

Department of Labor and Industry**Proposed Permanent Rules Relating to OSHA Citation Notification Requirements****5210.0530 CITATIONS; POSTING.**

Subpart 1. **Issuance.** The commissioner shall review the investigation report of the investigator. If on the basis of the report the commissioner believes that the employer has violated a requirement of Minnesota Statutes, section 182.653, or any standard, rule, or order adopted under the act, the commissioner shall issue to the employer either a citation and notification of penalty or a notification of failure to abate. A copy of the citation and notification of penalty or notification of failure to abate shall also be mailed to:

A. the authorized employee representative and, in the case of the death of an employee, to the next of kin if requested by the next of kin; and

B. the complainant in a complaint inspection.

A citation and notification of penalty or notification of failure to abate shall be issued even though, after being informed of an alleged violation by the investigator, the employer immediately abates or initiates steps to abate the alleged violation. A citation and notification of penalty or notification of failure to abate shall be issued with reasonable promptness and in no event later than six months following the completion of the investigation of the alleged violation.

[For text of subps 2 to 5, see M.R.]