



COMPLIANCE BULLETIN

HIGHLIGHTS

- OSHA has published a final rule that increases maximum penalties for OSH Act violations.
- The maximums are \$13,260 for most violations and \$132,598 for willful or repeated violations.
- The increased amounts apply to penalties assessed after Jan. 23, 2019.

IMPORTANT DATES

January 15, 2019

OSHA announced increased penalty amounts for 2019.

January 23, 2019

New penalty amounts became effective.

OSHA Increases Civil Penalty Amounts for 2019

OVERVIEW

On **Jan. 23, 2019**, the Occupational Safety and Health Administration (OSHA) published a [final rule](#) that increases the maximum penalty amounts the agency may assess against employers that violate workplace health and safety requirements. For most violations, the new maximum penalty amount is \$13,260. For willful or repeated violations, the new maximum penalty amount is \$132,598.

Federal law requires OSHA to increase its penalty amounts by Jan. 15 every year. Because the federal government shutdown delayed the increases for 2019, however, OSHA announced the new amounts in a [“pre-publication” version](#) of the final rule issued on Jan. 15, 2019. Now that the final rule has been officially published, the new amounts apply for any civil penalties assessed after **Jan. 23, 2019**.

ACTION STEPS

Employers should become familiar with OSHA’s new penalty amounts and review their workplace policies and practices to ensure compliance with OSHA requirements.



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Background

Federal law requires OSHA to adjust its civil monetary penalty levels for inflation no later than Jan. 15 of each year. Under the law, adjustments are made by issuing a final rule that becomes effective on the day it is officially published in the Federal Register. On Jan. 15, 2019, OSHA issued an unofficial final rule to increase the maximum penalty amounts for 2019. However, the federal government shutdown delayed the rule's official publication. The final rule was officially published on Jan. 23, 2019.

Penalty Changes for 2019

The table below compares current penalty limits to the increased amounts for 2019 outlined in OSHA's [final rule](#). The new amounts apply to any penalties OSHA assesses after **Jan. 23, 2019**.

| MAXIMUM PENALTIES | | |
|---|--|--|
| VIOLATION | CURRENT | EFFECTIVE JAN. 23, 2019 |
| Other-than-serious violation | \$12,934 per violation | \$13,260 per violation |
| Serious violation | \$12,934 per violation | \$13,260 per violation |
| Failure to comply with posting requirements | \$12,934 per violation | \$13,260 per violation |
| Failure to correct a violation | \$12,934 per day until corrected | \$13,260 per day until corrected |
| Repeated violation | \$129,336 per violation | \$132,598 per violation |
| Willful violation | \$129,336 per violation (also subject to a minimum of \$9,239 per violation) | \$132,598 per violation (also subject to a minimum of \$9,472 per violation) |

More information

Please contact Marc Rosenkrantz (908.598.7813 or marcr@slcinsure.com) at Schechner Lifson Corporation or visit OSHA's [website](#) for more information about OSHA penalties.