



MEMORANDUM FOR: REGIONAL ADMINISTRATORS

THROUGH: Scott C. Ketcham *Scott C. Ketcham*
Acting Deputy Assistant Secretary

FROM: Erin Gilmore, Acting Director *E. P. Gil*
Directorate of Enforcement Programs

SUBJECT: 2025 Annual Adjustments to OSHA Civil Penalties

I. Purpose.

The penalty information included in this memorandum supplements the penalties and debt collection information found in Chapter 6 of the Field Operations Manual (FOM). Tables included in this memorandum reflect penalty amounts for calendar year 2025 and correspond to adjusted penalty amounts found in OSHA Information Systems (OIS). OSHA updates this information annually to ensure access to current penalty information.

II. Background.

On November 2, 2015, the Federal Civil Penalties Inflation Adjustment Act Improvements Act of 2015 was enacted, which further amended the Federal Civil Penalties Inflation Adjustment Act of 1990 as previously amended by the 1996 Debt Collection Improvement Act (collectively, the “Prior Inflation Adjustment Act”), to improve the effectiveness of civil monetary penalties and maintain their deterrent effect. The Inflation Adjustment Act required agencies to: (1) adjust the level of civil monetary penalties with an initial “catch-up” adjustment through an interim final rule and (2) make subsequent annual adjustments for inflation, no later than January 15 of each year.

The cost-of-living adjustment multiplier for 2025, based on the Consumer Price Index for All Urban Consumers for October 2024 (not seasonally adjusted), is 1.02598. To compute the 2025 annual adjustment, the Department multiplied the most recent penalty amount for each applicable penalty by the multiplier, 1.02598 and rounded to the nearest dollar. The adjustment

factor of 1.02598 is consistent across the minimum and maximum penalties set forth in the Occupational Safety and Health Act and the FOM.

III. Minimum and Maximum Penalty Amounts.

Table 1 summarizes the minimum and maximum amounts for proposed civil penalties:

Table 1: Maximum and Minimum Amounts for Civil Penalties

Type of Violation	Penalty Minimum	Penalty Maximum
Serious	\$1,221** per violation	\$16,550 per violation
Other-Than-Serious	\$0 per violation	\$16,550 per violation
Willful or Repeated	\$11,823* per violation	\$165,514 per violation
Posting Requirements	\$0 per violation	\$16,550 per violation
Failure to Abate	N/A	\$16,550 per day unabated beyond the abatement date [generally limited to 30 days maximum]

* For a repeated other-than-serious violation that otherwise would have no initial penalty, a GBP penalty of \$472 shall be proposed for the first repeated violation, \$1,182 for the second repeated violation, and \$2,364 for a third repetition.

**This amount reflects the actual minimum penalty with all penalty reductions which rectifies error in the previous years' serious minimum penalty posted.

IV. Gravity Based Penalty Amounts.

The gravity of a violation is defined by the Gravity Based Penalty (GBP).

- A **high gravity** violation is one with a GBP of \$16,550.
- A **moderate gravity** violation is one with the GBP ranging from \$9,457 to \$14,187.
- A **low gravity** violation is one with a GBP of \$7,093.

For serious violations, the GBP shall be assigned on the basis of the following scale in Table 2:

➤ **Severity + Probability = GBP**

Table 2: Serious Violations

Severity	Probability	GBP	Gravity	OIS/GRAVITY Code
High	Greater	\$16,550	High	10
Medium	Greater	\$14,187	Moderate	5
Low	Greater	\$11,823	Moderate	5
High	Lesser	\$11,823	Moderate	5
Medium	Lesser	\$9,457	Moderate	5
Low	Lesser	\$7,093	Low	1

For other-than-serious violations, only minimal severity is assigned. If the Area Director determines that it is appropriate to achieve the necessary deterrent effect, a maximum penalty of \$16,550 may be proposed.

V. Serious Willful Penalty Reductions.

The reduction factor for history shall be applied as usual. The reduction factors for size for serious willful violations shall be applied as shown in Table 3:

Table 3: Serious Willful Penalty Reductions

Employees	Percent reduction
10 or fewer	80
11-20	60
21-30	50
31-40	40
41-50	30
51-100	20
101-250	10
251 or more	0

If you have any questions regarding the above, please contact Directorate of Enforcement Programs at (202) 693-1850.