

## Updated OSHA Penalties and Debt Collection Procedures

Penalties are calculated using the **Gravity-Based Penalty (GBP)**, then adjusted based on:

- **Size of Employer**
  - 1-25 employees- 70% reduction
  - 26-100 employees- 30% reduction
  - 101-250 employees- 10% reduction
  - 251 or more employees- 0% reduction
- **Good Faith**
  - 25% reduction if an employer has a written, effective Safety & Health Management System (SHMS)
  - **No reduction** allowed for:
    - Willful, repeated, or high-gravity violations
    - Failure to report serious incidents
    - Absence of an SHMS
    - Failure to abate (FTA) violations or employers on the SVEP list
- **History**
  - 20% reduction if:
    - No prior serious violations in the past 5 years, or
    - No inspection history at all
  - 20% increase if:
    - High-gravity serious citations became final orders in past 5 years
  - No adjustment if employer has unresolved prior citations or has been previously inspected with mid-level outcomes

### Quick Fix Reduction (15%)

A 15 percent reduction for good faith shall normally be given if the employer has a documented and effective safety and health management system, with only incidental deficiencies.

#### Eligibility:

- All sizes of employers in all Standard Industrial Classification (SIC) codes and North American Industry Classification System (NAICS) codes.
- Must be a general industry, construction, maritime, or agriculture employer
- Applies to other-than-serious, low- or moderate-gravity serious violations

#### Exclusions:

- High-gravity serious, willful, repeated, FTA, fatal incidents
- Blatant, obvious hazards corrected only when OSHA arrives

### Quick-Fix Abatement Timeframes & Requirements – Summary

- **Immediate Abatement:** If a hazard can be fixed on the spot during the CSHO's walkaround, it must be corrected and observed by the CSHO to qualify for Quick-Fix credit.
- **5-Day Rule:** For more complex fixes (e.g., parts replacement, training), abatement should be completed **within 5 days** of hazard discovery.
- **15-Day Extension:** In extenuating circumstances (e.g., parts need to be ordered), an additional **10 days** may be granted — **but not beyond 15 total days**. Employers must notify the CSHO within 5 days if more time is needed.
- **Documentation Required:** Employers must provide proof of abatement (photos, training logs, programs, etc.) by email or mail, **postmarked by the 5th or 15th day**, depending on complexity.
- **No Exposure Allowed:** Workers must be fully protected from the hazard while abatement is pending, or Quick-Fix credit is denied.
- **CSHO & Area Director Approval:** Quick-Fix credit is granted only if the CSHO verifies full correction and the **Area Director approves**.
- **Penalty Application:** The **15% Quick-Fix reduction** is applied after size, good faith, and history adjustments have been made.