Code section 1198.5 now require employers who maintain education or training records to include in employee personnel files: (1) the employee's name, (2) training provider name, (3) duration and date of the training, (4) core competencies covered, including any equipment or software skills, and (5) the resulting certification or qualification.⁵ Although the new requirement does not mandate the retention of any specific education or training records, employers who maintain those records must now ensure the details above are included in the file.

Covered employers should also remember that from Feb. 1 through April 30, 2026, they must post their 2025 Cal/OSHA Form 300A annual summary in a conspicuous location and maintain underlying logs. Certain employers must also electronically submit Forms 300, 300A and 301 data by March 2, 2026.

Rulemakings Updates

Workplace Violence Prevention Standard: California's Occupational Safety and Health Standards Board (OSHSB) is developing a Workplace Violence Prevention standard for general industry, with adoption required no later than Dec. 31, 2026.⁶ The proposed rule aligns with California Labor Code section 6401.9, which requires covered employers to establish, implement and maintain an effective written Workplace Violence Prevention Plan that includes but is not limited to the following:

- Identifying who is responsible for implementing the plan.
- Involving employees and their representatives.
- Accepting and responding to reports of workplace violence and prohibiting employee retaliation.
- Communicating with employees regarding workplace violence matters.
- Responding to actual and potential emergencies.
- Developing and providing effective training.
- Identifying, evaluating and correcting workplace violence hazards.
- Performing post incident response and investigations.

An OSHSB advisory committee met in November 2025, addressing several issues that included exceptions for employers with fewer than 10 employees in workplaces not accessible to the public, the definition of "employee representative," whether stalking should be included in the definition of workplace violence and the scope of workplace violence hazards.⁷

Worker Walkaround Rule: On Feb. 13, 2026, Cal/OSHA proposed a California version of the federal OSHA worker walkaround rule, which would allow non-employee third parties to serve as an employee representative during workplace inspections if their participation is reasonably necessary to conduct an effective and thorough inspection.⁸ Unlike the federal rule, the Cal/OSHA proposal expressly grants inspectors authority to limit the scope of an employer and employee representatives' engagement and to deny accompaniment rights to any person whose conduct interferes with a fair and orderly inspection.⁹ A public hearing is scheduled for April 1, 2026.¹⁰

Process Safety Management for Petroleum Refineries: OSHSB is advancing amendments to the Process Safety Management (PSM) standard for petroleum refineries.¹¹ The PSM proposal would clarify key definitions, hierarchy-of-controls analysis and employee participation expectations. A public hearing was held on this issue was Jan. 15, 2026.

First Aid: OSHSB is also proposing amendments to first-aid rules in construction (section 1512) and general industry (section 3400).¹² The first-aid proposals address kit access and location marking, frequency of kit checks and flexibility to consult with licensed health care professionals or follow tabled contents, with additional supplies based on work location and hazard types. A public hearing on this topic was held on Jan. 15, 2026.

Elevator Safety Standards: On Jan. 30, 2026, OSHSB announced it will hold a public hearing on March 19, 2026, regarding safety standards for elevators used to hoist workers in construction

(section 1630).¹³

Additionally, employers should recall that the California State Auditor's July 2025 report recommended implementation of several reforms by July 2026 to remediate identified deficiencies in areas including on-site inspection of complaints, letter investigation procedures, accident investigation protocols, injury and illness prevention program protocols, interview technique training, evidence collection, investigation timelines, hazardous condition abatement, fine assessment, criminal prosecution procedures, agency staffing levels (including a target to reduce vacancy rates in the enforcement branch to 20 percent or less by July 2027), policy audit protocols and technology modernization (including development of an electronic case management system by July 2027 and an online complaint submission portal by January 2027).¹⁴

In sum, it may be prudent for California employers to assess their workplace safety programs to prepare for and ensure compliance with the expected enforcement from Cal/OSHA. Additionally, California employers should continue to track developments on the rulemaking front in response to the July 2025 State Auditor's report.

¹ See 8 Cal. Code of Regs. § 5198.

² *Id.*; see also Cal. Dep't of Indus. Relations, *Cal/OSHA Occupational Lead Exposure Prevention Guidance and Resources*, available at <https://www.dir.ca.gov/dosh/lead/> (providing information and resources, including fact sheets and fillable written safety plans, regarding occupational lead exposure prevention for general industry and construction).

³ 8 Cal. Code of Regs. § 1532.1; see also Cal. Dep't of Indus. Relations, *Cal/OSHA Occupational Lead Exposure Prevention for the Construction Industry*, available at <https://www.dir.ca.gov/dosh/Lead/Exposure-Prevention-in-Construction.html> (providing guidance on who must comply with the standard, worker exposure, who is most at risk, among other information).

⁴ See 8 Cal. Code of Regs. §§ 1951-56. Prior rules required identification of confined spaces before work began but did not expressly mandate periodic re-inspections or notification protocols for spaces created or discovered during ongoing construction activities

⁵ Cal. Lab. Code § 1198.5.

⁶ See Cal. Lab. Code § 6401.9; see also Cal. Dep't of Indus. Relations, *Cal/OSHA Workplace Violence Prevention for General Industry (Non-Health Care Settings)*, available at <https://www.dir.ca.gov/dosh/Workplace-Violence/General-Industry.html>.

⁷ See Cal. Dep't of Indus. Relations, *Workplace Violence Prevention in General Industry*, available at <https://www.dir.ca.gov/dosh/doshreg/Workplace-Violence-in-General-Industry/>.

⁸ See Cal. Dep't of Indus. Relations, *Notice of Proposed Rule Making* (Feb. 13, 2026), available at <https://www.dir.ca.gov/dosh/doshreg/Employer-and-Employee-Reps-During-Workplace-Inspections/Notice-for-2026-04-01.pdf>

⁹ See *Proposed Rule*, 8 Cal. Lab. Code § 331.8(c), available at <https://www.dir.ca.gov/dosh/doshreg/Employer-and-Employee-Reps-During-Workplace-Inspections/Proposed-Text-walkaround.pdf?a1ydodjrrpg>.

¹⁰ See Cal. Dep't of Indus. Relations, *Employer Representative and Representative Authorized by Employees During Workplace Inspection (Walkaround Rule)*, available at <https://www.dir.ca.gov/dosh/doshreg/Employer-and-Employee-Reps-During-Workplace-Inspections/>.

¹¹ See Cal. Dep't of Indus. Relations, *Process Safety Management for Petroleum Refineries*, available at <https://www.dir.ca.gov/OSHSB/Petroleum-Refineries.html>.

¹² See Cal. Dep't of Indus. Relations, *Notice of Public Hearing* (Nov. 28, 2025), available at <https://www.dir.ca.gov/oshsb/documents/First-Aid-2025-Notice-Jan2026.pdf>.

¹³ See Cal. Dep't of Indus. Relations, *Elevators for Hoisting Workers*, available at <https://www.dir.ca.gov/OSHSB/Construction-Passenger-Elevator-1630.html>.

¹⁴ Cal. State Auditor, *The Division of Occupational Safety and Health - Process Deficiencies and Staffing Shortages Limit Its Ability to Protect Workers*, Report 2024-115 (July 17, 2025), available at <https://www.auditor.ca.gov/wp-content/uploads/2025/07/2024-115-Report.pdf>