

**AB2837**  
**Prosecution of CAL OSHA Violations**  
**Effective 1/1/03**

The existing law requires an employer to immediately file a report to the division in every case involving a serious injury or illness, or death. This bill would impose a civil penalty of not less than \$5,000 against any employer who fails to file a report as specified.

The existing law requires a state, county, or local fire or police agency called to an industrial accident in which a serious injury or illness, or death occurs to report the accident to the nearest office of the division. This bill would require that the division then notify the appropriate prosecuting authority of the accident.

Existing law provides that every employer, and every officer, management official, or supervisor having direction, management, control, or custody of any employment, place of employment, or employee is guilty of a misdemeanor if that person or entity, among other things, knowingly or negligently violates any standard, order, or special order, or any of certain provisions of the Occupational Safety and Health Act of 1973, the violation of which is deemed to be a serious violation. This bill would also provide that an employer, officer, management official, or supervisor who knowingly fails to report a death to the division or knowingly induces another to do so is guilty of a misdemeanor. This bill would prescribe 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, this bill would impose a fine of up to \$150,000.

By making certain violations of employee safety standards by employers subject to criminal penalties, this bill would impose a state-mandated local program.