PROPOSED MEETING AGENDA

Cal/OSHA Advisory Meeting
Sexually Transmitted Infections in the Adult Film Industry
Tuesday January 31, 2017 10:00 AM - 3:30 PM
Room 1, 2nd Floor
Elihu Harris State Building
1515 Clay Street
Oakland, CA 94612

10:00 am Welcome and introductions

10:10 Overview of the agenda and guidelines for the discussion
http://www.dir.ca.gov/oshsb/acguidelines.html

10:20 Advisory committee process to date

- See Cal/OSHA and Standards Board staff evaluations and Standards Board decisions regarding Petition 557 (AIDS Healthcare Foundation) and Petition 560 (Free Speech Coalition):
  - http://www.dir.ca.gov/oshsb/petition-557.html
  - http://www.dir.ca.gov/oshsb/petition-560.html

Discussion:

10:30 Business structures and employment relationships in the adult film industry:

- Who makes hiring/casting decisions? How are the decisions made?
- Is supervision and/or control exercised over performers during filming/production?
  - If so, in what manner and by whom?
- How are performers paid?

11:30 Is it necessary to amend or expand upon the Bloodborne Pathogens standard, 8 CCR § 5193? – http://www.dir.ca.gov/Title8/5193.html

- Are there any alternative methods that have been shown to be at least as effective as condoms? If so, what is the scientific data showing the effectiveness of the alternative methods compared to condoms?
  - Labor Code section 142.3 requires the Standards Board to adopt standards at least as effective as the equivalent federal OSHA standards – http://leginfo.legislature.ca.gov/faces/codes_displaySection.xhtml?sectionNum=142.3&lawCode=LAB
  - The federal and California Bloodborne Pathogens standards require that universal precautions be observed to prevent contact with blood or other potentially infectious materials. See 8 CCR § 5193(d)(1).

- Barrier protection is used to observe universal precautions. To date, all scientific data presented to and reviewed by Cal/OSHA shows that no alternative methods are at least as effective as barrier protection.

- Should additional methods of protection be required, such as any of the following?
  - Vaccines for hepatitis A and human papilloma virus
  - Confidential testing and medical exams for HIV, hepatitis C, syphilis, hepatitis B, chlamydia, gonorrhea, and trichomoniasis.
  - HIV pre-exposure prophylaxis
  - Training of employees regarding signs, symptoms, modes of transmission, and treatment related to sexually transmitted infections, and vaccines for hepatitis A and human papilloma virus

2:00 pm Do the recordkeeping requirements in subsection (h)[1] include adequate confidentiality requirements? If not, how are the requirements inadequate?

2:30 Comments from interested persons not on committee

3:15 Next steps

3:30 Adjourn

(Lunch break will be taken sometime around noon)

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[1] (h) Recordkeeping.
(1) Medical Records.
(A) The employer shall establish and maintain an accurate record for each employee with occupational exposure, in accordance with Section 3204.
(B) This record shall include:
1. The name and social security number of the employee;
2. A copy of the employee's hepatitis B vaccination status including the dates of all the hepatitis B vaccinations and any medical records relative to the employee's ability to receive vaccination as required by subsection (f)(2);
3. A copy of all results of examinations, medical testing, and follow-up procedures as required by subsection (f)(3);
4. The employer's copy of the healthcare professional's written opinion as required by subsection (f)(5); and
5. A copy of the information provided to the healthcare professional as required by subsections (f)(4)(B)2., 3. and 4.
(C) Confidentiality. The employer shall ensure that employee medical records required by subsection (h)(1) are:
1. Kept confidential; and
2. Not disclosed or reported without the employee's express written consent to any person within or outside the workplace except as required by this section or as may be required by law.
(D) The employer shall maintain the records required by subsection (h)(1) for at least the duration of employment plus 30 years in accordance with Section 3204.