

THE ADVISOR

MONTHLY COMPLIANCE COMMUNICATOR

[U.S. Department of Labor announces annual adjustments to OSHA civil penalties for 2023](#)

WASHINGTON – The U.S. Department of Labor announced changes to Occupational Safety and Health Administration (OSHA) civil penalty amounts based on cost-of-living adjustments for 2023.

In 2015, Congress passed the Federal Civil Penalties Inflation Adjustment Act Improvements Act to advance the effectiveness of civil monetary penalties and to maintain their deterrent effect. Under the Act, agencies are required to publish “catch-up” rules that adjust the level of civil monetary penalties and make subsequent annual adjustments for inflation no later than January 15 of each year. This year, January 15 falls on a Sunday and January 16 is a federal holiday. Therefore, new OSHA penalty amounts will become effective Jan. 17, 2023.

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OSHA's maximum penalties for serious and other-than-serious violations will increase from \$14,502 per violation to \$15,625 per violation. The maximum penalty for willful or repeated violations will increase from \$145,027 per violation to \$156,259 per violation.

OSHA Penalties

Below are the maximum penalty amounts, with the annual adjustment for inflation, that may be assessed after Jan. 15, 2023. (See [OSHA Memo, Dec. 20, 2022](#)).

Type of Violation	Penalty
Serious Other-Than-Serious Posting Requirements	\$15,625 per violation
Failure to Abate	\$15,625 per day beyond the abatement date
Willful or Repeated	\$156,259 per violation

Visit the [OSHA Civil Penalty page](#) and read the [final rule](#) for more information.

– News release originally published on OSHA.gov.

[Learn more about OSHA from TMC.](#)

[The Importance of Managing Conflict at Work](#)

Almost everyone has a story of conflict at work – conflict is inevitable when running a business and working with others. There are many different types of conflict and causes for it, and understanding the nuance in each can help to manage it. Conflict de-escalation techniques can be used in any situation, whether at work, home, or in between. The term de-escalation is defined as skills and strategies designed to reduce the potential for future conflicts, aggression, or violence. This is done through understanding, managing, and resolution of conflict.

Common non-verbal warning signs can be:

- Pacing
- Sweating or flushed face
- Shaking
- Clenching jaw or fists
- Rapid breathing
- Changes in eye contact (staring or avoiding)
- Violating personal space
- Hitting objects
- Inappropriate laughter

These behaviors don't necessarily mean a person will become violent and the context of the situation should be considered but they can be indicators of their stress. When these signs are witnessed, it is wise to exercise caution. Our webinar hosted by Jerry McCormick, President of Personal Safety at Work, teaches about more warning signs, scenarios, and important takeaways for healthcare conflicts and how to de-escalate them.

Why is there violence in healthcare?

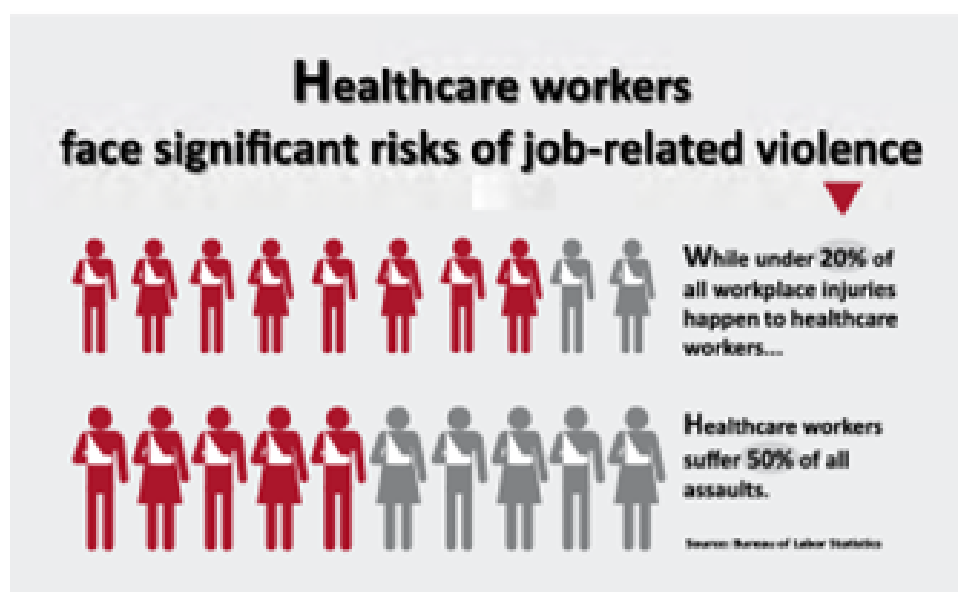
Healthcare facilities are high-stress environments for a lot of people, and this can manifest in various ways. Fear, anxiety, or anger can lead to violent acts, whether they are physical or psychological in nature. The reasoning behind these conflicts can range from:

- displaced anger
- psychiatric illness
- pain management
- drug use
- environmental (overcrowding, long wait time)
- disease progression, and more

If a situation arises where a conflict needs diffusing, it is important to understand not only the type of situation you are facing, but also the reaction of the individual in question. Understanding this is critical in your attempt to safely manage the problem.

Not only are the physical and psychological wellbeing of healthcare workers negatively impacted by workplace violence, but also their ability to deliver effective care is put at risk.

Importance of healthcare conflict de-escalation



Healthcare workers experience more workplace violence than any other profession, accounting for 73% of all nonfatal workplace injuries and illnesses due to violence in 2018.

Having the skills and communication techniques to de-escalate a situation so it becomes less aggressive or violent is a huge asset to keeping healthcare workers safe. It's important to understand the verbal and non-verbal cues during a conflict escalation. Being able to de-escalate the behavior can reduce the immediacy of the threat, give time to gain composure, and work toward resolving the issue.

Some situations require priority of safety over the de-escalation process. In our webinar, Mr. McCormick will review how to use this knowledge to assess safety risks, review prevention measures that should be in place, and report a violent encounter.

To learn more about how to de-escalate conflict in the workplace, join us on March 15th from 12:00PM-1:30PM for an interactive, online training with Mr. McCormick. [Reserve your spot now!](#)

[It's Your Call](#)

OSHA: Are paper copies of OSHA posters required or can offices display them electronically?



[Updating our Online Compliance Manuals \(eManuals\)](#)

We have exciting news about our online compliance manuals (eManual)! Our eManual is moving to a modern, advanced platform at the end of March! The new TMC eManuals will be powered by ComplianceBridge software.

We are updating our eManuals to reduce the time you spend on the administration of your eManual. This new software will speed up the process for manual updates and regulatory compliance changes. It will also give you more customization functions for your practice. And, as always, we want it to be more user-friendly, intuitive, and responsive for you.

Those of you who already have our eManual have received the first email communication relating to the release of the new software. It answers questions you may have such as, "Will I have a new account? Will my information transfer to the new system? Who do I contact if I need help? and Will training be provided?" If you didn't receive that email, view the info [here](#).

For those of you who don't have our eManual and would like to see what it is all about, [view our products that feature our eManuals](#).

Stay tuned for more information about our new and improved online compliance manuals in next month's newsletter.

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Instructions

Print and post newsletter in office for staff review. Each member should sign this form when completed. Keep on file as proof of training on these topics.

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