



# LAWS OF ALASKA

1983

Chapter No.

26

Source

SB 263

## AN ACT

Relating to notices for occupational safety and health violations.

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**BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:**

THE ACT FOLLOWS ON PAGE 1, LINE 9

UNDERLINED MATERIAL INDICATES TEXT THAT IS BEING ADDED TO THE LAW AND BRACKETED MATERIAL IN CAPITAL LETTERS INDICATES DELETIONS FROM THE LAW; COMPLETELY NEW TEXT OR MATERIAL REPEALED AND RE-ENACTED IS IDENTIFIED IN THE INTRODUCTORY LINE OF EACH BILL SECTION.

Approved by the Governor: June 22, 1983  
Actual Effective Date: September 20, 1983

AN ACT

Relating to notices for occupational safety and health violations.

\* Section 1. AS 18.60.091(a) is amended to read:

(a) If, upon inspection or investigation, the department believes that an employer has violated a provision of AS 18.60.010 - 18.60.105 that is applicable to the employer, the department shall with reasonable promptness issue a citation to the employer. Each citation shall be in writing and shall describe with particularity the nature of the violation, including reference to the provisions of the chapter or any order[, RULE] or regulation alleged to have been violated, and shall fix a reasonable time for abatement of the violation. The department may prescribe procedures for the issuance of a notice instead of a citation with respect to minor violations which have no direct or immediate relationship to safety or health, or violations which are not serious' and which the employer agrees to correct within a reasonable time. If an employer does not, within a reasonable time set out in the notice, correct a violation which is not serious, the department shall issue a citation to the employer.

\* Sec. 2. AS 18.60.093(a) is amended to read:

(a) If, after an inspection or investigation, or after an employer's failure to correct a violation for which the employer has been issued a notice, the department issues a citation, the commissioner shall, at a reasonable time after the termination of the

1 inspection or investigation, or expiration of the time period set out  
2 in the notice, notify the employer by certified mail of the penalty  
3 proposed to be assessed and that the employer has 15 working days  
4 within which to notify the commissioner and the OSHA Review Board that  
5 the employer [HE] wishes to contest the citation or proposed assess-  
6 ment of penalty. If, within 15 working days after [FROM THE] receipt  
7 of the penalty notice issued by the commissioner, the employer fails  
8 to notify the OSHA Review Board that the employer [HE] intends to  
9 contest the citation, or proposed assessment of penalty, the citation  
10 and the assessment, as proposed, are [SHALL BE] considered final and  
11 not subject to review by any court.  
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