

16.17: OSHA Penalties

Learning Objectives

- Describe how OSHA penalties are determined

OSHA penalties are determined by the type of violation, as illustrated in Table 1. Violation types range in significant/penalty from minor (posting requirements) to willful or repeated. In settling a penalty, OSHA has a policy of reducing penalties for small employers and those acting in good faith. For serious violations, OSHA may also reduce the proposed penalty based on the gravity of the alleged violation. No good faith adjustment will be made for alleged willful (intentional) violations. States that operate their own Occupational Safety and Health Plans are required to adopt maximum penalty levels that are at least as effective as Federal OSHA's.

Table 1. Maximum OSHA Penalties^[1]

Type of Violation	Penalty
Serious Other-Than-Serious Posting Requirements	\$13,260 per violation
Failure to Abate	\$13,260 per day beyond the abatement date
Willful or Repeated	\$132,598 per violation

PRactice Question

<https://assessments.lumenlearning.co...essments/18226>

For perspective on actual penalties assessed, see OSHA's [top penalties by state](#) page, that provides a clickable map of enforcement cases with initial penalties of \$40,000 or more. A repeat offender: the U.S. Postal Service (USPS); the most recent violation was 6/13/19 (San Francisco), with a \$85,248 penalty. Also on the list: Tesla, Inc. with a \$82,000 penalty on 2/28/2019, Skechers USA, Inc. with a \$42,370 penalty on 12/14/2018 and

Southern California Edison, with a \$95,435 penalty on 11/19/2018. Ironically, Aerotek, Inc.—“the leading recruitment and staffing agency...focused on bringing great people and great organizations together”^[2] – was fined \$55,010 on 4/23/19. So much for their “our people are everything” tagline.

1. "[OSHA Penalties](#)." Occupational Safety and Health Administration, United States Department of Labor. Accessed August 20, 2019. ↵
2. "[Aerotek Recruiting and Staffing](#)." Accessed August 20, 2019. ↵

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