

OSHA FEDERAL PENALTY SCHEDULE

An employer receives a written citation when it violates OSHA standards or regulations. The citation will describe the particular nature of the violation and will include a reference to the provision of the chapter, standard, rule, regulation or order the employer violated.

In addition, the citation will provide a reasonable amount of time for the employer to correct the problem. When the violation does not pose a direct or immediate threat to safety or health (De Minimis Violation), OSHA may issue a notice or warning instead of a citation.

An employer that receives a citation must post a copy of it at or near the place where the violation occurred for three days or until the violation is corrected, whichever is longer. Penalties may be adjusted depending on the gravity of the violation and the employer's size, history of previous violations and ability to show a good faith effort to comply with OSHA requirements.

Below is a list of potential citations employers may receive and a range of corresponding penalties for these citations.

Violation	Penalty
De Minimis Violation	Warning
Non-Serious Violation	Up to \$7,000 per violation.
Serious Violation	Up to \$7,000 per violation.
Willful or Repeated Violation	Between \$5,000 and \$70,000 per violation.
Willful Violation Resulting in Death of Employee	Up to \$10,000 and/or imprisonment for up to six months. Penalties may double for a second or higher conviction.
Uncorrected Violation	Up to \$7,000 per day until the violation is corrected.
Making false statements, representations or certification	Up to \$10,000 and/or imprisonment for up to six months.
Violation of posting requirements	Up to \$7,000 per violation.
Providing unauthorized advance notice of inspection	Up to \$1,000, imprisonment for up to six months or both.

Serious Violation: a violation where there is a substantial probability that death or serious physical harm could result from an employer's practice, method, operation or process. An employer is excused if it could not reasonably know of the presence of the violation.

Willful Violation: a violation that the employer commits intentionally and knowingly. The employer is aware that a hazardous condition exists, knows that the condition violates an OSHA standard or other obligation and makes no reasonable effort to eliminate it.

Repeated Violation: a violation substantially similar to a violation already present in a previous citation.