

PETITION FOR MODIFICATION OF ABATEMENT DATE (PMA)

Company Name:	
Contact Name(s) For Company:	
Company Address:	Phone:
City, State, Zip:	Fax:
Company Email:	

Inspection #:	Request Date:
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Citation:	Item #:	<i>Must fill out form completely for each citation item</i>
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(a) Actions taken to achieve compliance (include date of each action). (R614-1-7.O.1.a):

(b) Requested new abatement date. (R614-1-7.O.1.b):

(c) Reasons such additional time is necessary. (R614-1-7.O.1.c):

(d) List all temporary steps taken to safeguard employees against cited hazard(s) during the abatement period. (R614-1-7.O.1.d):

(e) By signing you are certifying the information is true and accurate and the petition has been posted and, if appropriate, served on the authorized representative of affected employees. (R614-1-7.O.3.e) and a certification of the date of such posting and service was made.

Date Petition Posted:	Date Petition Served: (If Applicable)
Company Representative Printed Name:	Date:
Signature:	

UOSH Admin PMA: Approve Denied Employer was notified in writing of response by: Email Fax Mail

UOSH Administrator or Designee Printed Name:	Date:
Signature:	

PETITION FOR MODIFICATION OF ABATEMENT DATE (PMA)

R614-1-7.O Petitions for modification of abatement date.

- 1.** An employer may file a petition for modification of abatement date when he has made a good faith effort to comply with the abatement requirements of the citation, but such abatement has not been completed because of factors beyond his reasonable control.
- 2.** A petition for modification of abatement date shall be in writing and shall include the following information.
 - a.** All steps taken by the employer, and the dates of such action, in an effort to achieve compliance during the prescribed abatement period.
 - b.** The specific additional abatement time necessary in order to achieve compliance.
 - c.** The reasons such additional time is necessary, including the unavailability, of professional or technical personnel or of materials and equipment, or because necessary construction or alteration of facilities cannot be completed by the original abatement date.
 - d.** All available interim steps being taken to safeguard the employees against the cited hazard during the abatement period.
 - e.** A certification that a copy of the petition has been posted and, if appropriate, served on the authorized representative of affected employees, in accordance with paragraph R614-1-7.O.3.a. and a certification of the date upon which such posting and service was made.
- 3.** A petition for modification of abatement date shall be filed with the Administrator who issued the citation no later than the close of the next working day following the date on which abatement was originally required. A later-filed petition shall be accompanied by the employer's statement of exceptional circumstances explaining the delay.
 - a.** A copy of such petition shall be posted in a conspicuous place where all affected employees will have notice thereof or near such location where the violation occurred. The petition shall remain posted for a period of ten (10) days. Where affected employees are represented by an authorized representative, said representative shall be served with a copy of such petition.
 - b.** Affected employees or their representatives may file an objection in writing to such petition with the aforesaid Administrator. Failure to file such objection within ten (10) working days of the date of posting of such petition or of service upon an authorized representative shall constitute a waiver of any further right to object to said petition.
 - c.** The Administrator or his duly authorized agent shall have authority to approve any petition for modification of abatement date filed pursuant to paragraphs R614-1-7.O.2. and 3. Such uncontested petitions shall become final orders pursuant to Subsection 34A-6-303(1) of the Act.
 - d.** The Administrator or his authorized representative shall not exercise his approval power until the expiration of ten (10) days from the date of the petition was posted or served pursuant to paragraphs R614-1-7.O.3.a. and b. by the employer.
- 4.** Where any petition is objected to by the affected employees, the petition, citation, and any objections shall be forwarded to the Administrator per R614-1-7.O.3.b. Upon receipt the Administrator shall schedule and notify all interested parties of a formal hearing before the Administrator or his authorized representative(s). Minutes of this hearing shall be taken and become public records of the Commission. Within ten (10) days after conclusion of the hearing, a written opinion by the Administrator will be made, with copies to the affected employees or their representatives, the affected employer and to the Commission.

**After you have completed the PMA,
return it to:**

LABOR COMMISSION
UTAH OCCUPATIONAL SAFETY & HEALTH DIVISION (UOSH)
160 EAST 300 SOUTH, 3rd Floor
P O BOX 146650
SALT LAKE CITY, UT 84114-6650
Telephone: (801) 530-6901
FAX Number: (801) 530-7606