PRIOR REPEAT VIOLATION DEFINITION [334(d)(1)]

A Repeat “is a violation where the employer has corrected, or indicated correction of an earlier violation, for which a citation was issued, and upon a later inspection is found to have committed the same violation again within a period of three years immediately preceding the latter violation. For the purpose of considering whether a violation is repeated, a repeat citation issued to employers having fixed establishments (e.g. factories, terminals, stores…) will be limited to the cited establishment; for employers who engaged in businesses having no fixed establishments (e.g. construction, painting, excavation…) a repeat violation will be based on prior violations cited within the same Region of the Division.”

NEW REPEAT VIOLATION DEFINITION [POST JAN. 1ST]

A Repeat “is a violation where the employer has abated or indicated abatement of an earlier violation occurring within the state for which a citation was issued, and upon a later inspection, the Division finds a violation of a substantially similar regulatory requirement and issues a citation within a period of five years immediately following the latest of: (1) the date of the final order affirming the existence of the previous violation cited in the underlying citation, or (2) the date on which the underlying citation became final by operation of law. For violations other than those classified as repeat regulatory, the subsequent violation must involve essentially similar conditions or hazards.”

**Suggestion:** For employers with multiple sites in Cal. Go to OSHA Data Page [https://www.osha.gov/oshstats/](https://www.osha.gov/oshstats/)

Find the hyperlink to “Establishment Search” and enter appropriate fields, examine all “inspection numbers” showing violations and verify that ALL citations have been abated “SYSTEM WIDE”...NOW IT'S A MATTER OF TRAINING ALL SUPERVISORS TO ENGAGE IN “SYSTEM WIDE” COMMUNICATION when any one site is subject to visitation from Cal/OSHA.