

Appendix 1: Inflation Adjustment Act – Penalty Adjustments

Agency	Law	Name/ Description	CFR Citation	Last Year Adjusted (Non IAA)	Authority for Last Adjustment (Non IAA)	Min Penalty (Non IAA) (\$)	Max Penalty (Non IAA) (\$)	11/15 Min (\$)	11/15 Max (\$)	New Min (Rounded to nearest dollar)	New Max (Rounded to nearest dollar)
MSHA	Federal Mine Safety & Health Act of 1977	Regular Assessment	30 CFR 100.3(A)	2007	72 F.R. 13,592		\$60,000		\$70,000		\$68,300
MSHA	Federal Mine Safety & Health Act of 1977	Penalty Conversion Table	30 CFR 100.3(G)	2007	72 F.R. 13,592	\$112	\$60,000	\$112	\$70,000	\$127	\$68,300
MSHA	Federal Mine Safety & Health Act of 1977	Minimum Penalty for any order issued under 104(d)(1) of the Mine Act	30 CFR 100.4(a)	2007	72 F.R. 13,592	\$2,000		\$2,000		\$2,277	
MSHA	Federal Mine Safety & Health Act of 1977	Minimum penalty for any order issued under 104(d)(2) of the Mine Act	30 CFR 100.4(b)	2007	72 F.R. 13,592	\$4,000		\$4,000		\$4,553	
MSHA	Federal Mine Safety & Health Act of 1977	Penalty for failure to provide timely notification under 103(j) of the Mine Act	39 CFR 100.4(c)	2007	72 F.R. 13,592	\$5,000	\$60,000	\$5,000	\$65,000	\$5,692	\$68,300

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MSHA	Federal Mine Safety & Health Act of 1977	Any operator who fails to correct a violation for which a citation or order was issued under 104(a) of the Mine Act -	30 CFR 100.5(C)	2007	72 F.R. 13,592		\$6,500		\$7,500		\$7,399
MSHA	Federal Mine Safety & Health Act of 1977	Violation of mandatory safety standards related to smoking standards	30 CFR 100.5(D)	2007	72 F.R. 13,592		\$275		\$375		\$313
MSHA	Federal Mine Safety & Health Act of 1977	Flagrant violations under 110(b)(2) of the Mine Act	30 CFR 100.5(e)	2007	72 F.R. 13,592		\$220,000		\$242,000		\$250,433
EBSA	Employee Retirement Income Security Act	Section 209(b): Failure to furnish reports (e.g., pension benefit statements) to certain former participants and beneficiaries or maintain records	29 CFR 2575.2(a)	1974	Pub. L. 93-406		\$10		\$11		\$28

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EBSA	Employee Retirement Income Security Act	Section 502 (c)(2) – Per day for failure/refusal to properly file plan’s annual report	29 CFR 2575.2(b)	1987	Pub. L. 100-203		\$1,000		\$1,100		\$2,063
EBSA	Employee Retirement Income Security Act	Section 502 (c)(4) – Per day for failure to disclose certain documents upon request under ERISA 101(k) and (l); failure to furnish notices under 101(j) and 514(e)(3) - each statutory recipient a separate violation	29 CFR 2575.2(c)	1993	Pub. L. 103-66		\$1,000		\$1,000		\$1,632
EBSA	Employee Retirement Income Security Act	Section 502 (c)(5) – Per day for each failure to file annual report for Multiple Employer Welfare Arrangements (MEWAs)	29 CFR 2575.2(d)	1996	Pub. L. 104-91		\$1,000		\$1,100		\$1,502

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EBSA	Employee Retirement Income Security Act	Section 502 (c)(6) – Per day for each failure to provide Secretary of Labor requested documentation not to exceed a per request maximum	29 CFR 2575.2(e)	1997	Pub. L. 105-34		\$100 per day not to exceed \$1,000 per request		\$110 per day not to exceed \$1,100 per request		\$147 per day not to exceed \$1,472 per request
EBSA	Employee Retirement Income Security Act	Section 502 (c)(7) – Per day for each failure to provide notices of blackout periods and of right to divest employer securities-- each statutory recipient a separate violation	29 CFR 2575.2(f)	2002	Pub. L. 107-204		\$100		\$100		\$131

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EBSA	Employee Retirement Income Security Act	Section 502 (c)(8) – Per each failure by an endangered status multiemployer plan to adopt a funding improvement plan or meet benchmarks; failure of a critical status multiemployer plan to adopt a rehabilitation plan	29 CFR 2575.2(g)	2006	Pub. L 109-280		\$1,100		\$1,100		\$1,296
EBSA	Employee Retirement Income Security Act	Section 502(c)(9)(A) – Per day for each failure by an employer to inform employees of CHIP coverage opportunities under Section 701(f)(3)(B)(i)(I) – each employee a separate violation	29 CFR 2575.2(h)	2009	Pub .L. 111-3		\$100		\$100		\$110

