

## OSHA Raises Employer Penalties for 2019

Employers are encouraged to reevaluate their workplace risk and safety programs in light of recent changes at the **Occupational Safety and Health Administration** (OSHA). As OSHA is increasing the number of investigators, employers should expect more investigations with harsher penalties.

Effective January 24, 2019, OSHA civil penalties for workplace safety and health standard violations against employers have increased. The penalty increases apply to federal OSHA states. While OSHA anticipates that the 29 states operating their own occupational and health safety programs will similarly increase their penalties to be in alignment with OSHA, this is highly doubtful, as a number have not raised their penalties in years.

The 2019 penalties are:

- Other than serious violations | \$13,260 (up from \$12,675 in 2018);
- Serious violations | \$13,260 (up from \$12,675);
- Repeat violations | \$132,598, (up from \$126,749);
- Willful violations | \$132,598 (up from \$126,749);
- Failure to abate (per day) | \$13,260 (up from \$12,675 last year).

The increases apply only to citations issued after the effective date though the end of 2019. Effective January 2020, the **Department of Labor** is required to increase maximum penalties for inflation. The Federal OSHA announcement regarding the increases can be found here: [www.OSHA.gov/penalties/2019InflationAdjustments.pdf](http://www.OSHA.gov/penalties/2019InflationAdjustments.pdf).

Litchfield Cavo LLP attorneys are here to assist with assessing your workplace risk and safety analysis and compliance.

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