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Chapter 3.2. California Occupational Safety and Health Regulations (CAL/OSHA)

Subchapter 2. Regulations of the Division of Occupational Safety and Health

Article 9. Correctional Industries

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§344.40. Definitions.

(a) **Complaint.** As used in this article, the term complaint shall refer to any written allegation of unsafe or unhealthful working conditions at the place of employment of a state prisoner working in a correctional industry. The Cal/OSHA form 7 may be used as a complaint form, but shall not be required.

(b) **Committee.** As used in this article, the term committee shall refer to the correctional industry safety committee established in accordance with Department of Corrections administrative procedures at each Department of Corrections facility maintaining a correctional industry.

(c) **Committee Notice.** A committee notice is a written notice suggesting the institution take specific corrective measures and setting forth an appropriate abatement date. The notice shall be served upon the Department of Corrections employee having supervisory responsibility over the unsafe or unhealthful condition. Copies of the notice shall be served upon the warden or superintendent of the institution and upon the complainant. Further, a copy of

the notice shall be posted by the committee at a location where employees exposed to the unsafe or unhealthful condition will be likely to see it. Such posting shall be for a period of 15 days or until the unsafe condition is corrected, whichever is longer.

(d) **Filing a complaint.** A complaint is deemed filed for purposes of this article upon either being deposited in a readily accessible complaint box or being personally presented to any member of the committee.

NOTE: Authority cited: Section 6304.3, Labor Code. Reference: Sections 6304.2, 6304.3, 6313 and 6413.2, Labor Code.

HISTORY

1. New Article 9 (Sections 344.40-344.46) filed 7-9-80; effective thirtieth day thereafter (Register 80, No. 28).

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§344.43. Duties of the Department of Corrections and the Committee.

(a) Neither the Department of Corrections nor the correctional industry safety committee shall in any way abridge the right of correctional industry employees to file complaints pursuant to this article or to require referral of the complaints to the Division of Occupational Safety and Health.

NOTE: Authority cited: Section 6304.3, Labor Code. Reference: Sections 6304.2, 6304.2, 6313 and 6413.2, Labor Code.

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