



# Pennsylvania OSHA Consultation Program

## The Pennsylvania Consultation Connection

JANUARY 2023



*From the desk of the Project Director*

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On December 16th the Bureau of Labor Statistics reported an 8.9% increase in fatal workplace injuries during 2021 nationwide. That's an 8.9% increase over 2020, and the highest rate of fatal occupational injuries since 2016. According to the most recent Pennsylvania Workers' Compensation and Workplace Safety Annual Report, 161,592 work injuries and illnesses were reported in 2021, and similarly, the number of Pennsylvanians who died on the job increased in 2021. Across the commonwealth, the rate of workplace injuries per 1,000 workers increased from 26.3 in 2020, to 28.2 in 2021. The 2021 report further notes Philadelphia county suffered the most construction industry injuries, Berks county reported the most injuries in the manufacturing industry, and in the service industry, Allegheny county had the highest number of injuries. Many of these injuries resulted from overexertion, struck by, struck against, fall to the same or lower level, contact with electricity, contact with temperature extremes, and motor vehicle accidents.

### What tangible steps should you take to better protect your workers?

### What can you do to reduce the risk of a fatal injury happening in your workplace?

- If you are a past client and haven't invited us onsite in a year or more, don't wait. Call us at (800) 385-1241 or visit <https://www.iup.edu/pa-oshaconsultation>. Submit a request, and one of our safety and health consultants will visit soon to help you improve your OSHA compliance.
- If one of your professional peers is struggling with OSHA compliance or experiencing a high number of injuries, please share this PA OSHA Consultation newsletter so they can learn about receiving no-cost OSHA compliance assistance services from IUP's Safety Sciences Dept.
- Another option is to invite a safety & health consultant to speak at your next professional association meeting. We can highlight the benefits of PA OSHA Consultation and share how your peers can benefit from this free resource here at IUP. We will also share those best safety practices commonly utilized in your industry to reduce injury frequency.
- A terrific opportunity for continual improvement is training the members of your workplace safety committee and apply for state certification. Research reveals that joint labor/management workplace safety committees improve worker awareness of safety, create opportunities for those workers to be report hazards, improve your company's safety culture, and ensure safety and health hazards present in the workplace are corrected.
- To learn more about this free safety committee service from Bureau of Workers' Compensation office in Harrisburg, please visit: <https://www.dli.pa.gov/Businesses/Compensation/WC/safety/committee/Pages/default.aspx>
- The PA Health & Safety Division will evaluate your safety committee, train your committee for free, and when needed to meet state requirements make recommendations to improve specific operational elements for your committee.
- Currently, more than 12,800 workplace safety committees across the commonwealth are certified, covering a staggering 1.6 million workers, and those participating businesses are receiving a 5% workers compensation annual premium discount.
- That 5% workers' compensation annual premium discount can be re-invested back into your business and help it grow, while your certified safety committee identifies, evaluates, and controls workplace hazards and prevents serious injuries. That improves your profitability.

The "bottom line" is this:

### **Safety makes great business sense.**

Complying with OSHA doesn't need to be confusing or overwhelming. Just call us here at IUP, we can help, for free, which is also **good business for you.**

*...It's that Easy.*

# What is Microlearning?

## The Benefits and Challenges

In our fast paced world employers are always seeking more effective ways to train their employees so they can work safely and efficiently. A new trend has arrived called microlearning. This is a technique used to teach and train employees in ways that take little time but ultimately reaches the intended goal with the greatest amount of retention. Generally, sessions are less than 10 minutes long providing small chunks of information.

The scientific background on microlearning comes from Hermann Ebbinghaus who researched and assembled the forgetting curve. In his studies he found that typically people loss 80% of their knowledge within a month. Also, when people are provided with large amounts of information, if not crucial to their tasks at hand, the knowledge degrades over time. Ebbinghaus also discovered that if repeated learning is conducted an individual tends to retain more and more of it.

Microlearning can reduce the impact of these two barriers by lending employees to retain crucial safety related information.

