

# OSHA and MSHA Increase Penalties for Workplace Safety Violations

Article By:

Labor and Employment Group

---

On July 1, 2016, Occupational Safety and Health Administration (OSHA) increased the maximum penalties under the Occupational Safety and Health Act by about 78 percent to account for inflation. Acting under authority conferred by the Federal Civil Penalties Inflation Adjustment Act Improvements Act of 2015, Pub. L. 114-74, 701 (part of the Bipartisan Budget Act of 2015), OSHA published an interim final rule that will on August 1, 2016, increase penalties for OSHA violations as follows:

- Other-than-serious violations: From \$7,000 to \$12,471
- Serious violations: From \$7,000 to \$12,471
- Repeated violations: From \$70,000 to \$124,709
- Willful violations
  - minimum: From \$5,000 to \$8,908
  - maximum: From \$70,000 to \$124,709
- Failure to abate: From \$7,000 per day to \$12,471 per day

Penalties under the Federal Mine Safety and Health Act of 1977 were also changed to account for inflation, as follows:

- The maximum penalty for most violations will now be \$68,300.
- The minimum penalty for unwarrantable failure violations under Section 104(d)(1) of the Mine Act will now be \$2,277.
- The minimum penalty for unwarrantable failure violations under Section 104(d)(2) of the Mine Act will now be \$4,553.

- The minimum and maximum penalties for failure to provide timely notification under Section 103(j) of the Mine Act will now be \$5,692 and \$68,300, respectively.
- The maximum penalty for failure to abate will now be \$7,399 per day.
- The maximum penalty for flagrant violations will now be \$250,433

© 2025 McDermott Will & Emery

---

National Law Review, Volume VI, Number 190

Source URL: <https://natlawreview.com/article/osha-and-msha-increase-penalties-workplace-safety-violations>