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ARTICLE 8

OSHA PENALTY CONFORMANCE

Section 1. Minnesota Statutes 2020, section 182.666, subdivision 1, is amended to read:

Subdivision 1. **Willful or repeated violations.** Any employer who willfully or repeatedly violates the requirements of section 182.653, or any standard, rule, or order adopted under the authority of the commissioner as provided in this chapter, may be assessed a fine not to exceed ~~\$70,000~~ \$145,027 for each violation. The minimum fine for a willful violation is ~~\$5,000~~ \$10,360.

EFFECTIVE DATE. This section is effective July 1, 2022.

Sec. 2. Minnesota Statutes 2020, section 182.666, subdivision 2, is amended to read:

Subd. 2. **Serious violations.** Any employer who has received a citation for a serious violation of its duties under section 182.653, or any standard, rule, or order adopted under the authority of the commissioner as provided in this chapter, shall be assessed a fine not to exceed ~~\$7,000~~ \$14,502 for each violation. If a serious violation under section 182.653, subdivision 2, causes or contributes to the death of an employee, the employer shall be assessed a fine of up to \$25,000 for each violation.

EFFECTIVE DATE. This section is effective July 1, 2022.

Sec. 3. Minnesota Statutes 2020, section 182.666, subdivision 3, is amended to read:

Subd. 3. **Nonserious violations.** Any employer who has received a citation for a violation of its duties under section 182.653, subdivisions 2 to 4, where the violation is specifically determined not to be of a serious nature as provided in section 182.651, subdivision 12, may be assessed a fine of up to ~~\$7,000~~ \$14,502 for each violation.

EFFECTIVE DATE. This section is effective July 1, 2022.

Sec. 4. Minnesota Statutes 2020, section 182.666, subdivision 4, is amended to read:

Subd. 4. **Failure to correct a violation.** Any employer who fails to correct a violation for which a citation has been issued under section 182.66 within the period permitted for its correction, which period shall not begin to run until the date of the final order of the commissioner in the case of any review proceedings under this chapter initiated by the employer in good faith and not solely for delay or avoidance of penalties, may be assessed a fine of not more than ~~\$7,000~~ \$14,502 for each day during which the failure or violation continues.

143.1 **EFFECTIVE DATE.** This section is effective July 1, 2022.

143.2 Sec. 5. Minnesota Statutes 2020, section 182.666, subdivision 5, is amended to read:

143.3 Subd. 5. **Posting violations.** Any employer who violates any of the posting requirements,
143.4 as prescribed under this chapter, except those prescribed under section 182.661, subdivision
143.5 3a, shall be assessed a fine of up to ~~\$7,000~~ \$14,502 for each violation.

143.6 **EFFECTIVE DATE.** This section is effective July 1, 2022.

143.7 Sec. 6. Minnesota Statutes 2020, section 182.666, is amended by adding a subdivision to
143.8 read:

143.9 Subd. 6a. **Increases for inflation.** (a) Each year, beginning in 2022, the commissioner
143.10 shall determine the percentage change in the Minneapolis-St. Paul-Bloomington, MN-WI,
143.11 Consumer Price Index for All Urban Consumers (CPI-U) from the month of October in the
143.12 preceding calendar year to the month of October in the current calendar year.

143.13 (b) The commissioner shall increase the fines in subdivisions 1 through 5, except for
143.14 the fine for a serious violation under section 182.653, subdivision 2, that causes or contributes
143.15 to the death of an employee, by the percentage change determined by the commissioner
143.16 under paragraph (a), if the percentage change is greater than zero. The fines shall be increased
143.17 to the nearest one dollar.

143.18 (c) If the percentage change determined by the commissioner under paragraph (a) is not
143.19 greater than zero, the commissioner shall not change any of the fines in subdivisions 1
143.20 through 5.

143.21 (d) A fine increased under this subdivision takes effect on the next January 15 after the
143.22 commissioner determines the percentage change under paragraph (a) and applies to all fines
143.23 assessed on or after the next January 15.

143.24 (e) No later than December 1 of each year, the commissioner shall give notice in the
143.25 State Register of any increase to the fines in subdivisions 1 through 5.

143.26 **EFFECTIVE DATE.** This section is effective July 1, 2022.