

Volks Rule officially withdrawn by OSHA

Insights

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OSHA has now officially withdrawn the so called “Volks Rule” that had attempted to set a 5 year limitations period for OSHA Recordkeeping violations. The rule received its nickname from the D.C. Circuit Court case that held there was only a 6 month limitations period pursuant to the OSH Act, and the rule was OSHA’s attempt to undue that Circuit Court ruling by promulgating the new regulation in the waning days of the Obama Administration. The Congress, pursuant to the Congressional Review Act, passed a joint resolution to withdraw the regulation and President Trump signed it on April 3. The notice of the final rule withdrawing the Volks rule is expected to be issued in the Federal Register today, May 3. Click [here](#) to see the link to the federal register. The limitations period for all OSHA citations, including Recordkeeping violations, will now comport with the statute’s six (6) month limitations period.

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