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State of Minnesota
HOUSE OF REPRESENTATIVES

EIGHTY-SEVENTH SESSION

H. F. No. 2616

02/29/2012 Authored by Paymar

The bill was read for the first time and referred to the Committee on Commerce and Regulatory Reform

1.1 A bill for an act
1.2 relating to occupational safety and health; permitting injured employees a civil
1.3 remedy if an employer willfully or repeatedly violated safety laws; amending
1.4 Minnesota Statutes 2010, section 182.666, subdivision 1.

1.5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.6 Section 1. Minnesota Statutes 2010, section 182.666, subdivision 1, is amended to read:

1.7 Subdivision 1. **Willful or repeated violations.** Any employer who willfully or
1.8 repeatedly violates the requirements of section 182.653, or any standard, rule, or order
1.9 adopted under the authority of the commissioner as provided in this chapter, may be
1.10 assessed a fine not to exceed \$70,000 for each violation. The minimum fine for a willful
1.11 violation is \$5,000. In addition, notwithstanding section 182.671 or any other law to the
1.12 contrary, the employer shall be liable for damages to a seriously injured employee or legal
1.13 representative or, if death results from the injury, the employee's heirs or next of kin where
1.14 the violation was a major contributing cause of the injury or death. A recovery under this
1.15 subdivision must be reduced by any benefits paid or payable under chapter 176. For
1.16 purposes of this subdivision, "serious injury" means an injury that causes:

1.17 (1) more than \$200,000 in medical expenses for its cure and relief; or

1.18 (2) at least 52 weeks of lost work time.