



STATE OF NEW YORK - DEPARTMENT OF LABOR
DIVISION OF SAFETY AND HEALTH
PUBLIC EMPLOYEE SAFETY AND HEALTH BUREAU

PENALTY INFORMATION FOR PUBLIC EMPLOYERS

Effective immediately, any violation listed on a "Notice of Violation and Order to Comply" (NYPESH-2) which is not complied by the abatement date given on the Notice is subject to a PER DAY penalty assessment.

The penalty amount will be assessed as follows:

<u>TYPE OF VIOLATION</u>	<u>PENALTY AMOUNT</u>
Non-serious	Up to \$50.00 <i>PER DAY</i>
Serious	Up to \$200.00 <i>PER DAY</i>

At the time of the follow up inspection, any violation(s) which is uncomplied will be assessed a penalty amount. The exact amount of the penalty for each violation will be listed on the "Notification of Failure to Abate Violation and Order to Comply" (NYPESH-2B) issued after the follow up inspection. The daily penalty will start with the abatement date given on the Notice of Violation (NYPESH-2) and continue to accrue until the violation(s) is complied and such compliance is verified by the PESH Bureau. The district office which issued the Notice should be notified, in writing, when violations have been complied.

In addition to the ongoing penalty assessment, the Commissioner of Labor must refer the case to the Attorney General for appropriate action in accordance with the provisions of the Labor Law for all violations which are uncomplied by the Date of Final Inspection (item 15) listed on the Failure to Abate Notice (NYPESH-2B).