### Benefits of Microlearning

1. One of the main benefits is that it takes less time. Today employees are expected to perform several tasks during their workday possibly not just theirs but maybe one or two other employees job functions. Using micro-learning employees learn how to perform their jobs safely but without taking a large amount of time out of their workday.
2. Employees are less stressed and more engaged knowing that the training will take less than 10 minutes.
3. From Ebbinghaus's research small amounts of repeated learning leads to greater retention. Microlearning lends itself to constant training with knowledge that is retained over time.
4. Microlearning works well with mobile learning. Examples of mobile learning include podcasts, videos, apps, quizzes, and e-Learning.
5. Allows employees flexibility in learning so that they can learn at their own pace rather than sitting in a classroom for a full day.
6. Microlearning can be tailored to the specific information an employees needs rather than learning information that is not relevant to their job.

### Challenges of Microlearning

1. Developing and maintaining microlearning platforms can take a considerable amount of time and effort. Splitting up the training so it makes sense maybe difficult. Also, the sessions need to relevant to the different employees using them. Keeping up with updating the information should also be considered.
2. Scaling back a large training session so that each component is directed to the specific individual employee can be overwhelming and challenging.
3. Making the learning sessions accessible to all employees. Employees maybe challenged with utilizing computers, cell phones, and apps as a platform. There may be employees with disabilities needing assistance with gaining accessibility.
4. Some employees no matter what are so short of time even microlearning becomes a challenge to accomplish.

In closing, some final thoughts as you consider using microlearning for your safety training needs.

Make sure the subject matter you are considering will fit well with microlearning. Some tasks are just so complicated that it is not a good fit. An initial attempt at microlearning should not be complicated. Using a short video, quiz, or infographic may gain insight as to the usability of this platform. And finally, don't forget about the importance of social and collaborative learning. Social learning promotes the replication of positive behaviors and collaborative learning promotes the use of brainstorming with peers to discuss and resolve problems.



For further assistance or guidance contact our office at PA OSHA Consultation.

Phone: 800-382-1241

Web: [www.iup.edu/pa-oshaconsultation/](http://www.iup.edu/pa-oshaconsultation/)

Facebook: <https://www.facebook.com/Pennsylvania-OSHA-Consultation-Program-548810235234647/>

Twitter: <https://twitter.com/search?q=PA%20OSHA%20Consultation&src=savs>

## References

Valamis, "The Definitive Guide to Microlearning." *Valamis Knowledge Hub/Learning and Development/Microlearning*, December 2022, [www.valamis.com/publications/the-definitive-guide-to-mircolearning](http://www.valamis.com/publications/the-definitive-guide-to-mircolearning).

Ebbinghaus, Herman. *Memory: A Contribution to Experimental Psychology*. Columbia University, New York City, 1913.

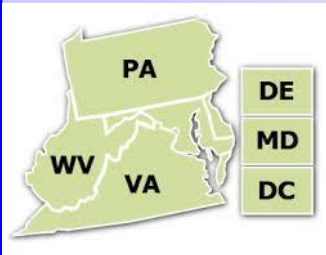


# OSHA Region 3: Regional Emphasis Program (REP) WAREHOUSING OPERATIONS

OSHA has developed a REP for warehousing, storage, and distribution yard operations in targeted industries, including powered industrial trucks in other warehousing operations.

## WHERE?

This REP covers Region 3, which includes:



Pennsylvania,  
Delaware,  
Maryland,  
West Virginia,  
Virginia,  
District of Columbia



## WHY?

The warehousing industry's accident rates have risen above the national average in 2020. The Total Case Rate (TCR) for all private industry was 2.7 cases per 100 full-time workers.

Industries found in this REP were as follows:

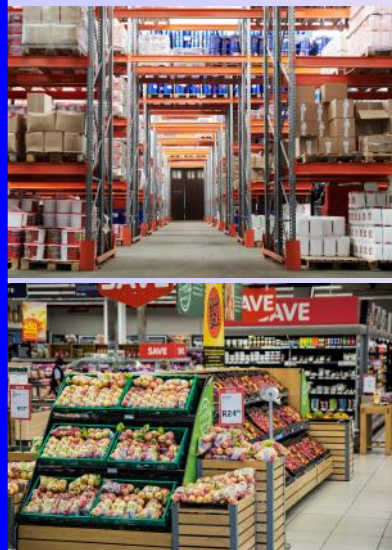
Beverage manufacturing	⇒ 3.5
Warehousing and storage	⇒ 4.8
Food and beverage store	⇒ 4.0
Grocery wholesalers	⇒ 4.3
Beer, wine, and alcoholic beverage wholesalers	⇒ 5.5

This REP is intended to reduce injury/illness rates in the warehousing industry by conducting comprehensive inspections to address hazards that may include those associated with powered industrial trucks, lockout tagout, life safety, means of egress, and fire suppression.

