

# COMPLIANCE BULLETIN

REQUIREMENT	2017 PENALTY AMOUNT	2018 PENALTY AMOUNT
<b>Wage and Hour</b>		
Repeated or willful violations of minimum wage or overtime requirements (FLSA)	Up to \$1,925 for each violation	Up to <b>\$1,964</b> for each violation
Violations of child labor laws	Up to \$12,278 for each employee subject to the violation	Up to <b>\$12,529</b> for each employee subject to the violation
Violations of child labor laws that cause death or serious injury to an employee under age 18	Up to \$55,808 for each violation (doubled to \$111,616 if the violation is repeated or willful)	Up to <b>\$56,947</b> for each violation (doubled to <b>\$113,894</b> if the violation is repeated or willful)
Willful failure to post FMLA general notice	Up to \$166 for each separate offense	Up to <b>\$169</b> for each separate offense
Violations of the Employee Polygraph Protection Act (EPPA)	Up to \$20,111 for each violation	Up to <b>\$20,521</b> for each violation
<b>Employee Benefits</b>		
Failure to file an annual report (Form 5500) with the DOL (unless a filing exemption applies)	Up to \$2,097 per day	Up to <b>\$2,140</b> per day
Failure of a multiple employer welfare arrangement (MEWA) to file an annual report (Form M-1) with the DOL	Up to \$1,527 per day	Up to <b>\$1,558</b> per day
Failure to furnish plan-related information requested by the DOL	Up to \$149 per day, but not to exceed \$1,496 per request	Up to <b>\$152</b> per day, but not to exceed <b>\$1,527</b> per request

# COMPLIANCE BULLETIN

*Under ERISA, administrators of employee benefit plans must furnish to the DOL, upon request, any documents relating to the employee benefit plan.		
<p>Failing to provide the annual notice regarding CHIP coverage opportunities</p> <p>*This notice applies to employers with group health plans that cover residents of states that provide a premium assistance subsidy under a Medicaid or CHIP program.</p>	Up to \$112 per day for each failure (each employee is a separate violation)	Up to <b>\$114</b> per day for each failure (each employee is a separate violation)
For 401(k) plans, failure to provide blackout notice or notice of right to divest employer securities	Up to \$133 per day	Up to <b>\$136</b> per day
Failure to provide Summary of Benefits and Coverage (SBC)	Up to \$1,105 per failure	Up to <b>\$1,128</b> per failure

## Employee Safety – OSH Act

Violation of posting requirement	Up to \$12,675 for each violation	Up to <b>\$12,934</b> for each violation
Other-than-serious violation	Up to \$12,675 per violation	Up to <b>\$12,934</b> for each violation
Serious violation	Up to \$12,675 for each violation	Up to <b>\$12,934</b> for each violation
Willful violation	Between \$9,054 and \$126,749 per violation	Between <b>\$9,239</b> and <b>\$129,336</b> per violation
Uncorrected violation	Up to \$12,675 per day until the violation is corrected	Up to <b>\$12,934</b> per day until the violation is corrected

Provided by:  
Higginbotham

© 2018 Zywave, Inc. All rights reserved. EM 1/18