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EBSA	Employee Retirement Income Security Act	Section 502(c)(9)(B) – Per day for each failure by a plan to timely provide to any State information required to be disclosed under Section 701(f)(3)(B)(ii), as added by CHIP regarding coverage coordination – each participant/be necificary a separate violation	29 CFR 2575.2(i)	2009	Pub .L. 111-3		\$100		\$100		\$110

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EBSA	Employee Retirement Income Security Act	Section 502(c)(10) - Failure by any plan sponsor of group health plan, or any health insurance issuer offering health insurance coverage in connection with the plan, to meet the requirements of Sections 702(a)(1)(F), (b)(3), (c) or (d); or Section 701; or Section 702(b)(1) with respect to genetic information - daily per participant and beneficiary non- compliance period	29 CFR 2575.2(j)( 1)	2008	Pub. L. 110-233		\$100		\$100		\$110

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EBSA	Employee Retirement Income Security Act	Section 502(c)(10) minimum penalty for uncorrected de minimis violations	29 CFR 2575.2(j)(2)	2008	Pub. L. 110-233	\$2,500		\$2,500		\$2,745	
EBSA	Employee Retirement Income Security Act	Section 502(c)(10) – minimum penalty for uncorrected violations that are not de minimis	29 CFR 2575.2(j)(3)	2008	Pub. L. 110-233	\$15,000		\$15,000		\$16,473	
EBSA	Employee Retirement Income Security Act	Section 502(c)(10) - unintentional failure maximum cap	29 CFR 2575.2(j)(4)	2008	Pub. L. 110-233		\$500,000		\$500,000		\$549,095
EBSA	Employee Retirement Income Security Act	Section 502(c)(12) – Per day for each failure of a CSEC plan in restoration status to adopt a restoration plan	29CFR 2575.2(k)	2014	Pub. L. 113-97		\$100		\$100		\$100
EBSA	Employee Retirement Income Security Act	Section 502 (m) – Failure of fiduciary to make a proper distribution from a defined benefit plan under section 206(e) of ERISA	29 CFR 2575.2(l)	1994	Pub. L. 103-465		\$10,000		\$10,000		\$15,909

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EBSA	Employee Retirement Income Security Act	Failure to provide Summary of Benefits Coverage under PHS Act section 2715(f), as incorporated in ERISA section 715 and 29 CFR 2590.715-2715(e)	29 CFR 2575.2(m)	2010	Pub. L. 111-148		\$1,000		\$1,000		\$1,087
OSHA	Occupational Safety and Health Act	Serious Violation	29 CFR 1903.15(d)(3)	1990	Pub. L. 101-508		\$7,000		\$7,000		\$12,471
OSHA	Occupational Safety and Health Act	Other-Than-Serious	29 CFR 1903.15(d)(4)	1990	Pub. L. 101-508		\$7,000		\$7,000		\$12,471
OSHA	Occupational Safety and Health Act	Willful or Repeated	29 CFR 1903.15(d)(1) and 29 CFR 1903.15(d)(2)	1990	Pub. L. 101-508	\$5,000	\$70,000	\$5,000	\$70,000	\$8,908	\$124,709
OSHA	Occupational Safety and Health Act	Posting Requirement	29 CFR 1903.15(d)(6)	1990	Pub. L. 101-508		\$7,000		\$7,000		\$12,471
OSHA	Occupational Safety and Health Act	Failure to Abate	29 CFR 1903.15(d)(5)	1990	Pub. L. 101-508		\$7,000		\$7,000		\$12,471
WHD	Family and Medical Leave Act	FMLA	29 CFR 825.300(a)(1)	1993	Pub. L. 103-3		\$100		\$110		\$163
WHD	Fair Labor Standards Act	FLSA	29 CFR 578.3(a)	1989	Pub. L. 101-157		\$1,000		\$1,100		\$1,894

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WHD	Fair Labor Standards Act	Child Labor	29 CFR 579.1(a)(1)(i)(A)	2008	Pub. L. 110-233		\$11,000		\$11,000		\$12,080
WHD	Fair Labor Standards Act	Child Labor resulting in serious injury or death	29 CFR 579.1(a)(1)(i)(B)	2008	Pub. L. 110-233		\$50,000		\$50,000		\$54,910
WHD	Fair Labor Standards Act	CL willful or repeated resulting in serious injury or death	29 CFR 579.1(a)(1)(i)(B)	2008	Pub. L. 110-233		\$100,000		\$100,000		\$109,820
WHD	Migrant and Seasonal Agricultural Worker Protection Act	MSPA	29 CFR 500.1(e)	1983	Pub. L. 97-470		\$1,000		\$1,000		\$2,355
WHD	Immigration & Nationality Act	H1B	20 CFR 655.810(b)(1)	1990	Pub. L. 101-649		\$1,000		\$1,000		\$1,782
WHD	Immigration & Nationality Act	H1B willful or discrimination	20 CFR 655.810(b)(2)	1998	Pub. L. 105-277		\$5,000		\$5,000		\$7,251
WHD	Immigration & Nationality Act	H1B willful that resulted in displacement of a US worker	20 CFR 655.810(b)(3)	1998	Pub. L. 105-277		\$35,000		\$35,000		\$50,758
WHD	Immigration & Nationality Act	H2B <sup>1</sup>	29 CFR 503.23	2005	Pub. L. 109-13		\$10,000		\$10,000		\$11,940
WHD	Immigration & Nationality Act	D-1	20 CFR 655.620	1990	Pub. L. 101-649		\$5,000		\$5,000		\$8,908
WHD	Contract Work Hours and Safety Standards Act	CWHSSA	29 CFR 5.8(a)	1962	Pub. L. 87-581		\$10		\$10		\$25

