

Penalty Information Summary

For this type of adjustment	Oregon OSHA will consider	Base penalty adjusted as follows
Good Faith Effort	<ul style="list-style-type: none"> • Existence of an overall safety and health program is evident. • Safety and health policies are effectively communicated to employees. • Efforts put forth prior to an inspection to promote safety and health in the workplace. • Demonstrations of employee involvement in the safety and health program are apparent. • Management’s commitment and level of involvement to safety and health is apparent. • Analysis of worksite hazards conducted. 	<ul style="list-style-type: none"> • Good: -20% reduction • Average: no adjustment • Poor: +20% increase
Size (Applies to all inspection types)	<ul style="list-style-type: none"> • 1-10 employees • 11-25 • 26-90 • 91-130 • 131-175 • 176-250 • 251 or more 	<ul style="list-style-type: none"> • -75% reduction • -60% reduction • -40% reduction • -30% reduction • -20% reduction • -10% reduction • No size reduction
History	<ul style="list-style-type: none"> • Trends in injuries and illnesses (types of WC claims) or enforcement history (previous 3 years). • Injury and illness DART rate for company. (Below state-wide average) • Mod or EMR rate is around 1. (A typical EMR is between 0.9 and 1.0) 	<ul style="list-style-type: none"> • -10% reduction for positive history • 0% for average history • +10% increase for negative history
Immediate Correction	<ul style="list-style-type: none"> • Immediate corrections (abatement) of violations or other unsafe conditions identified during the inspection provided that such corrective action <u>is permanent and substantial</u> and not temporary or superficial. 	<ul style="list-style-type: none"> • -10% reduction

Violations and Penalties

BASE PENALTY TABLE				
OTHER THAN SERIOUS VIOLATION		SERIOUS VIOLATION		
PROBABILITY	SEVERITY	PROBABILITY	SEVERITY	
	OTHER THAN SERIOUS		SERIOUS PHYSICAL HARM	DEATH
LOW	\$0	LOW	\$300	\$3,500
HIGH	\$300	MEDIUM	\$700	\$6,000
		HIGH	\$2,000	\$12,500

EMPLOYER SIZE ADJUSTMENT TABLE	
NUMBER OF EMPLOYEES	ADJUSTMENT REDUCTION
1-10	-75 %
11-25	-60 %
26-90	-40 %
91-130	-30 %
131-175	-20 %
176-250	-10 %
251 or more	No Size Adjustment

Size adjustments are based on state-wide peak employment.

ADJUSTED PENALTY TABLE						
ADJUSTMENT	PENALTY IN DOLLARS					
+30%	390	910	2,600	4,550	7,800	12,675**
+20%	360	840	2,400	4,200	7,200	12,675**
+10%	330	770	2,200	3,850	6,600	12,675**
Base Penalty	300	700	2,000	3,500	6,000	12,500
-10%	270	630	1,800	3,150	5,400	11,250
-20%	240	560	1,600	2,800	4,800	10,000
-30%	210	490	1,400	2,450	4,200	8,750
-40%	180	420	1,200	2,100	3,600	7,500
-50%	150	350	1,000	1,750	3,000	6,250
-60%	120	280	800	1,400	2,400	5,000
-70%	100*	210	600	1,050	1,800	3,750
-75%	100*	175	500	875	1,500	3,125
-80%	100*	140	400	700	1,200	2,500
-85%	100*	105	300	525	900	1,875
-90%	100*	100*	200	350	600	1,250
-95%	100*	100*	100	175	300	625
-100%	100*	100*	100*	100*	100*	100*

REPEAT AND WILLFUL TABLE		
REPEAT OCCURENCE	SERIOUS	OTHER THAN SERIOUS
1st repeat	x 2	\$200
2nd repeat	x 5	\$500
3rd repeat	x 10	\$1,000
4th repeat	x 15	\$1,500
5th repeat	x 20	\$2,000
Additional repeats	Discretion of Administrator	
WILLFUL	x 25	

*Minimum Repeat Penalty of \$200
Minimum Willful Penalty of \$8,900
Maximum Penalty of \$126,749*

**For complete rule requirements, see
OAR 437-001-0135 through 437-001-0203.**

*The minimum adjusted penalty for a serious violation is \$100.

**No base or adjusted penalty amount greater than \$12,675 may be imposed on a non-repeat or non-willful violation.