

**DIVISION OF OCCUPATIONAL SAFETY AND HEALTH  
POLICY AND PROCEDURES MANUAL**

**CITATION UPDATE**

P&P C-166  
Issue Date:  
6/30/94  
Revised: 8/1/94

**AUTHORITY:** Not applicable.

**POLICY:** It is the policy of the Division of Occupational Safety and Health to modify and update citation information which has been previously entered into the Integrated Management Information System (IMIS) in order to assure that accurate information is available for statistical and administrative purposes.

**PROCEDURES:**

**A. USE**

The Citation Record Update (OSHA Form 166) may be used by compliance personnel and Office Support Staff to report an amended notice or citation, abatement extensions, results of informal conferences, such as settlement or stipulation agreements, the disposition of contested cases and to track employer progress on abatement.

**B. EVENT HISTORY**

1. When a notice or citation is initially entered into IMIS, an Event History Record is generated automatically which captures the original violation data and begins the audit trail for the history of the violation.
2. An Event History Record documents the outcome of all actions affecting the notice or citation, e.g., amendment, addition or withdrawal, informal conference, abatement extension, appeal decision, reconsideration decision or other legal decision.
3. The following changes to a notice or citation and notification of penalty are considered to be events and shall be recorded in IMIS by Office Support Staff:
  - a. When abatement is completed;
  - b. When a citation is amended for any of the following reasons:
    1. Adding a citation or citation item.

NOTE: A citation may be added by entering a Cal/OSHA 1B.

2. Withdrawing a citation or a citation item.
3. Correcting any errors.

EXAMPLES: Numbering of a citation or citation item, the numbering of a Title 8 Safety Order section or subsection, proposed penalty amount or other errors relating to the citation, notice or proposed penalty.

4. Extending the period of time fixed for abatement.
- c. When an employer files an Appeals Form (formerly Notice of Contest) and the District receives a docketed Appeals Form;
- d. When a Final Order of the Appeals Board is received by the District Office;
- e. When the District amends a citation or notice as a result of an informal conference;
- f. When the Appeals Board approves an stipulation entered into by the Division and the employer which resolves contested issue(s);
- g. When the District receives a Petition for Reconsideration;
- h. When the District receives a Decision After Reconsideration; and
- i. When the District receives information that a Writ has been filed.

### C. OSHA FORM 166 PAPER PROCESSING

1. No guidelines for written completion of the OSHA Form 166 are given in this P&P, since the OSHA Form 166 is completed only as a data entry option.

NOTE: Compliance personnel and Office Support Staff shall consult with the Regional IMIS Coordinator for instructions if the District decides to complete the written OSHA Form 166.

2. Data input may be done directly from the docketed Appeal Form, Cal/OSHA Form 160 or 161, Appeals Decision or Reconsideration (Recon) Decision, settlement or stipulation agreement between the Division and an employer, amended citation or other document for submission to data entry without using the OSHA Form 166.

### D. OSHA FORM 166 SCREEN PROCESSING

1. Post-Violation Data

Post-violation data is processed through the menu item "Violations" (OSHA 1B, OSHA 2B, 166) on the IMIS Forms Processing Menu. By

selecting menu items on the "Violations" screen, a submenu for a particular type of event coded on the OSHA Form 166 change can be accessed.

NOTE: Post-violation data refers to any change made to a notice or citation after the notice or citation has been data-entered into IMIS.

## 2. Submenus

### a. Add, Mod, Amend, ISAs, Final (Screen Menu)

#### 1. Violation Summary Process Screen

- a. The Violation Summary Process Screen allows the user to view the entire violation record for a particular inspection and to update any or all of the items.
- b. The Violation Summary Screen is a useful tool for compliance personnel in reviewing the status of citations not yet finalized, drafting violation items, numbering and renumbering draft citations, as well as copying selected items (draft or final) for use under the same inspection number and/or a user- specified inspection number.

NOTE: The OSHA 1B screen may be accessed through the Violation Summary Process screen for adding, modifying, or deleting violation data in the database.

#### 2. OSHA 1B Screen

- a. The OSHA 1B Screen displays data which has been previously entered for a violation.

NOTE: Data from the OSHA 1B screen is also used to generate the citation. See P&P C-1B for instructions on entering information from the Cal/OSHA Form 1B.

