

California: Governor Signs Bill Expanding Statute of Limitations for Recordkeeping Violations

Prepared for the Katten Safety Advisory Group

September 21, 2018

On September 19, Governor Jerry Brown signed a bill which will expand the statute of limitations for recordkeeping requirements under the jurisdiction of the California Division of Occupational Safety and Health ("Cal/OSHA"). The bill, Assembly Bill ("AB") 2334 (Thurmond), will amend the California Labor Code to clarify that the occurrence of certain recordkeeping violations continues "until...corrected, or the division discovers the violation, or the duty to comply with the violated requirement ceases to exist." Previously, Cal/OSHA could not cite employers for failing to record workplace injuries or illnesses if the violation took place more than six months before the citation was issued. AB 2334 will effectively extend the statute of limitations for recordkeeping violations to five years – the length of time employers are required to maintain injury and illness records. The new law is effective January 1, 2019.

Full access to Katten Safety Advisory Group alerts is restricted to members. For more information on KSAG, please click [here](#). If you are interested in membership in KSAG, please email KSAG@katten.com