## WHO'S COVERED?

### NAICS Codes that are covered under this REP

Manufacturing:	Bottled and Canned Soft Drinks and Water	312111 and 312112
Manufacturing:	Fluid Milk Manufacturing	311511
Transportation:	Refrigerated Warehousing and Storage	493120
Transportation:	General Warehousing and Storage	493110
Retail Trade:	Groceries	445110
Wholesale Trade:	General Line Grocery	424410
Wholesale Trade:	Meat and Meat Products	424470
Wholesale Trade:	Groceries and Related Products	424490
Wholesale Trade:	Beer & Ale	424810



\*Keep in mind that **this REP also applies to where powered industrial trucks are used in other warehousing, storage, and distribution yard operations not in a targeted NAICS code.**

# WHAT WILL OSHA DO ?

## when they arrive for an inspection under this REP?

The compliance officer will hold an opening conference and verify the NAICS code. If the NAICS code is not on the inspection list the officer will leave. Otherwise, they will move on to the opening conference, and review the following:

- Recordkeeping 29 CFR 1904 – Review compliance of your injury and illness records (OSHA 300 logs) and electronic reporting under 29 CFR 1904.41.
- Temporary workers - If temporary workers are present or utilized at the establishment, the compliance officer shall obtain all the necessary documentation and information required to evaluate the safety and health program relating to temporary workers and determine compliance with OSHA regulations in providing a safe and healthful workplace for these workers. Here you can find information on associated hazards and solutions to [Temporary Workers](#)
- Powered industrial truck standard 29 CFR 1910.178 - Evaluation will include items such as, but not limited to, powered industrial truck operations and practices, training, safety rule enforcement, maintenance of vehicles, proper fueling/charging procedures, and any unique hazards in the workplace such as the potential for under-ride hazards. Here you can find information on associated hazards and solutions [Powered Industrial Trucks \(Forklifts\)](#)
- Storage rack systems – Review of hazards review the hazards of storage rack systems such as, but not limited to, the capacity/structural integrity of the racks, and the safe/stable storage of items. For additional guidance reference ANSI MH 16.1 - Specification for the Design, Testing, and Utilization of Industrial Steel Storage Racks and ANSI MH - 16.3 Specification for the Design, Testing and Utilization of Industrial Steel Cantilevered Storage Racks. Here you can find information on associated hazards and solutions to [Materials Handling](#)
- Means of Egress and fire suppression 1910.34, 1910.35, 1910.36, and 1910.37 -Review hazards associated with means of egress and NFPA 101- 2009, Life safety Code. Here you can find information on associated hazards and solutions to [Emergency Planning](#)
- Lockout/Tagout 29 CFR §1910.147 – Review compliance with 29 CFR §1910.147 and related hazardous energy control standards. Here you can find information on associated hazards and solutions to [Lockout/Tagout](#)

Other common hazards – Other hazards may include but not limited to

- ergonomic hazards (musculoskeletal disorders, MSDs); and here you can find information on associated hazards and solutions to [Ergonomics and Musculoskeletal Disorders](#)
- slips, trips, and falls, and you can find information on associated hazards and solutions to [Slips, Trips, and Falls](#)
- exposure to hazardous chemicals; you can find information on associated hazards and solutions to [Hazardous Chemicals](#)
- heat hazards and you can find information on associated hazards and solutions to [Heat Illness](#)
- electrical hazards and here are associated hazards and solutions to [Electrical Hazards](#)
- automation and Robotics and you can find information on associated hazards and solutions to [Automation and Robotics](#)
- Refrigerated warehousing and you can find information on associated hazards and solutions to [Refrigerated Warehousing](#)
- Stress and fatigue and you can find information on associated hazards and solutions to [Stress and Fatigue](#)

In order to help employers, comply with standards related to warehousing OSHA has developed the [Warehousing Safety and Health Topic pages](#).