- b. Post-violation data can also be processed from the Violation OSHA 1B Screen through the "Event Processing" item on the screen.
- c. A useful feature of this screen is the "view/mod event history" selection which displays the history of the violation. The original citation issuance date, event code that caused violation or post-violation data to be

added to the history, the violation classification, proposed penalty, abatement date, action code and final order are displayed in a popup window. See Attachment B for a display of the "Requested Event History Window."

d. The following codes are used for entries in the Event History:

i. Event Code

Z System prefills with new added transaction)  
I Informal conference  
A Citation Amendment  
W Employer withdrew contest  
D Division or Appeals withdrew case (closed or dismissed)  
F Stipulation or Settlement  
Y Reconsideration Decision  
J ALJ Decision  
P Extension of abatement granted  
1 Lower Court Decision  
2 Appeal Court Decision  
3 Supreme Court Decision

ii. Event Date

Enter date of above action or citation amendment date.

iii. Action Code

A Add  
M Modify  
N No change  
D Delete (Do not use, contact IMIS Coordinator)

iv. Citation Type

See P&P C-1B for codes for citation type. Enter the citation type associated with the citation or citation item.

v. Penalty

Enter penalty associated with the citation or citation item.

vi. Abatement Date

Enter the abatement date associated with the citation or citation item.

vii. Final Order

Enter an "X" if this is a final order.

NOTE: Any cited violation which is not appealed within 15 days to the Appeals Board automatically becomes a final order of the Board by operation of law.

3. OSHA 2B (Failure To Abate Screen)

- a. The OSHA 2B (FTA) screen displays data which has been previously entered in IMIS for a failure to abate.

NOTE: Data entered on the OSHA 2B screen is also used to generate the Cal/OSHA 2B.

- b. The OSHA 2B screen may be used to update or modify changes in failure to abate information resulting from amendments, informal conferences resulting in settlement or stipulation agreements, final orders, ALJ decisions or Recon Decision. The "view/mod event history" selection will display the history of the failure to abate.

b. Citation Assembly

Not Applicable

c. Item-by-Item Update

Abatement Completed Screen

1. The Cal/OSHA Forms 160 and 161 are used as input documents for updating information on verification of abatement.
2. Information on abatement may be entered on an item-by-item basis by using this screen.

NOTE: A Global Update which enters information for an entire inspection or an entire citation may be entered under the global update screen for abatement completed, i.e., Abatement Completed/Close.

3. Use the following codes for entering information on Abatement Completed:

X Abatement Completed.  
I Abated at Time Observed (if noted by compliance personnel).  
E Not Completed, Employer out of business.  
W Not Completed, Worksite changed.  
S Not Completed, Legal Unit advised.  
A Not Completed, District Manager discretion.

d. Global Updates

1. General Use

A global update allows actions which affect an entire inspection, citation or citation item to be data-entered once by modifying all the violations in the particular inspection, citation or citation item.

2. Last Date for Contest

Not used.

3. Modify Issuance Date(s)

- a. This screen may be used to modify issuance dates prior to issuing the citation(s) but after the citation has been entered into IMIS.
- b. Select one of the following:
  - i. Entire Inspection

Enter "Y" in "Entire Inspection" when the update pertains to all the citations issued for the specified inspection number.

ii. Entire Citation

Enter "Y" in "Entire Citation" if all items on the citation are to be modified.

iii. Entire Grouped Item (Do Not Use)

NOTE: "Entire Inspection" and "Entire Citation" can be used on all the Global Update screens.

4. Abatement(s) Completed/Close

- a. This screen is used to indicate that abatement has been completed and may be used to close the case.
- b. The following codes are used to enter verification of abatement:

X Abatement Completed.

I Abated at Time Observed (if noted by compliance personnel).

E Not Completed, Employer out of business.

W Not Completed, Worksite changed.

S Not Completed, Legal Unit advised.

A Not Completed, District Manager discretion.

5. Delete Violations

a. Due to An Event

This screen will globally flag violations as deleted due to an event such as amendment, informal conference, interim decision or final order.

b. Due to Error

Only use if you intend to remove violations from both the IMIS database at the district and at the host as if the record never existed.

6. Delete Failure to Abates

a. Due to An Event

Failure to abate information may be flagged as deleted due to an event such as amendment, informal conference, interim decision or final order.

b. Due to An Error

Only use if you intend to remove violations from both the IMIS database at the district and at the host as if the record never existed.

7. Action Dates

- a. This screen may be used to track dates which are not otherwise provided for in a case file or in IMIS, e.g., follow-up inspection due, Cal/OSHA Forms 160 or 161 due, or other information due.
- b. The following codes may be used to track actions:

A Abatement Due.

P Plan Due (Form 160 Due).

R Report Due (Form 161 Due).

L Letter Due (5 day letter on 161).

F Follow-up Inspection Due (See P&P C-15).

O Other (Optional use by District Manager)

8. Modify FTA Issue Date

This screen is used to modify the issuance date for failure to abate prior to issuing the failure to abate, but after the failure to abate has been entered into IMIS.

9. No Change for Contests

This screen may be used to report no change to contested items because they have been stayed by the Appeals Board.

Attachments:

A --[OSHA 166](#)

B --[Event History Window](#)