

ArcFlash

SAFETY COMMITTEE NEWS BULLETIN IN PARTNERSHIP WITH **CONSTRUCTION SAFETY COUNCIL**

POWERFORWARD DUPAGE SAFETY COMMITTEE MISSION

“To pursue a ‘Safety Always’ work environment for all working craftsmen and women through education and training”



Have you heard? OSHA fines are on the rise...

By: Paul A. Satti, M.S., CHST
Technical Director, Construction Safety Council

Back in 2015, Congress signed a law that will allow OSHA fines to keep pace with inflation. Before this new law, OSHA was exempt from these types of increases and has kept steady with their fine structure. But now, after 25 years, OSHA is allowed to implement this new fine increase, as much as 80% more! The change will take effect no later than August 1, 2016, and each year thereafter OSHA will be allowed to increase fines to keep up with inflation.

The new fine structure will look like this:

OSHA Fines: Current vs. New		
Type of Violation	Current	New
“Other-than-Serious”	\$7,000	\$12,500
“Serious”	\$7,000	\$12,500
“Repeat”	\$70,000	\$125,000
“Willful”	\$70,000	\$125,000

OSHA has been advocating for higher penalties for years, and the truth of the matter is OSHA has doubled their fines, on average, over the last 8 years anyway. Although a serious fine could have brought penalties as much as \$7,000, the average was around \$500 in 2008. And a recent search of OSHA’s Data & Statistics website now shows serious penalties averaging around \$1,500 each (2016).

The new law doesn’t say anything about the 28 states that run their own safety and health programs, and it’s early enough in the process that OSHA has not begun developing any guidance for the states. However, it’s anticipated that the new federal fine structure will be required by states so they will be at least as stringent in their own programs.

Here are some ideas for how to prepare for these fine increases:

- **Top OSHA Citations** - Do your workers experience any of the hazards associated with these top violations? Addressing these top citation areas can be a good first step in re-evaluating your safety program:
 - ▶ Duty to have fall protection
 - ▶ Scaffolds
 - ▶ Aerial lifts and ladders
- **Outreach Training** - Do all of your workers carry a 10-hour card (and your supervisors and managers a 30-hour card)? OSHA-Authorized Outreach training can be a great baseline to ensure workers have basic safety training topics covered.
- **Certificate Courses** - Are there topics and hazards you know are especially risky for your workers? Make sure to train (and re-train annually!) on these topics. The Construction Safety Council and National Safety Education Center certificate training courses, which result in an official Certificate Completion from an OSHA Training Institute Education Center, can be a great option to complete annual or biennial training efficiently and on a budget.

Whatever your thoughts on the outcome of the penalties, one thing is clear: they are coming, and they can be scary. Now is a great time for employers to review their safety programs, update worker training and implement procedure updates to ensure standard enforcement.



The Construction Safety Council in partnership with PowerForward DuPage (NECA-IBEW 701 LMCC) would like to remind you to *Work Smart, Build Safe!*

