



Safety

## Penalties for Top 10 Violations Surge 30% as OSHA Ramps Up Enforcement

James Langford | Jan 18, 2024

The U.S. Occupational Safety and Health Administration charged businesses \$132.3 million for violations of its 10 most cited regulations in 2023, a 30 percent increase from the year before, as the regulator added compliance officers and ramped up inspections.

While the number of citations also increased, according to preliminary data that won't be finalized until after the first week in April, the standards that were violated remained largely consistent with previous years. Failing to protect workers from *on-the-job falls* was once again the most cited regulation—for the 13<sup>th</sup> year in a row, with fines touching \$47.4 million.

Not only is the cost of such violations increasing but fall-related accidents remain both common and deadly. They were responsible for 865 deaths in 2022, a 1.8 percent increase from the previous year, according to the most recent data from the *U.S. Bureau of Labor Statistics*.

"As long as falls remain the leading cause of fatalities and serious injuries in all industries, the agency is determined that an increase in enforcement and outreach activity is warranted," OSHA Region 6 administrator Eric Harbin explained in an interview with *Safety + Health magazine*, a publication of the National Safety Council.

Overall, the quantity of violations OSHA found per inspection in 2023 was consistent with previous years, he said, but the number of inspections increased by more than 2,000 as the agency hired 227 compliance officers.

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"At OSHA, our vision for good, safe jobs is one in which every workplace in America embraces health and safety as a core value," Doug Parker, assistant secretary of labor for occupational safety and health, told the House Subcommittee on Workforce Protections in late September.

"Yet far too often, the dream of a good job is shattered when a worker is killed or suffers a life-altering workplace injury or illness," he added. "No worker should have to choose between a job and their safety

or health. A good job is a safe job.”

The agency’s Top 10 list is an important tool for employers trying to improve workplace safety because the trends it identifies guide safety professionals in developing solutions.

“Safety must be an enterprise-wide value and effort in every business and organization,” Harbin said. “In practice, this means developing effective safety and health management systems, listening and learning through worker participation and striving to be a leader in your industry.”

Here’s a closer look at the 10 most frequently violated OSHA standards in 2023. The rankings are based on OSHA’s preliminary list and include updated figures on citations and penalties as of early January.

**Read more: *Workplace Falls: 3 Critical Points to Prevent OSHA’s Top Violation***

**No. 1: Fall Protection**

**Standard: 1926.501**

**2023: 7,085**

**Change from previous year: +21%**

**2023 Fines: \$47.4 million**

OSHA imposes a variety of rules to protect workers from on-the-job falls, from mandating precautions such as guardrails on walkways or open floors more than 6 feet above ground to ensuring floor strength and putting covers on holes. Construction companies received 6,750 citations for violating these rules last year, by far the most of any industry, followed by manufacturers, which received 40.

**No. 2: Hazard Communication**

**Standard: 1910.1200**

**2023 Citations: 3,209**

**Change from previous year: +23%**

**2023 Fines: \$5.35 million**

OSHA requires employers to inform workers about the hazards of all chemicals to which they might be exposed on the job, whether they’re produced at a site or simply used there. Along with a hazard communication program, employers are expected to use labels where appropriate, provide safety data sheets and arrange training. Manufacturers received 1,162 citations for violating hazard communication requirements in 2023, outstripping construction.

**Read More: *4 Keys to Complying with OSHA’s New Hazard Communication Rule***

**No. 3: Ladders**

**Standard: 1926.1053**

**2023 Citations: 2,904**

**Change from previous year: +20%**

**2023 Fines: \$9.6 million**

Portable ladders used in workplaces are generally required to be strong enough to carry at least four

times the maximum intended load, according to OSHA; an exception is made for extra-heavy-duty models capable of carrying 300 pounds. With those, the multiple is narrowed to 3.3. OSHA also sets standards for rung spacing, shape and design. As with fall protection, construction firms were given the most citations for failing to comply last year. They received 2,846, followed by manufacturers with 14.

