

EMPLOYMENT SERVICES ALERT

11/18/15

OSHA to Raise Fines for First time in Quarter Century

For the first time since 1990, penalties for workplace safety violations have increased. The rise in fines, which would adjust for inflation over the past 25 years, were signed into law as part of the Bipartisan Budget Act of 2015, signed by President Obama on November 2, 2015. The changes themselves were buried within a provision of the 1,600-page budget.

Under the new law, the most severe violations, such as “Willful” and “Repeat” violations, will receive fines of approximately \$125,000, an increase of some \$55,000. The penalty for other violations, such as “Failure to Abate” and “Serious” violations, will be approximately \$12,500, up from \$7,000. The final amounts will be set via a rulemaking process no later than August 1, 2016. Further adjustments to the penalties will occur annually based on the Consumer Price Index.

Previously, OSHA was exempt from a 1990 bill that required agencies to raise fines in pace with inflation. While subsequent bills introduced to Congress over the years attempted to raise the fines, this is the first increase signed into law by the President.

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