

PUBLIC NOTICE OF PROPOSED CHANGES TO THE PRACTICE AND PROCEDURE, CHAPTER 3 ENFORCEMENT, SECTION 6, PENALTIES OF WYOMING OSHA DIVISION

PUBLIC NOTICE IS HEREBY GIVEN that the Wyoming OSHA Commission is proposing to increase the penalty fees, incorporating by reference the Federal penalties which were effective January 15, 2022. The Federal OSHA increased the penalties by 1.06222%, per the Consumer Price Index for All Urban Consumers for October 2021. The link that contains the update penalties is also updated in this version.

On 2/18/2022, the OSHA Commission voted unanimously to adopt the new penalty fees. The specific penalties that will be incorporated by reference are:

Section 6 Penalties

- (b) updates the adoption date from 1/15/2021 to assessed after January 15, 2022
- (i) Willful violation - penalties from \$9,753 to \$10,360 and \$136,532 to \$145,027.
 - (ii) Repeated violation – add language that penalties shall not be less than \$10,360 and amend previous exceeding amount from \$136,532 to \$145,027.

*Please note, for a repeated other-than-serious violation that otherwise would have no initial penalty, a GBP penalty of \$414 shall be proposed for the first repeated violation, \$1,036 for the second repeated violation, and \$2,072 for a third repetition. This is not incorporated specifically in the previous or proposed rule.

- (iii) Serious violation – add language that penalties shall not be less than \$1,036 and amend previous exceeding amount from \$13,653 to \$14,502.
- (iv) Other-than-serious violation - penalties from \$13,653 to \$14,502.
- (v) Failure to correct violation - penalties from \$13,653 to \$14,502 per day.
- (vi) Posting requirement violation - penalties from \$13,653 to \$14,502.

Written comments should be submitted to the following address by **May 5, 2022**.

DWS
ATTN: Marcia J. Price
5221 Yellowstone Road
Cheyenne, WY 82002
(307) 777-6746

Or via email to: marcia.price@wyo.gov

A public comment period will end at close of business on **May 5, 2022**.

Copies may be obtained by submitting a written request to the Division, with pre-payment by personal check or money order for the total number of copies requested; the fee for each copy is \$4.00. The proposed rules may be downloaded, free of charge, from the Department of Workforce Services (DWS) at:

<http://www.wyomingworkforce.org/news/publicnotices/>