

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, 2021. The Federal OSHA increased the penalties by 1.01182%, per the Consumer Price Index for All Urban Consumers for October 2020.

The specific penalties that will be incorporated by reference are:

Section 6 Penalties

- (b) updates the adoption date from 1/10/2020 to assessed after January 15, 2021
 - (i) Willful violation - penalties from \$9,639 to \$9,753 and \$134,937 to \$136,532.
 - (ii) Repeated violation – add language that penalties shall not be less than \$9,753 and amend previous exceeding amount from \$134,937 to \$136,532. Please note, for a repeated other-than-serious violation that otherwise would have no initial penalty, a GBP penalty of \$390 shall be proposed for the first repeated violation, \$975 for the second repeated violation, and \$1,950 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 \$975 and amend previous exceeding amount from \$13,494 to \$13,653.
 - (iv) Other-than-serious violation - penalties from \$13,494 to \$13,653.
 - (v) Failure to correct violation - penalties from \$13,494 to \$13,653 per day.
 - (vi) Posting requirement violation - penalties from \$13,494 to \$13,653.

Written comments should be submitted to the following address by **September 16, 2021**.

DWS
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A public comment period will end at close of business on **September 16, 2021**.

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/>