

New legislation requires OSHA to increase its fines on August 1, 2016 to keep pace with inflation.

OSHA penalty adjustments taking effect August 2016

For the first time in more than 25 years, OSHA fines are increasing. Since 1990, OSHA has been exempted from a law that required federal agencies to raise their fines to keep pace with inflation. That exemption was eliminated in November 2015 when Congress enacted legislation requiring federal agencies to adjust their civil penalties to account for inflation.

The law requires OSHA to implement a penalty “catch-up adjustment” that must be in place by August 1, 2016. The catch-up adjustment is based on the percentage difference between the October 2015 and October 1990 Consumer Price Index, which is forecasted to be approximately 80 percent.



OSHA's maximum penalties, last adjusted in 1990, will increase by 78 percent. Going forward, the agency will adjust its penalties for inflation each year in accordance with the Consumer Price Index.

The new penalties will take effect after August 1, 2016. Citations issued by OSHA after that date will be subject to the new penalties if the related violations occurred after November 2, 2015.

OSHA penalty adjustments

Type of Violation	Current Maximum Penalty	New Maximum Penalty
Serious & Other-Than-Serious Posting Requirements	\$7,000 Per Violation	\$12,471 Per Violation
Failure to Abate	\$7,000 Per Day Beyond the Abatement Date	\$12,471 Per Day Beyond the Abatement Date
Willful or Repeated	\$70,000 Per Violation	\$124,709 Per Violation

Field operations guidance

To provide guidance to field staff on the implementation of the new penalties, OSHA will issue revisions to its *Field Operations Manual* by August 1, 2016. OSHA has recognized that the increased penalties may impact smaller businesses disproportionately and has stated that it will continue providing penalty reductions based on employer size and other factors.

Additional information is provided online by [OSHA](#).