Here you will find the [regulations](#) that apply, [Hazards and solutions](#) links above and [resources](#) (links below)

## Other Material Handling and Storage **RESOURCES:**

OSHA's [Warehousing pocket guide](#)

OSHA has an eTool for [Grocery warehousing](#) which provides further guidance

OSHA's [2236 Material Handling and Storage](#)

Adapt a lift group [Warehouse Safety Principles: 6 key guidelines to keep your workplace safe](#)

Premier Handling [Top 10 Warehouse Safety Hazards and How to Avoid Them](#)

Safety culture's [warehouse safety](#)

OSHA, IWLA and WERC national Alliance [Warehousing Monthly Workplace Safety and Health Inspection Checklist](#)

Ecommerce Warehouse Safety Guidelines, [Tips, and a Comprehensive Checklist](#)



# Workers' Right Number One -

## a Safe and Healthful Workplace

Approximately fifty years ago, the Occupational Safety and Health Act was signed into law by Richard Nixon with bipartisan Congressional support. Although there were several “findings and purposes” listed in the act, the first two laid out the fundamentals -

- I. *that personal injuries and illnesses arising out of work situations impose a substantial burden upon, and are a hindrance to, interstate commerce in terms of lost production, wage loss, medical expenses, and disability compensation payments.*
- II. *to provide for the general welfare, to assure so far as possible every working man and woman in the Nation safe and healthful working conditions and to preserve our human resources...*

Put simply, the passage of the OSH Act provided workers with the right to a safe and healthful workplace which led to benefits to the economy. The OSH Act created OSHA and enlisted both employers and employees in the aim of “building on advances ... for providing safe and healthful working conditions”. It also created NIOSH, provided for training programs, built an enforcement program, and authorized the development of standards. <https://www.osha.gov/laws-regs/oshact/completeoshact>.

In 1970, before the advent of OSHA, there was 13,800 deaths on the job with a fatality rate of 18 per 100,000 workers. Today, those numbers have decreased dramatically. While even one death is one too many, in 2022, 4744 workers were killed on the job with a fatality rate of 3.4 per 100,000. These numbers represent a three-fold decline in fatalities since OSHA was established and a five-fold reduction in the fatality rate. <https://aflcio.org/reports/death-job-toll-neglect-2022>

### Who is covered by OSHA?

OSHA covers most private sector workers and some public sector workers in those states where OSHA has approved “state-plan” programs. Only the following are exempt from OSHA:

- The self-employed
- Immediate family members of farm employers
- Those who work in industries or are exposed to hazards regulated by other agencies (e.g. the Mine Safety and Health Administration or MSHA which covers the mining industry).

Size doesn't matter for OSHA coverage, only for injury and illness reporting. Although OSHA exempts employers with less than eleven employees from maintaining OSHA 300 logs and posting OSHA 300A Summary Forms, anyone with an employee who is not exempt for the reasons listed above is covered by OSHA.



Beginning with the fundamental right to a “safe and healthful” workplace, employees are afforded this right by an employer obligation to provide a workplace free of serious hazards. This is accomplished through compliance with OSHA standards which address a number of specific hazards (e.g. noise, silica, asbestos). Where a specific standard is lacking and a recognized hazard is present that may cause death or serious harm, OSHA's General Duty Clause may be invoked requiring employers to address the hazard.

