



# VOSHA Penalty Adjustments for 2019

## § 210. PENALTIES

(9) (A) As provided under the federal Civil Penalties Inflation Adjustment Act Improvements Act of 2015 and the Act, the penalties provided in subdivisions (1), (2), (3), (4), (5), and (8) of this subsection shall annually, on January 1, be adjusted to reflect the increase in the Consumer Price Index, CPI-U, U.S. City Average, not seasonally adjusted, as calculated by the U.S. Department of Labor or successor agency for the 12 months preceding the previous December 1.

(B) The Commissioner shall calculate and publish the adjustment to the penalties on or before January 1 of each year, and the penalties shall apply to fines imposed on or after that date.

# VOSHA Gravity Based Penalties; Effective February 1, 2018

Sev./Prob.	Penalty	# of employees				
		1-25; 70%	26-50; 40%	51-100; 30%	101-250; 10%	251+; 0%
<b>High/Greater</b>	<b>12,934</b>	<b>3,880</b>	<b>7,760</b>	<b>9,054</b>	<b>11,640</b>	<b>12,934</b>
<b>Med./Greater</b>	11,086	3,325	6,652	7,760	9,977	11,086
<b>Low/Greater</b>	9,239	2,771	5,543	6,467	8,315	9,239
<b>High/lesser</b>	9,239	2,771	5,543	6,467	8,315	9,239
<b>Med./Lesser</b>	7,391	2,217	4,435	5,174	6,652	7,391
<b>Low/Lesser</b>	5,543	1,663	3,326	3,880	4,989	5,543


Note: These are the penalty amounts effective February 1, 2018

# VOSHA Gravity Based Penalties for Serious Willful; Effective February 1, 2018

Serious Willful	Penalty	# Of Employees							
		1-10;80%	11-25;70%	26-30;50%	31-40; 40%	41-50;30%	51-100;20%	101-250;10%	251+;0%
<b>High Gravity</b>	<b>129,336</b>	<b>25,867</b>	<b>38,800</b>	<b>64,668</b>	<b>77,601</b>	<b>90,535</b>	<b>103,469</b>	<b>116,402</b>	<b>129,336</b>
<b>Moderate Gravity</b>	110,856	22,171	33,257	55,428	66,513	77,599	88,685	99,770	110,856
<b>Low gravity</b>	92,422	18,484	27,726	46,211	55,453	64,695	73,937	83,180	92,422

Note: These are the penalty amounts effective February 1, 2018

Note: Failure to Abate and Repeat citations up to \$129,336 per citation



Federal Penalty Calculations for 2019 reflect an increase of 2.522%, in keeping with the Consumer Price Index calculated prior to January 1, 2019



# NOTICE!

**PENALTY ADJUSTMENTS FOR THE CALENDAR YEAR 2019, WILL GO INTO  
AFFECT ON FEBRUARY 1, 2019**

# VOSHA Gravity Based Penalties; Effective February 1, 2019

Sev./Prob.	Penalty	# of employees				
		1-25; 70%	26-50; 40%	51-100; 30%	101-250; 10%	251+; 0%
<b>High/Greater</b>	<b>\$13,260</b>	<b>\$3,978</b>	<b>\$7,956</b>	<b>\$9,282</b>	<b>\$11,934</b>	<b>\$13,260</b>
<b>Med./Greater</b>	11,366	3,409	6,820	7,956	10,229	11,366
<b>Low/Greater</b>	\$9,472	\$2,841	\$5,683	\$6,630	\$8,525	\$9,472
<b>High/lesser</b>	\$9,472	\$2,841	\$5,683	\$6,630	\$8,525	\$9,472
<b>Med./Lesser</b>	\$7,557	\$2,273	\$4,547	\$5,304	\$6,820	\$7,557
<b>Low/Lesser</b>	\$5,683	\$1,705	\$3,410	\$3,978	\$5,115	\$5,683

Note: These are the penalty amounts effective February 1, 2019

# VOSHA Gravity Based Penalties for Serious Willful; Effective February 1, 2019

Serious Willful	Penalty	# Of Employees							
		1-10;80%	11-25;70%	26-30;50%	31-40; 40%	41-50;30%	51-100;20%	101-250;10%	251+;0%
<b>High Gravity</b>	<b>\$132,598</b>	<b>\$26,520</b>	<b>\$39,779</b>	<b>\$66,299</b>	<b>\$79,559</b>	<b>\$92,819</b>	<b>\$106,078</b>	<b>\$119,338</b>	<b>\$132,598</b>
<b>Moderate Gravity</b>	\$113,652	\$24,947	\$34,096	\$56,826	\$68,190	\$79,556	\$90,922	\$102,286	\$113,652
<b>Low gravity</b>	\$94,753	\$18,950	\$28,425	\$47,376	\$56,851	\$66,327	\$75,802	\$85,278	\$94,753

Note: These are the penalty amounts effective February 1, 2019

Note: Failure to Abate and Repeat citations up to \$132,598 per citation



# How To Avoid VOSHA Penalties

- ▶ The best way for employers to avoid exposure to increased VOSHA penalties is to proactively address workplace hazards **before** a VOSHA inspector shows up at the work site:
- ▶ **CONTACT THE CONSULTATION SERVICES DIVISION, Project WorkSAFE**

# Project WorkSAFE

- ▶ The Vermont Department of Labor offers **free On-Site Consultation Services** to help employers better understand and voluntarily comply with VOSHA standards. Priority is given to high hazard workplaces with **250 or fewer employees** and all services are offered to employers at no cost.
- ▶ On-Site Consultation Services helps employers identify and correct potential safety and health hazards through walk-through surveys (**without citations or penalties**), provide abatement advice, provide on-site training, and provide **program assistance to develop safety and health programs.**
- ▶ Additional information about On-Site Consultation Services can be obtained by contacting the Vermont Department of Labor, Project WorkSAFE at <http://labor.vermont.gov/project-worksafe/> or by calling toll free 1 (888) 723-3937



# For More Information on VOSHA Penalties Contact

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