**Read More:** *Ladder Safety Tips: What You Need to Know to Protect Your Workers*

#### **No. 4: Scaffolding**

**Standard:** *1926.451*

**2023 Citations:** 2,752

**Change from previous year:** +24%

**2023 Fines:** \$9.64 million

OSHA standards for scaffolds include requirements that, in most cases, they be sturdy enough to support their own weight plus four times the maximum intended load without collapsing. Specifications are also set for width of walkways, use of guardrails and safety harnesses as well as resistance to tipping over. Construction businesses received 2,657 citations for scaffolding violations, topping industries from manufacturing to real estate and entertainment.

#### **No. 5: Powered Industrial Trucks**

**Standard:** *1910.178*

**2023 Citations:** 2,558

**Change from previous year:** +35%

**2023 Fines:** \$9.18 million

This rule sets safety guidelines for construction, use and maintenance of workplace equipment including fork trucks, platform lift trucks and motorized hand trucks—not vehicles used on farms or those intended for over-the-road hauling. Powered industrial trucks are required to meet the design and construction specifications set out in the “American National Standard for Powered Industrial Trucks, Part II, ANSI B56.1-1969.” Manufacturers were given 1,096 citations for failing to comply with the standard last year, significantly more than fields from construction to transportation and retail.

**Read More:** *What You Need to Know Before Operating Powered Industrial Trucks*

#### **No. 6: Lockout/Tagout for Hazardous Energy**

**Standard:** *1910.147*

**2023 Citations:** 2,550

**Change from previous year:** +20%

**2023 Fines:** \$21.7 million

OSHA’s lockout/tagout standard sets procedures for disabling machinery or equipment to prevent release of hazardous energy—including electrical, mechanical, hydraulic, chemical and other types—during service or maintenance. OSHA issued 1,896 citations to manufacturers for violating lockout/tagout rules in 2023, a 19 percent jump from the year before. That placed the field ahead of sectors from waste management to construction and mining.

## **No. 7: Respiratory Protection**

**Standard:** *1910.134*

**2023 Citations:** 2,477

**Change from previous year:** +3.5%

**2023 Fines:** \$4.46 million

This rule's goal is to prevent atmospheric contamination with substances including noxious dust, gases and fumes, if possible, by using less toxic materials, confining or enclosing the operation and providing adequate ventilation, according to OSHA. When those measures are insufficient, employers are required to provide respirators capable of protecting workers from exposure-related hazards. Manufacturers received 1,202 citations, a 41 percent jump from 2022 and the most of any industry. Construction firms received 361.

**Read More:** *10 Considerations When Choosing Respiratory Protection*

## **No. 8: Fall Protection Training**

**Standard:** *1926.503*

**2023 Citations:** 2,092

**Change from previous year:** +19%

**2023 Fines:** \$4.47 million

Employers are required to provide training on workplace falling hazards as well as safety procedures and equipment from guardrails to safety nets, personal safety harnesses and controlled access zones. Most of OSHA's fall-protection training citations in 2023 were for construction businesses, which received 2,038 and outpaced fields from waste management to manufacturing, utilities and retail.

## **No. 9: Eye and Face Protection**

**Standard:** *1926.102*

**2023 Citations:** 2,040

**Change from previous year:** +31%

**2023 Fines:** \$7.5 million

Employers are required to ensure their workers use appropriate eye or face protection, including masks, goggles and safety glasses, to guard themselves from hazards such as flying particles, molten metals, acids or caustic liquids and chemical gases. OSHA's rule includes provisions governing prescription lenses, cleaning, disinfecting and comfort. The construction industry received 2,010 citations for violating eye- and face-protection rules last year, outstripping fields from waste management to manufacturing.

**Read More:** *High Frequency and High Risk: Protecting Workers from Pinch-Point Hazards*

## **No. 10: Machine Guarding**

**Standard: 1910.212**

**2023 Citations: 1,634**

**Change from previous year: +12%**

**2023 Fines: \$13 million**

Federal regulations require use of machine guards such as barriers, two-hand activation controls and electronic safety devices to protect operators of potentially hazardous equipment as well as people nearby. Risks include flying chips, sparks and nip points created when parts move toward each other or past a stationary object where they could trap limbs, causing injuries from bruising to cuts and even amputation. OSHA issued 1,308 citations to American manufacturers last year, a 14 percent increase from 2022.

***Which of OSHA's Top 10 safety violations are the biggest concerns in your workplace? Tell us in the comments below.***

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