



Are You Ready for the Newly Revised OSHA Citation Fines?

Beginning August 1, 2016, OSHA will raise citation fines. The new budget measure was signed into law by President Obama in November 2015 with intentions on creating new maximum penalties for workplace safety violations. Below is a chart of the previous and newly implemented fines defined by citation level:

Citation Level	Previous Maximum Penalty	New Maximum Penalty
Other-Than-Serious	\$7,000	\$12,471
Serious Violations	\$7,000	\$12,471
Willful Violations	\$70,000	\$124,709
Repeated Violations	\$70,000	\$124,709

<https://www.osha.gov/penalties.html>

OSHA defines the above citations as such:

- **Other-Than-Serious:** A violation that has a direct relationship to job safety and health, but is not serious in nature.
- **Serious:** When the workplace hazard could cause an accident or illness that would most likely result in death or serious physical harm, unless the employer did not know or could not have known of the violation.
- **Willful:** a violation in which the employer either knowingly failed to comply with a legal requirement (purposeful disregard) or acted with plain indifference to employee safety.
- **Repeated:** A violation that has been cited previously for the same or a very similar condition with an OSHA Notice issued within the past 5 years.

<https://www.osha.gov/Publications/fedrites.html>

This new measure can have a substantial financial impact on your business! Not to mention, **a citation is for each individual violation and not an overall total for the number of violations.** For example, if OSHA cites your company for 3 Serious violations, under the new maximum penalty, you will pay \$37,413. Think about how many jobs you would have to win and earn profit on to make up for the fines that could be imposed. As an employer, what can you do to prevent a violation?

- Continually provide educational training with your employees using your written safety manual. Also, ensure that each attendee sign documentation confirming they have received such training.
- You and/or the job superintendents should walk around the shop or jobsite searching for and fixing potential hazards before your employees are injured.
- Get your employees involved! They do all of the hands-on work and most likely have great ideas of their own on how safety and efficiency can be improved.

Your Worker's Compensation carrier has plenty of available resources for you to use and help your company's safety program succeed. However, if you need assistance in getting your safety program started or would like help fine-tuning it, don't hesitate to give us a call. At Burke Insurance, we are ready to help you succeed because we would rather see you pay out Christmas bonuses than OSHA fines to the Man.