

NEWS BRIEF

Provided by: Alper Services, LLC

DOL Enforcement Actions up and Are Expected to Stay That Way

U.S. Secretary of Labor Alexander Acosta recently told the House Labor, Health and Human Services, Education and Related Agencies Appropriations Subcommittee that he “fully expects” OSHA inspections to increase once new inspectors are trained. Acosta’s remarks are in line with the significant increase in enforcement actions employers have seen in the past two fiscal years.

Increased DOL Enforcement Actions

The DOL’s enforcement actions across the vast majority of its offices and agencies have increased in the past two fiscal years. In the 2016 fiscal year, OSHA conducted 31,948 inspections, the Employee Benefits Security Administration (EBSA) recovered \$352 million in enforcement actions and the Wage and Hour Division (WHD) recovered nearly \$266.6 million in back wages.

Comparatively, according to the most recent data, the EBSA recovered \$1.1 billion in enforcement actions, the WHD recovered a record \$304 million in back wages and OSHA conducted more than 32,000 inspections in the 2018 fiscal year. Despite the increased action, DOL guidance on complying with rules and regulations has decreased.

What Does This Mean for Employers?

Employers should be aware that the uptick of DOL enforcement actions will continue. As such, they should take action to review and evaluate their compliance obligations to avoid costly fines and penalties.

In particular, employers should review their OSHA obligations, as the DOL has communicated that inspections will continue to increase. Additionally, employers should take time to review the newly proposed overtime rule to identify which employees may be affected if the rule becomes final.

The EBSA recovered \$1.1 billion in enforcement actions, the WHD recovered \$304 million in back wages and OSHA conducted over 32,000 inspections in fiscal year 2018.

For More Information

For more information on DOL compliance, please contact Alper Services, LLC.

