



Alaska Occupational Safety and Health (AKOSH) Civil Penalties

Proposal:

- Bring the Department of Labor and Workforce Development into compliance with new federal law regarding civil penalties.
- Authorize the department to set civil penalties by regulation for violations of Alaska's workplace safety and health standards, and limit the penalties to corresponding federal penalty amounts.

Background:

- The department requests this legislation to comply with new federal penalty standards.
- In 2015, *The Federal Civil Penalties Inflation Adjustment Act Improvements Act* required OSHA to increase maximum penalties for inflation going back to 1990, and tied those penalties to future yearly Consumer Price Index changes.
- Alaska is required to have maximum penalties that are at least as high as the Occupational Safety and Health Administration's (OSHA's) maximum penalties.
- As of January 1, 2017, the department is out of compliance with federal law.
- Maximum civil penalties for violations of Alaska's safety and health standards are set in AS 18.60.095.
- By authorizing the Department of Labor and Workforce Development to set maximum penalties by regulation, the Department can adjust to yearly Consumer Price Index changes to federal penalty amounts in a timely manner.

Note: The discussion of "maximum" penalties includes one "minimum" penalty that is subject to the same federal requirements.