

STATE OF CALIFORNIA
Department of Industrial Relations
Office of the Director
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Memorandum

TO: DOSH Professional Staff

FROM: David Rowan
Chief Deputy Director

DATE: March 15, 2010

SUBJECT: Questionnaire

On March 1, 2010, on behalf of Director of the Department of Industrial Relations, a questionnaire concerning teaching, training, and presentation activities was sent to you and other Cal-OSHA professional employees. The questionnaire was prompted by a mandated investigation after inappropriate activities in this area were brought to Cal-OSHA's attention.

First of all, I wish to make it absolutely clear that the intent of this inquiry is not to seek information on your purely personal activities. The sole purpose is to determine whether state resources have been or are being misused.

Second, a positive response to any of these questions does not automatically mean that you are considered to be in violation of any DIR policy. It does mean that we need the details we have requested to be sure that what you are doing comports with DIR policy and the law. In the end, having these questions answered will protect those of you who are in full conformance.

Third, I would like to provide specific clarification here on the information we wish to obtain from you. You may limit your response to activity that has taken place in the three years prior to March 1, 2010. In addition, you need not sign under penalty of perjury, and may line out those words before you sign. However, please understand that you are expected to answer truthfully whether you sign under penalty of perjury or not.

Regarding the specific questions being asked of you, if your answer to question 1 is "no", you are finished with the questionnaire. You need not answer any other questions.

If your answer to question 1 is “yes”, you will need to proceed to answer the other questions only if you have used state resources, to prepare for, participate in, or conduct the teaching, training or presentations. By “state resources” we mean property that belongs to the State, State paid work time, funds, equipment, supplies, phones, computers, vehicles, or compensation for travel. We do not mean publicly available material free of charge such as free pamphlets or information that might be obtained from a State website or other similar materials.

I appreciate that that many of you have submitted your responses to the questionnaire well in advance of the March 15, 2010 deadline. For those of you have not, or for those who would like to submit a revised questionnaire in light of this clarification, we are extending the response deadline until March 31, 2010.

I hope this clarification is helpful; we regret any misunderstandings that may have been caused by the phrasing of the questions. If you have any further questions, please feel free to contact Frank Dickey at (415) 703-4240.