

## OSHA Penalty Increases Take Effect; Annual Summary Posting and Reporting Deadlines Are Near

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On January 23, 2019, the Occupational Safety and Health Administration (OSHA) [increased](#) the maximum civil penalties that employers can receive for health and safety violations by 2.5 percent to account for inflation.

Below is a chart indicating the maximum penalty for each type of OSHA violation:

| Type of Violation    | Penalty   |
|----------------------|-----------|
| Serious              | \$13,200  |
| Other-Than-Serious   | \$13,200  |
| Posting Requirements | \$13,200  |
| Failure to Abate     | \$13,200  |
| Willful or Repeated  | \$132,000 |

Under the Federal Civil Penalties Inflation Adjustment Act Improvements Act of 2015, which hiked civil penalties across federal agencies and required that fines be adjusted annually to keep up with inflation, OSHA penalties will continue to increase in January each year. This law led to a massive 78 percent increase in maximum OSHA fines that took effect in August 2016. In 2015, the maximum penalty for a “Serious” OSHA violation was \$7,000, and this amount has nearly doubled since then. These penalty increases are also effective in states like California and Michigan that operate their own occupational safety and health agencies, which must adopt maximum penalties that are at least as high as federal OSHA levels.

Meanwhile, it is important to remember that employers must comply with upcoming OSHA posting and reporting deadlines. (OSHA is one of the federal agencies that was unaffected by the partial government shutdown and is fully funded through September 2019.)

By February 1, 2019, all employers required to keep OSHA 300 Logs must post a copy of the annual “300A Summary” of workplace injury and illness data for 2018, and leave the 300A Summary posted at the workplace through April 30, 2019. In addition, employers with 250 or more employees at any “establishment” (usually a single facility or location) must [electronically submit](#) their 300A Summaries to OSHA by March 2, 2019.

Failure to timely post or submit 300A Summaries now carry potential penalties of \$13,260, like other OSHA recordkeeping violations, and employers should make sure to comply with these requirements on time.

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