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EMPLOYERS MAY FACE MORE CAL/OSHA SUITS UNDER STATE HIGH COURT RULING

News
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Collin Cook is quoted in the article, “Employers May Face More Cal/OSHA Suits Under State High Court Ruling,” which published on *SHRM*. This article discusses the impact of the recent California Supreme Court ruling on *Solus Industrial Innovations, Inc. v. Superior Court* stating employers can be sued under the state’s unfair business practices laws when employees are injured as a result of workplace safety violations.

Collin explains that the court’s unanimous ruling confirms that employers who fail to comply with workplace safety and health standards can also be held liable for civil penalties, restitution and injunctive relief under the state’s unfair competition law (UCL) and fair advertising law (FAL).

Solus Industrial Innovations, Inc. v. Superior Court stems from a 2009 incident involving a water heater explosion that killed two workers. The employer was cited for removing the safety features and forcing the water heater to operate beyond capacity and failing to maintain the water heater in safe condition. Civil claims were filed against the company, alleging that it engaged in fraudulent business practices by failing to comply with workplace safety standards and made false and misleading statements about its commitment to such standards.

“The decision is likely to trigger an increase in claims against employers under the relevant state laws and provides yet another reason why employers must implement and enforce robust workplace safety programs,” Collin said.

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California employers need to understand and comply with the state's specific standards. It is important that companies create health and safety programs that are not only tailored to their specific businesses and comply with both federal and state requirements, but are also properly executed and followed to avoid workplace hazards.

To read the full article, visit *SHRM*.