

OSHA FINES OHIO BUSINESS \$563,000 FOR FALL HAZARD VIOLATIONS

On May 16, the Occupational Safety and Health Administration ("OSHA") issued a press release accusing Republic Engineered Products Inc. in Lorain, Ohio of continuously neglecting worker safety.¹ OSHA fined the organization \$563,000, the majority of which flowed from alleged "willful" (intentional) violations of fall hazard regulations. Republic Engineered Products is now a part of OSHA's Severe Violators Enforcement Program.

The Obama Administration has stepped up the staffing and authority of OSHA. The fines are bigger and the inspections are more frequent and cumbersome than ever, but OSHA won't stop there.

What you should know:

- OSHA inspectors are on the look out for amputation hazards and fall hazards, focusing on ladders, scaffolding, platforms, lifts, stairways, and more.
- If OSHA inspects your facility and finds willful violations, it will issue a **\$70,000 fine for each violation**. OSHA might classify you as a Severe Violator.
- OSHA will perform a repeat inspection. **Inspectors are looking to cite you for the same violation again**. Under OSHA's Enforcement Guidance, repeat offenders are Severe Violators.
- If OSHA classifies your organization as a **Severe Violator**
 - **OSHA will inspect your other facilities**. If you have 3 or fewer workplaces in the same region, all the workplaces *will be inspected* for the same violations.
 - **OSHA will publically censure your organization.**²
 - And more.

Now is the time to revisit the OSHA regulations that apply to you. Get in compliance before you receive notice that an inspector is coming.

As always, if you have any questions or concerns about the Occupational Safety and Health Administration "OSHA", Labor & Employment Law or other issues in general, please feel free to contact us.

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¹ News Release, May 16, 2011, *US Labor Department's OSHA cites Republic Engineered Products for repeatedly exposing workers to fall and energy control hazards at Lorain, Ohio, facility*. Available at <http://www.dol.gov/opa/media/press/osha/OSHA20110716.htm>.

² OSHA Instruction, Severe Violator Enforcement Program. Available at <http://www.osha.gov/dep/svep-directive.pdf>