



Employers Appeal OSHA Virus Citations at Five Times Typical Rate

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Nearly half of all employers cited by the Occupational Safety and Health Administration for Covid-19-related violations are appealing the charges, a rate that is five times higher than the average for all federal workplace safety citations. Bloomberg Law spoke with **Ed Foulke** on why the percentage is so high. Among the reasons for the high percentage of appeals, Ed says, is a concern that agreeing to a violation and paying the fine could leave an employer vulnerable to negligence or other tort claims. "In most states, a worker can't sue his or her employer for a work-related illness because costs would be covered by workers' compensation insurance programs," he adds. "But with Covid-19, few workers' compensation claims are being approved by insurers."

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Edwin G. Foulke, Jr.
Partner
404.240.4273
[Email](#)

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