

## POSSIBLE OSHA PENALTIES - 2022

Violation Type	Penalty
<b>De Minimis</b> Applies to the violation of a standard that has no direct or immediate relationship to safety or health. These violations are not included in a citation, but they are documented in the same way as any other violation, but are not included on the citation.	No monetary fine assessed, serves as a warning
<b>Other Than Serious Violation</b> Applies to a violation that has a direct relationship to job safety and health, but probably would not cause death or serious physical harm.  The administrative fine may be adjusted downward by as much as 95 percent, depending on the employer's good faith efforts to comply with safety standards, history of previous violations and the size of the business. If the adjustment amount is less than \$100, no penalty will be proposed.	Punishable by an administrative fine of up to \$12,934 per violation.
<b>Serious Violation</b> Applies to a violation where: <ul style="list-style-type: none"> <li>• There is substantial probability that death or serious physical harm could result; and</li> <li>• The employer knew, or should have known, about the hazard.</li> </ul> This administrative fine may be adjusted downward based on the employer's good faith, history of previous violations, the gravity of the alleged violation and the size of the business.	Punishable by an administrative fine of up to \$12,934 per violation
<b>Failure To Abate Prior Violation</b> Applies to violations that have not been corrected. Each day when the violation remains unabated beyond the prescribed abatement date is a separate violation.	Punishable by an administrative fine of up to \$12,934 per violation per day beyond the abatement date
<b>Willful Violation</b> Applies to a violation the employer commits knowingly or with plain indifference to the law. The employer either knows that it is committing a violation or is aware that a violation existed and made no reasonable effort to eliminate it.  The administrative fine may be adjusted downward, depending on the size of the business and its history of previous violations. Usually there is no credit given for good faith.	If violation results in the death of an employee, the penalty may include a criminal conviction punishable by: <ul style="list-style-type: none"> <li>• A court-imposed fine up to \$10,000</li> <li>• Imprisonment for up to 6 months; or</li> <li>• Both a fine and imprisonment.</li> </ul> If the violation does not result on the death of an employee, the violation is punishable by an administrative fine of between \$9,239 and \$129,336 per violation.
<b>Repeat Violation</b> Applies to the violation of any standard, regulation, rule or order found during re-inspection that is substantially similar previous violation. For a repeated violation to apply, the previous violation must have been subject to a final citation. A citation under contest cannot be the basis for a repeated violation.	Punishable by an administrative fine of up to \$129,336 per violation.
Falsification of Records, Reports or Applications	Up to \$10,000, six months in jail or both.
Failure to Comply with Posting Requirements	Up to \$12,934 per violation
Providing unauthorized advance notice of inspection	Up to \$1,000, imprisonment for up to six months or both