



# REFUND OF CAL/OSHA PENALTIES FOR LAW ENFORCEMENT AND FIREFIGHTING AGENCIES

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## **Background**

With the passing of Assembly Bill 186 (approved by the Governor on August 30, 2005), Section 6434.5 has been added to the Labor Code. Section 6434.5 establishes a refund plan for civil and administrative penalties (with interest) imposed against law enforcement and firefighting agencies by the California Occupational Safety and Health Administration (Cal/OSHA) for violations of certain laws and orders relating to safety in employment.

Law enforcement and firefighting agencies may apply for a refund if the following conditions are met:

## **Eligibility Requirements:**

1. **Abatement:** All conditions cited by Cal/OSHA must be corrected (abated).
2. **Outstanding Citations:** The agency must have abated any other outstanding citations.
3. **No Further Violations:** The department has not been cited for a serious violation within two years of the date of the original violation.

## **Deadlines and Limitations:**

- **Refund Application Window:** An agency must apply for the refund within **two years and six months** of the original violation date.
- **Unclaimed Funds:** If an eligible refund is not applied for within the deadline, those funds are reallocated to designated public entities to fund specific safety grants.

***To initiate a request, contact the Cal/OSHA District Office that issued the citation.***