

8 AAC 61.140(b) is repealed and readopted to read:

(b) Beginning \_\_\_\_\_ 1, 2018, the commissioner or the commissioner's authorized designee may assess the following minimum and maximum civil penalties for violations of AS 18.60.010 - 18.60.105:

(1) The penalty for willful or repeated violation under AS 18.60.095(a) shall not be less than \$9,239, unless negotiated in a settlement; and shall not exceed \$129,336.

(2) The penalty for a serious violation under AS 18.60.095(b) shall not exceed \$12,934.

(3) The penalty for an other-than-serious violation under AS 18.60.095(c) shall not exceed \$12,934.

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

(6) The penalties in (1) through (5) of this subsection are adjusted annually according to the Consumer Price Index for all Urban Consumers (CPI-U). The adjustment will be calculated by the United States Department of Labor, based on the percent change between the \_\_\_\_\_ CPI-U preceding the date of the adjustment, and the prior year's \_\_\_\_\_ CPI-U; the adjusted minimum and maximum penalties will apply to penalties assessed beginning on February 1 through January 31 of the proceeding year.

(7) The penalties will be published by the department in the Alaska Occupational Safety and Health Civil Penalties pamphlet on or before February 1 of each year.

Register \_\_\_\_\_, \_\_\_\_\_2018 LABOR AND WORKFORCE DEV.

(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; \_\_\_/\_\_\_/\_\_\_, Register \_\_\_)

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