



Cal-OSHA Head, Ellen Widess Reported To Have Resigned

Insights

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I just learned from Fred Walter at Walter & Prince LLP that Ellen Widess has apparently resigned effective immediately from her position as Chief of the Division of Occupational Safety and Health, and is taking another post. No specific reason was given for her resignation. No press release appears to yet be out, but if accurate, this resignation could meaningfully affect the current approach taken by Cal-OSHA.

Governor Brown appointed Ms. Widess on April 4, 2011. She replaced Len Welsh, a no nonsense attorney who was known for his genuine efforts to bring the various stakeholders together and to work with all parties. Ms. Widess focused on groups other than employers, and thus missed many opportunities for genuine collaboration. An April 4, 2011 EHS today interview predicted such a change:

While Freyman credits current Cal/OSHA Chief Welsh with reaching out and attempting to work with all stakeholders in his role as Cal/OSHA chief, she said he often did so from an employer perspective and labor representatives are "eager to have someone in place who's more responsive to the labor community and who will prioritize their concerns ..."

During Ms. Widess' tenure, the Division suffered well known funding issues, which further reduced its effectiveness, including by limiting hires and investigators ability to travel. Fred Walter, who cares about the Division, also observed that during her tenure, the number of experienced inspectors who left Cal/OSHA or sought reassignment significantly reduced the agency's "corporate memory." Many of us have witnessed a similar brain drain as many experienced Area Directors and others have retired from Fed-OSHA.

Ms. Widess was a very visible supporter of Asst. Secretary of Labor, Dr. David Michaels, and the changes coming out of D.C. Ms. Widess shared Fed-OSHA's current emphasis on the "stick" of enforcement and disfavored efforts such as California's Voluntary Protection Program (VPP)-Construction program.

The effects of Ms. Widess' departure remain to be seen. Fed-OSHA has increased its influence over State-OSHA plans in the last few years, so broad changes may be unlikely. Nevertheless, we are hopeful that the Division addresses a number of outstanding investigation procedural issues and

considers how it can coordinate more with stakeholders, including employers, to better leverage its limited resources.

Related People



Howard A. Mavity
Partner
404.240.4204
Email