

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/>

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.