

DEPARTMENT OF INDUSTRIAL RELATIONS
DIVISION OF OCCUPATIONAL SAFETY & HEALTH
LEGAL UNIT

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October 18, 2018

AMENDED NOTIFICATION OF PROPOSED EMERGENCY REGULATORY ACTION

Subject: Recording and Reporting of Occupational Injuries and Illnesses

The Department of Industrial Relations, Division of Occupational Safety and Health (“the Division”) is proposing to adopt emergency amendments to Sections 14300.35 and 14300.41 of Title 8 of the California Code of Regulations. These proposed amendments would require designated employers in California to submit electronically certain occupational injury and illness information to the federal Occupational Safety and Health Administration (“OSHA”), with the first submission due by December 31, 2018.

Government Code section 11346.1(a)(2) requires that, at least five working days prior to submission of the proposed emergency action to the Office of Administrative Law (OAL), the adopting agency provide a notice of the proposed emergency action to every person who has filed a request for notice of regulations action with the agency. After submission of the proposed emergency to OAL, OAL shall allow interested persons five calendar days to submit comments on the proposed emergency regulations as set forth in Government Code section 11349.6. Upon filing, OAL will have ten (10) calendar days within which to review and make a decision on the proposed emergency rule. If approved, OAL will file the regulations with the Secretary of State, and the emergency regulations will become effective for one hundred and eighty (180) days. Within the 180-day effective period, the Division will proceed with a regular rulemaking action, including a public comment period. The emergency regulations will remain in effect during this rulemaking action.

Attached to this notice is the specific regulatory language of the Division’s proposed emergency action and Finding of Emergency.

You may review the proposed regulatory language and Finding of Emergency on the Division’s website at the following address: <https://www.dir.ca.gov/doshreg/Recording-and-Reporting/>

If you have any questions regarding this proposed emergency action, please contact Willie Nguyen at wnguyen@dir.ca.gov or (510) 286-7348.