<sup>1</sup> See supra note **Error! Bookmark not defined.**

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WHD	Walsh-Healey Public Contracts Act	Walsh-Healey	41 CFR 50-201.3(e)	1936	49 Stat. 2036		\$10		\$10		\$25
WHD	Employee Polygraph Protection Act	EPPA	29 CFR 801.42(a)	1988	Pub. L. 100-347		\$10,000		\$10,000		\$19,787
WHD	Immigration & Nationality Act	H2A	29 CFR 501.19(c)	2010	75 FR 6,884		\$1,500		\$1,500		\$1,631
WHD	Immigration & Nationality Act	H2A willful or discrimination	29 CFR 501.19(c)(1)	2008	73 FR 77,110		\$5,000		\$5,000		\$5,491
WHD	Immigration & Nationality Act	H2A Safety or health resulting in serious injury or death	29 CFR 501.19(c)(2)	2010	75 FR 6,884		\$50,000		\$50,000		\$54,373
WHD	Immigration & Nationality Act	H2A willful or repeated safety or health resulting in serious injury or death	29 CFR 501.19(c)(4)	2010	75 FR 6,884		\$100,000		\$100,000		\$108,745
WHD	Immigration & Nationality Act	H2A failing to cooperate in an investigation	29 CFR 501.19(d)	2008	73 FR 77,110		\$5,000		\$5,000		\$5,491
WHD	Immigration & Nationality Act	H2A displacing a US worker	29 CFR 501.19(e)	2010	75 FR 6,884		\$15,000		\$15,000		\$16,312
WHD	Immigration & Nationality Act	H2A improperly rejecting a US worker	29 CFR 501.19(f)	2010	75 FR 6,884		\$15,000		\$15,000		\$16,312
WHD	Fair Labor Standards Act	Home Worker	29 CFR 530.302	1988	53 FR 45,706	\$10	\$500	\$10	\$500	\$20	\$989

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OWCP	Longshore and Harbor Workers' Compensation Act	Failure to file first report of injury or filing a false statement or misrepresentation in first report	20 CFR 702.204	1984	Pub. L. 98-426		\$10,000		\$11,000		\$22,587
OWCP	Longshore and Harbor Workers' Compensation Act	Failure to report termination of payments	20 CFR 702.236	1927	44 Stat. 1432		\$100		\$110		\$275
OWCP	Longshore and Harbor Workers' Compensation Act	Discrimination against employees who claim compensation or testify in a LHWCA proceeding	20 CFR 702.271(a)(2)	1984	Pub. L. 98-426	\$1,000	\$5,000	\$1,100	\$5,500	\$2,259	\$11,293
OWCP	Black Lung Benefits Act	Failure to report termination of payments	20 CFR 725.621 (b), (d)	1978	Pub. L. 95-239		\$500		\$550		\$1,375
OWCP	Black Lung Benefits Act	Failure to file required reports	20 CFR 725.621(d)	1978	Pub. L. 95-239		\$500		\$550		\$1,375
OWCP	Black Lung Benefits Act	Failure to secure payment of benefits	20 CFR 726.300	1978	Pub. L. 95-239		\$1,000		\$1,000		\$2,500

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OWCP	Black Lung Benefits Act	Failure to secure payment of benefits for mines with fewer than 25 employees	20 CFR 726.302(c) (2)(i)	2001	65 FR 79,920	\$100		\$100		\$134	
OWCP	Black Lung Benefits Act	Failure to secure payment of benefits for mines with 25- 50 employees	20 CFR 726.302(c) (2)(i)	2001	65 FR 79,920	\$200		\$200		\$268	
OWCP	Black Lung Benefits Act	Failure to secure payment of benefits for mines with 51- 100 employees	20 CFR 726.302(c) (2)(i)	2001	65 FR 79,920	\$300		\$300		\$402	
OWCP	Black Lung Benefits Act	Failure to secure payment of benefits for mines with more than 100 employees	20 CFR 726.302(c) (2)(i)	2001	65 FR 79,920	\$400		\$400		\$535	
OWCP	Black Lung Benefits Act	Failure to secure payment of benefits after 10th day of notice	20 CFR 726.302(c) (4)	2001	65 FR 79,920	\$100		\$100		\$134	
OWCP	Black Lung Benefits Act	Failure to secure payment of benefits for repeat offenders	20 CFR 726.302(c) (5)	2001	65 FR 79,920	\$300		\$300		\$402	

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OWCP	Black Lung Benefits Act	Failure to secure payment of benefits	20 CFR 726.302(c) (5)	1978	Pub. L. 95-239		\$1,000		\$1,100		\$2,750