

109TH CONGRESS
1ST SESSION

H. R. 979

To amend the Occupational Safety and Health Act of 1970 with respect to enforcement provisions.

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 17, 2005

Mr. TIAHRT introduced the following bill; which was referred to the Committee on Education and the Workforce

A BILL

To amend the Occupational Safety and Health Act of 1970 with respect to enforcement provisions.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. WRITTEN STATEMENT TO EMPLOYER FOL-**
4 **LOWING INSPECTION.**

5 Section 8 of the Occupational Safety and Health Act
6 of 1970 (29 U.S.C. 657) is amended by adding at the end
7 the following:

8 “(i) At the closing conference after the completion of
9 an inspection, the inspector shall provide the employer or
10 a representative of the employer with a written statement

1 that clearly and concisely provides the following informa-
2 tion:

3 “(1) The results of the inspection, including
4 each alleged hazard, if any, and each citation that
5 will be issued, if any.

6 “(2) The right of the employer to contest a ci-
7 tation, a penalty assessment, an amended citation,
8 and an amended penalty assessment.

9 “(3) An explanation of the procedure to follow
10 in order to contest a citation, a penalty assessment,
11 an amended citation, and an amended penalty as-
12 sessment, including when and where to contest a ci-
13 tation and the required contents of the notice of in-
14 tent to contest.

15 “(4) The Secretary’s responsibility to affirm,
16 amend, or dismiss the citation and penalty assess-
17 ment, if any.

18 “(5) The informal review process.

19 “(6) The procedures before the Occupational
20 Safety and Health Review Commission.

21 “(7) The right of the employer to seek judicial
22 review.

23 “(j) The written statement required under this sec-
24 tion must be presented to the employer or the employer’s

1 representative at the closing conference after the comple-
2 tion of the inspection.”.

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