# Employee Rights

## According to OSHA-Employees Have:

**A right to refuse unsafe work** without retaliation

**A right to report a hazard or file a confidential complaint with OSHA** without being fired or suffering any other form of retaliation

**A right to information**, including:

- The right-to-know chemical or health and safety hazards that are covered under the OSHA Hazard Communication Standard
- Exposure monitoring (e.g. personal air or noise monitoring) and medical monitoring (e.g. audiometry or blood lead testing) **results**
- Copies of OSHA citations. The employer must post a copy of citation(s) at or near each place where violations are referenced in a citation
- Copies of OSHA injury logs
- Training provided in a language and vocabulary that is understandable to the workforce being trained

**A right to participate** in:

- OSHA inspections  
and to speak with OSHA compliance officers in private
- OSHA Consultation Program  
(IUP/PA OSHA Consultation in Pennsylvania) visits
- The OSHA Enforcement process
  - Employees or their representatives can file a contest after a citation has been issued challenging the reasonableness of the abatement period proposed by OSHA
  - Employees must be notified if the employer contests OSHA's proposed abatement or if the employer files a "proposed modification of abatement"

## Resources

For more resources on Worker's Rights visit the OSHA web page on this topic: <https://www.osha.gov/workers>

Several publications are also available including wallet size cards and bookmarks: <https://www.osha.gov/sites/default/files/publications/3381hispanic-summit-bookmark-english.pdf>

Workers' Rights: Is Your Employer Putting Your Safety at Risk? (available in five languages) <https://www.osha.gov/sites/default/files/publications/OSHA4193.pdf>

OSHA Whistleblower Protection Program <https://www.osha.gov/sites/default/files/publications/OSHA3638.pdf>

OSHA can be contacted at 1-800-321-6742 (OSHA).



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**Scott DeMarco, Quality Systems Manager**

For Armada Supply Chain Solutions- Greencastle

A **SHARP** Company

Presented at the 2022 PA Governor's Safety Conference in Hershey, PA on Armada's quest for SHARP achievement through collaboration with **IUP/PA OSHA Consultation Program.**

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**Charles "CJ" Hineman, Safety Director**

For Fisher Tank Company

A **SHARP** Company

Recently received his

**Certified Industrial Hygienist** designation

*This past year I celebrated my 15-year anniversary working for Fisher Tank Company. Many things along the past 15 years have helped me to improve; day to day OTJ training, seminars, involvement in trade specific associations and committees, coursework, etc.... However, a few key certifications that have helped me as a safety professional in the steel plate fabrication/manufacturing and construction industry, have been the OSHA 500, API TES, NCCCO Lift Director, and the CSP. Now, I'm proud to say this past May I passed my CIH exam, which was always a career goal of mine. It was a challenge, but a welcomed challenge, and one that was worth it for me. The wealth of knowledge obtained just in the preparation for the exam is worth it in itself for any safety professionals, and has already provided benefit to my company, co-workers, and to our customers. Whether it's taking an exam for a CSP, CIH, CHST, or other certification specific to your industry, I encourage you to **take on the challenge, it will better yourself, your company, and overall, the safety profession.***





# Our most recent **SHARP** company

## Derstine's Foodservice Distributors Awarded **SHARP** on July 1, 2022



### SHARP Celebration

Attending the Celebration were (Left to right,) Jan Derstine – Founder, Earl Derstine – Founder, Zach Derstine – President, Brendan Triplett – Vice President, Shaun McGinnis – IUP/PA OSHA Consultation, IH Supervisor



The On-site Consultation Program's Safety and Health Achievement Recognition Program (SHARP) recognizes small business employers (those that employ not more than 250 employees at the site and not more than 500 total employees at all sites controlled nationwide) who operate an exemplary injury and illness prevention program. Acceptance of your worksite into SHARP from OSHA is an achievement of status that singles you out among your business peers as a model for worksite safety and health. Upon receiving SHARP recognition, OSHA exempts your worksite from OSHA programmed inspections during the period that your SHARP certification is valid.

### **Interested in SHARP?**

**Contact Us: PA/OSHA Consultation Program**

**Call Toll free: 1-800-382-1241 Visit our website: [www.iup.edu/pa-oshaconsultation](http://www.iup.edu/pa-oshaconsultation)**



OSHA's Form 300A (Rev. 04/2004)

**Summary of Work-Related Injuries and Illnesses**

Note: You can type input into this form and save it. Because the forms in this recordkeeping package are "fillable" PDF documents, you can type into the input form fields and then save your inputs using the free Adobe PDF Reader.

