

**NOTICE OF MODIFICATIONS TO
TEXT OF PROPOSED REGULATIONS**

Modifying Requirement to Produce Citations on Appeal and Modifying Discovery Rules

The Occupational Safety and Health Appeals Board (“Board”) proposes to adopt the proposed regulations described below after considering all comments, objections, and recommendations regarding the proposed actions.

Pursuant to the requirements of Government Code section 11346.8, subdivision (c), and section 44 of Title 1 of the California Code of Regulations, the Board is providing notice of changes made to proposed regulation section 359.1. On August 22, 2019, the Board held a regulatory hearing regarding the proposed amendments to California Code of Regulations, title 8, sections 347, 359.1, 361.3, 372.2, and 372.9. In response to public comments received during that meeting, the Board is proposing further modifications to section 359.1.

If you have any comments regarding the proposed changes, the Board will accept written comments between October 28, 2019 and November 12, 2019. All written comments must be submitted to the Board by 5:00 p.m. on November 12, 2019. The Board will only consider written comments received by that time. Written comments should be submitted to:

Aaron Jackson, Staff Counsel
Cal/OSHA Appeals Board
2520 Venture Oaks Way, Suite 300
Sacramento, CA 95833
Comments may also be submitted via email to ajackson@dir.ca.gov

All written comments received by November 12, 2019, which pertain to the indicated changes will be reviewed and responded to as part of the compilation of the rulemaking file. **Please limit your comments to the modification of the text.**

AUTHORITY AND REFERENCE

Labor Code (LC) section 148.7 authorizes the Board to adopt, amend, or repeal rules of practice and procedure pertaining to hearing appeals and other matters falling within its jurisdiction. The Board is charged with hearing and resolving appeals filed by employers for occupational safety and health citations issued by the Division of Occupational Safety and Health (Division).

AVAILABILITY OF DOCUMENTS

The Board will have the entire rulemaking file available for inspection and copying throughout the rulemaking process at its office at the above address. Copies may be obtained by contacting Mr. Jackson at the contact information listed above. Copies of the Notice of Proposed Action, the Initial Statement of Reasons, the text of the proposed regulations (as originally proposed) in underline and strikethrough can be accessed through our website at www.dir.ca.gov/oshab/Rulemaking.htm Copies of this Notice of Modifications and the text of the modified regulations in double underline and double strikethrough can also be accessed at the above website address.