



## [Employers Not Fazed by Increased OSHA Fines](#)

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On May 27, 2010, the U.S. Department of Labor's Occupational Safety and Health Administration (OSHA) issued its second fine over \$1 million within the last month. The South Dakota Wheat Growers Association of Aberdeen, South Dakota was fined \$1.6 million for 23 willful violations after the December 2009 death of a worker at one of the company's grain handling operations. The worker suffocated to death after being engulfed by grain in [one of the facility's storage bins](#).

Hilda L. Solis, Secretary of Labor, spoke about the Department's investigation and stated that "The S.D Wheat Growers Association ignored long-established standards addressing safety in grain handling operations." Solis also stated that "[The company's intentional disregard for its safety...led to an unnecessary loss of a life.](#)"

The company's utter disregard for the safety of its employees is even more troubling given the fact that just last year Tempel Grain Company, one state over in Haswell, Colorado, was fined more than \$1.5 million for 22 similar [OSHA violations](#).

This came after a 17-year old employee of Tempel [suffocated to death in](#) a bin after being engulfed by grain.

This inexcusable ignorance to OSHA citations and fines can also be seen closer to home. Just last year, the [Indiana Occupational Health and Safety Administration issued fines](#) totaling more than \$400,000 to two Indiana Companies for repeated workplace safety violations. Steel Dynamics, based in Fort Wayne, was cited and fined \$240,000 when one employee was injured and another was killed by nitrogen fumes released by a furnace.

Many of the violations were repeat violations, meaning that the company had already been cited for the violation and was aware of the dangerous condition that existed. Similarly, Noblesville based company King Systems Corp., which manufactures anesthesia and respiratory care products, was [cited for repeat violations and fined](#) for \$191,000.

The violations resulted from the company's ongoing failure to minimize employee exposure to harmful gases.

At first blush, one might assume that increased fines have led to a safer working environment. However, this is not always the case. All too often, these repeat violations and increased fines provide little deterrent to employers primarily concerned with the bottom line: profits. Rather than addressing the safety hazards and unsafe conditions, employers wait until one of its employees is seriously injured or killed, before taking the proper corrective measures prescribed by OSHA. Unfortunately, the tragic incidents described above demonstrate this all too well.