Year 2022 U.S. Department of Labor Occupational Safety and Health Administration Form approved OSHA no. 1218-0176

All establishments covered by Part 1904 must complete this Summary page, even if no work-related injuries or illnesses occurred during the year. Remember to review the Log to verify that the entries are complete and accurate before completing this summary.

Using the Log, count the individual entries you made for each category. Then write the totals below, making sure you've added the entries from every page of the Log. If you had no cases, write "0".

Employees, former employees, and their representatives have the right to review the OSHA Form 300 in its entirety. They also have limited access to the OSHA Form 301 or its equivalent. See 29 CFR Part 1904.35, in OSHA's recordkeeping rule, for further details on the access provisions for these forms.

Number of Cases			
Total number of deaths	Total number of cases with days away from work	Total number of cases with job transfer or restriction	Total number of other recordable cases
0	0	0	0
(G)	(H)	(I)	(J)

Number of Days	
Total number of days away from work	Total number of days of job transfer or restriction
0	0
(K)	(L)

Injury and Illness Types			
Total number of ...			
(1) Injuries	0	(4) Poisonings	0
(2) Skin disorders	0	(5) Hearing loss	0
(3) Respiratory conditions	0	(6) All other illnesses	0

Post this Summary page from February 1 to April 30 of the year following the year covered by the form.

Public reporting burden for this collection of information is estimated to average 17 minutes per response, including time to review the instructions, search and gather the data needed, and complete and review the collection of information. Persons are not required to respond to the collection of information unless it displays a currently valid OSHA control number. If you have any comments about this estimate or any other aspect of this data collection, contact: U.S. Department of Labor, OSHA Office of Statistical Analysis, Room N-3648, 200 Constitution Avenue, NW, Washington, DC 20530. Do not send the completed form to this office.

**Establishment information**

Your establishment name \_\_\_\_\_

Street \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

Industry description (e.g., Manufacture of motor truck trailers) \_\_\_\_\_

North American Industrial Classification (NAICS), if known (e.g., 336212) \_\_\_\_\_

**Employment information** (If you don't have these figures, use the Worksheet on the next page to estimate.)

Annual average number of employees \_\_\_\_\_

Total hours worked by all employees last year \_\_\_\_\_

**Sign here**

**Knowingly falsifying this document may result in a fine.**

I certify that I have examined this document and that to the best of my knowledge the entries are true, accurate, and complete.

Company executive \_\_\_\_\_ Title \_\_\_\_\_

Phone \_\_\_\_\_ Date \_\_\_\_\_

**Reset**

- Covered employers must **post OSHA's Form 300A**, (which summarizes the total number of job-related injuries and illnesses that occurred during 2022 and were logged on OSHA's Form 300, the log of work-related injuries and illnesses).
- The summary must be posted between **Feb. 1 and April 30, 2023**,
- The summary should be **displayed in a common area** where notices to employees are usually posted.
- Employers with 10 or fewer employees and employers in specific low-hazard industries are normally exempt from federal OSHA injury and illness recordkeeping and posting requirements.

**Submit OSHA Form 300A Data ▶**  
**DEADLINE: MARCH 2, 2023**

Reminder...Establishments have to submit the required information by **March 2** of the year after the calendar year covered by the forms (for example, by March 2, 2023 for the forms covering calendar year 2022) **So don't delay in updating your login accounts.**



Some of you may have already been made aware that OSHA's **Injury Tracking Application (ITA)** has **transitioned into a new login procedure process.**

For additional information on the visit the following page





# OSHA Has Changed the Login for the Injury Tracking App

Plan ahead and set up your new, more secure Injury Tracking Application (ITA) login with <https://login.gov/> Here's how:

