

Attachment H

SAMPLE 161 REMINDER LETTER

Date

Dear Employer:

Following an inspection at a place of employment maintained by you, the Division issued a Citation and Notification of Penalty alleging a Serious violation(s) of Title 8 of the California Code of Regulations and requested that you complete the Cal/OSHA 161 (Employer's Signed Statement of Abatement of Serious Violation(s)) verifying that the Serious violation(s) were abated within the abatement period.

To date, we have not received the Cal/OSHA 161 describing the actions that you have taken to abate the violative condition(s).

I am enclosing with this letter another Cal/OSHA 161 for you to complete and return to this Office. As stated on the 161, the Division is required to revoke any abatement credit when the Cal/OSHA 161 is not returned to this Office within ten (10) working days following the abatement date. Revocation of the abatement credit will cause the civil penalty to double. The Division is also required to conduct a follow-up inspection of your place of employment if you do not return the Cal/OSHA 161. If the Division discovers during the follow-up inspection that you have not abated the Serious violation(s), the California Labor Code permits the Division to assess an additional penalty of up to \$15,000 for each day beyond the abatement date that the violation remains unabated.

If you have filed an appeal of one or more of the Serious violation(s) issued by the Division, abatement of the appealed items is stayed during the appeal process and the Cal/OSHA 161 covering those violations need not be submitted at this time. However, the abatement period is not stayed for any violations not appealed and the Cal/OSHA 161 must be submitted for those violations at this time.

If you have filed an appeal of one or more cited violations, please notify this Office of which cited violations you are appealing. Your immediate attention to this matter is appreciated.

Sincerely,

District Manager

enclosure: Cal/OSHA 161

C-2, Attachment H, 09/01/00