

THE REGULATIONS REPRODUCED HERE HAVE BEEN PROVIDED BY THE DEPARTMENT OF LABOR AND WORKFORCE DEVELOPMENT (DEPARTMENT) AS A PUBLIC COURTESY. WHILE EVERY EFFORT HAS BEEN MADE TO ASSURE THE ACCURACY OF THE REPRODUCED VERSION, THE DEPARTMENT CANNOT GUARANTEE ITS ABSOLUTE ACCURACY. PAPER COPIES OF THE REGULATIONS AS ORIGINALLY FILED BY THE LIEUTENANT GOVERNOR ARE AVAILABLE FROM THE DEPARTMENT.

THE REGULATIONS HAVE AN EFFECTIVE DATE OF OCTOBER 20, 2018, ARE IN REGISTER 228, AND WILL APPEAR IN OFFICIAL PUBLISHED FORM IN THE JANUARY 2019 SUPPLEMENT TO THE ALASKA ADMINISTRATIVE CODE

8 AAC 61.140(b) is repealed and readopted to read:

(b) The commissioner or the commissioner's authorized designee may assess civil penalties for violations of AS 18.60.010 - 18.60.105, and except as adjusted under (j) of this section, the penalty

(1) for a willful or repeated violation under AS 18.60.095(a) may not exceed \$129,336; except when a settlement is negotiated, the penalty for a willful violation may not be less than \$9,239;

(2) for a serious violation under AS 18.60.095(b) may not exceed \$12,934;

(3) for an other-than-serious violation under AS 18.60.095(c) may not exceed \$12,934;

(4) for failure to correct a violation under AS 18.60.095(d) is \$12,934 for each day during which the failure to correct the violation continues;

(5) for a posting violation under AS 18.60.095(g) is \$12,934.

8 AAC 61.140 is amended by adding a new subsection to read:

(j) The minimum and maximum penalties in subsection (b)(1) through (5) of this section are adjusted annually under 29 C.F.R. 1903.15 based on the *Consumer Price Index for all Urban Consumers (CPI-U)* published by the United States Department of Labor, Bureau of Labor Statistics. The adjusted minimum and maximum penalties will be published annually by the department in the Alaska Occupational Safety and Health Civil Penalties pamphlet on or before February 1 and will apply to penalties assessed beginning on February 1 of that same calendar year through January 31 of the next calendar year. (Eff. 1/10/75, Register 53; am 11/22/75, Register 56; am 11/12/93, Register 128; am 3/27/96, Register 137; am 9/27/98, Register 147; am 10/6/2002, Register 164; am 7/28/2013, Register 207; am \_\_\_/\_\_\_/\_\_\_, Register \_\_\_)

**Authority:** AS 18.60.020 AS 18.60.091 AS 18.60.095