1. Select the "Sign in with Login.gov" button on the "Injury Tracking Application Login" screen.
2. You will be redirected to the OSHA ITA Login.gov sign-in screen.
3. Select the "Create an account" button.  
**Note: You must use the same email address for your Login.gov account that you use to access ITA to connect the OSHA ITA application with the account on Login.gov.**
4. On the "Create Account" screen, enter your email address, select your email language preference, read, and acknowledge the Rules of Use by selecting the checkbox, then select the "Submit" button.
5. Login.gov automatically emails you a notification that contains a hyperlink to continue creating your account. Select the hyperlink in the emailed notification to confirm your email and create a password.
6. On the "Authentication Method" screen, select the method(s) that is most appropriate for you, then select the "Continue" button.  
**Note: This is referred to as two-factor authentication and will help keep your account secure. You are encouraged to have more than one authentication method on your account.**
7. Follow the steps on the screen to provide the necessary information to complete establishing the two-factor authentication.
8. Once completed, your Login.gov account will be created. Select the "Agree and Continue" button.
9. You will be redirected to the ITA Login.gov entry screen. Select the "Continue" button. This will connect your ITA and Login.gov accounts and automatically log you into the ITA application.

*Annual electronic submission of OSHA Form 300A Summary of Work-Related Injuries and Illnesses*

**If you are required to submit OSHA 300A data electronically this applies to you.**

The OSHA Injury Tracking Application (ITA) has transitioned its login procedure to the public's one account access to government applications, [Login.gov](https://login.gov/).

**All current and new account holders must connect their ITA account to a Login.gov account with the same email address to access the application for the 2023 collection of Calendar Year 2022 Form 300A data.**

If you have additional questions, please visit the [FAQs](#). If none of the FAQs address your question, a Help Request Form is available from that page.

OSHA has created an instructional video: <https://www.youtube.com/watch?v=-e6i7xHuv7Y>

## Are You Covered?

Not all establishments need to submit OSHA 300A data to OSHA. To determine if your establishment is required to submit 300A data use this ITA Coverage Application: <https://www.osha.gov/itareportapp>



# In the Know...

## Federal Civil Penalties Inflation Adjustment Act Annual Adjustments for 2023

**Effective Date:01/15/2023**

*The U.S. Department of Labor (Department) is publishing this final rule to adjust for inflation the civil monetary penalties assessed or enforced by the Department, pursuant to the Federal Civil Penalties Inflation Adjustment Act of 1990 as amended by the Federal Civil Penalties Inflation Adjustment Act Improvements Act of 2015 (Inflation Adjustment Act). The Inflation Adjustment Act requires the Department to annually adjust its civil money penalty levels for inflation no later than January 15 of each year. The Inflation Adjustment Act provides that agencies shall adjust civil monetary penalties notwithstanding Section 553 of the Administrative Procedure Act (APA). Additionally, the Inflation Adjustment Act provides a cost-of-living formula for adjustment of the civil penalties. Accordingly, this final rule sets forth the Department's 2023 annual adjustments for inflation to its civil monetary penalties.*

### 2023 Penalty Adjustments

Type of Violation	Penalty
Serious Other-Than-Serious Posting Requirements	<b>\$15,625 per violation</b>
Failure to Abate	<b>\$15,625 per day</b> beyond the abatement date
Willful or Repeated	<b>\$156, 259 per violation</b>

**This final rule is effective on January 15, 2023. As provided by the Inflation Adjustment Act, the increased penalty levels apply to any penalties assessed after January 15, 2023.**

# QUESTIONS?

Call us Toll Free: **1-800-382-1241**

Or

Check out the [PA OSHA Consultation Website](#)



## Training and Information

The Pennsylvania OSHA Consultation Program has developed

**Focal Point Series** provides information on the top 25 areas identified by the Occupational Safety and Health Administration. The Series provides videos as well as presentation materials and employee handouts. The Focal Point Series can be found on our website and all materials are **free**. The materials for the topics can be found at : <https://www.iup.edu/pa-oshaconsultation/focal-points/>

**Quarterly Webinars** on prevalent topics in safety and health. These webinars are performed by our experienced safety and health consultants and may be viewed live during the presentation or the video and materials are available after via our website.

These materials may be found at <https://www.iup.edu/pa-oshaconsultation/webinars/> .

**Facebook and Twitter** Weekly our consultants will post news and safety and health related articles that will be useful to employees and employers.



The Facebook account may be found at:

<https://www.facebook.com/Pennsylvania-OSHA-Consultation-Program-548810235234647/>



Twitter account is at [https://mobile.twitter.com/pa\\_oshac](https://mobile.twitter.com/pa_oshac)



Pennsylvania OSHA  
Consultation Program