WHEN CAL/OSHA COMES TO THE WORKPLACE:

A trained Cal/OSHA safety engineer or industrial hygienist may periodically visit the workplace to make sure your company is complying with job safety and health laws.

An inspection will also be conducted when a legitimate complaint is filed by an employee with the Division of Occupational Safety and Health.

Cal/OSHA also goes to the workplace to investigate a serious injury or fatality.

When an inspection begins, the Cal/OSHA investigator will show official identification and explain the reason for the visit.

The employer, or someone the employer chooses, will be given an opportunity to accompany the investigator during the inspection.

A representative of the employees, the employer's attorney, or a person acting for the employer, may accompany the investigator during the inspection.

VOLUNTIONS, CITATIONS & PENALTIES:

If the investigation shows that the employer violated a safety and health standard or order, then the Division of Occupational Safety and Health issues a citation. Each citation specifies a date by which the violation must be abated. A notice of which citation, or any monetary penalty, may be issued in lieu of a citation for certain non-serious violations.

Citations carry penalties of up to $7,000 for each regulatory and general violation and up to $25,000 for each serious violation. Additional penalties of up to $70,000 per day for regulatory or general violations and up to $15,000 per day for serious violations may be proposed for each failure to correct a violation by the abatement date shown on the citation. A penalty of not more than $1,000 but not more than $700,000 may be assessed an employer who willfully violates any occupational safety and health standard or order. The maximum civil penalty that can be assessed for each repeat violation is $70,000. A willful violation that causes death or permanent impairment of the body of any employee results, upon conviction, in a fine in an amount not less than $25,000 and imprisonment to be determined by the court, or both, and if the employer is a corporation or limited liability company the fine may not exceed $1.5 million.

The law provides that employers may appeal citations within 15 working days of receipt to the Occupational Safety and Health Appeals Board.

An employer who receives a citation, Order, Take Special Action, or Special Order must post it prominently at or near the place of the violation for three working days, or until the unsafe condition is corrected, whichever is longer, to warn employees of danger that may exist there. Any employee may protest the time allowed for correction of the violation to the Division of Occupational Safety and Health or the Occupational Safety and Health Appeals Board.

EMPLOYERS ALSO HAVE RESPONSIBILITIES:

To keep the workplace and your coworkers safe, you should tell your employer about any hazard that could result in an injury or illness to people on the job.

While working, you must always obey state job safety and health laws.

HELP IS AVAILABLE:

To learn more about job safety rules, you may contact the Cal/OSHA Consultation Service for free information, required forms and publications. You can also contact a local office of the Division of Occupational Safety and Health. If you prefer, you may retain a competent private consultant, or ask your workers’ compensation insurance carrier for guidance in obtaining information.