

OSHA Penalties Continue to Rise

OSHA has once again increased maximum civil penalties for violations of OSHA standards and regulations. Below are the maximum penalty amounts, adjusted for inflation, as of January 23, 2019.

Type of Violation	2015	2016	2017	2018	2019
Serious Other-Than-Serious Posting Requirements ¹	\$7,000	\$12,471	\$12,675	\$12,934	\$13,260
Failure to Abate ²	\$7,000	\$12,471	\$12,675	\$12,934	\$13,260
Willful or Repeated ³	\$70,000	\$124,709	\$126,749	\$129,336	\$132,598

^{1,3}per violation

²per day beyond the abatement date

The increase is due to the enactment of the Federal Civil Penalties Inflation Adjustment Act Improvements Act of 2015 (e.g., Inflation Adjustment Act). The Inflation Adjustment Act required agencies to: (1) Adjust the level of civil monetary penalties with an initial "catch-up" adjustment through an interim final rule (IFR); and (2) make subsequent annual adjustments for inflation, no later than January 15 of each year...so expect penalties to continue their upward progression.

Note that states that operate their own Occupational Safety and Health Plans are required to adopt maximum penalty levels that are at least as effective as Federal OSHA's.