

FOR IMMEDIATE RELEASE

IR #2002-21

Thursday, December 26, 2002

CONTACT:

Dean Fryer

Susan Gard

415-703-5050

New law increases employer penalties for not reporting accidents to Cal/OSHA

SAN FRANCISCO - Any employer who fails to report a fatal injury or the serious injury or illness of an employee to Cal/OSHA within eight hours of its occurrence now faces a minimum penalty of \$5,000.

Provisions of Assembly Bill (AB) 2837, which include the substantial increase in penalties for employers who don't report -- up from \$500 -- take effect Jan. 1, 2003 and are being implemented by the California Department of Industrial Relations, Division of Occupational Safety and Health (Cal/OSHA).

"We need to investigate all serious accidents and fatalities to ensure employers are maintaining safe work sites," said Vicky Heza, Cal/OSHA's chief of enforcement. "That's why reporting them is so important."

A serious injury or illness is defined as amputation of a member of the body, disfigurement, or in-patient hospitalization for more than 24 hours for other than observation.

Employers must report the name and location of the injured person, the nature of the injury or illness, a description of the accident including its time and date, the employer's name, address and telephone number and other relevant information to the nearest Cal/OSHA office by phone or fax within eight hours.

"Approximately 550 citations are issued each year to employers for failure to report accidents," said Heza. "This new law is designed to dramatically reduce this number and bring about a greater level of compliance."

AB 2837 also provides that an employer, officer, management official, or supervisor who knowingly fails to report a death to Cal/OSHA or knowingly induces another to do so is guilty of a misdemeanor and will face a penalty of up to one year in jail, a fine of up to \$15,000, or both. If the violator is a corporation or a limited liability company, the fine could be up to \$150,000.

Cal/OSHA offers free consultative assistance to employers. For more information call 1 (800) 963-9424 or visit the Web site at <http://www.dir.ca.gov/DOSH/>.

