



OSHA Fines Could Increase By As Much As 82%

News

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Howard Mavity was quoted in *Law 360* on November 6, 2015. The article "OSHA Fines Could Increase By As Much As 82%" discussed how a provision inserted into the two-year bipartisan budget deal that was signed by President Barack Obama earlier this week could allow the Occupational Safety and Health Administration to increase its civil penalties by up to 82 percent.

The provision could result in OSHA penalty increases of up to 82 percent, according to a blog post written on Fisher Phillips website by attorney Howard Mavity. The increase would be based on the Consumer Price Index, which Howard said is expected to be around 82 percent.

"Assuming OSHA applies the maximum catch-up increase allowed, the current maximum \$70,000 fine for repeat and willful violations would grow to a maximum of \$125,438, and the \$7,000 maximum fine for serious and failure-to-abate violations would increase to \$12,744," Howard wrote.

Howard said in his blog post that the employers who are most at risk from the new penalty increase are those who have multiple locations, those in industries where safety is not as prominent as in other industries, such as construction and foundries, employers who lack sophistication regarding safety issues and those where turnover is high. He added that another group likely to be targeted by OSHA is the manufacturing industry.

"Raising OSHA penalties has been on various groups' wish lists since the Clinton administration and with inflation, it is appropriate to raise penalties," Howard told *Law360*. "OSHA has developed workarounds to hit employers hard when needed, and if those same strategies are applied with 82 percent higher penalties, the result will be neither fair nor good for workers and businesses. That's the rub."

To read the full article, please visit [Law360](#).

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