More than a slap on the wrist…

OSHA Fines to rise (significantly) for the first time in 25 years.

In 1990, Congress passed a bill requiring fines levied by federal agencies to raise along with inflation. OSHA was one of a small group of agencies that were exempt from these mandatory increases… until now. This is because the newly signed federal budget contained a provision removing the exemption, bringing fines more in line with today’s business environment.

The exact numbers proposed are due to be released early 2016 but estimates have the most severe infractions increasing to about $127,000 from $70,000 and serious violations moving to $12,500 from $7,000 where they have stood for over 25 years.

While catching many employers by surprise, the announcement has produced far less shock from those involved in industry policymaking on a day to day basis. After settlement negotiations, the average fine for a workers death in the U.S. currently stands at $5,050, making the current amount merely a cost of business for larger companies.

There is reasonable concern about the affects the new citations will have on smaller businesses. “This has the potential to have a pretty significant impact,” said Rob Matuga, who directs labor policy for the National Association of Home Builders. “Our housing industry is just making a comeback.”

OSHA is allowed to make a one time “catch up” to citations to account for inflation over the last 2 1/2 decades (i.e. why you see the big jump overnight). Moving forward, OSHA will be able to increase fines based upon the previous year’s inflation rate.

What you can do… The WBMA will assist in updating its members on the upcoming changes, including ways to comment. In the meantime, contact your local representative and let them know how your company may be affected by the new regulations. Questions and/or comments? Send them to tom@wbma.org.

ObamaCare 2.0...

A few things your HR department needs to know for 2016.

Under the Affordable Care Act (ACA), by the end of January many employers will need to start providing their employees with Form 1095(C or B) annually along with their W-2. This form provides the necessary information for your employees to fill out Line 61 of their tax returns. Line 61 requires them to show they had the “minimal essential” healthcare coverage for that year.

What rules apply to you?

49 or fewer full-time employees: If your company has a self-insured health plan you must provide:

- To IRS: Forms 1095-B and 1094-B.
• To Employee: 1095-B.

Note: many small businesses will be exempt from some of the new requirements. Ex. for fully insured plans, the insurance company will provide the necessary 1095-B.

50 or more full-time employees: You must provide:
• To IRS: Forms 1095-C and 1094-C.
• To Employees: 1095-C.

Note: Employers with 50 or more employees must prepare a 1095-C for all full-time employees, whether or not they are participating in the company’s health plan.

Employees covered through the insurance exchange:
• Will receive form 1095-A

Keep in mind... Just because you may be on top of the new requirements, your employees may not even be aware of them. Consider taking a proactive approach by communicating these changes prior to them receiving the new forms with their W-2s.

Quote of the Month:
“People often say motivation doesn’t last. Neither does bathing—that’s why we recommend it daily.” Zig Ziglar

About the Author/Disclaimer:
Tom Rider is Manager of Member Services for the Western Building Material Association. He is committed to being a valued resource to its members particularly on regulatory compliance issues affecting building material suppliers. Unless stated otherwise, this regulatory newsletter is written by him. He is a lawyer, but respectfully he is not your lawyer (unless you have been in his office and signed a contract). This communication is not intended as legal advice, and no attorney client relationship results merely by reading it. Please consult your own attorney for legal advice. If you are a WBMA member and would like to contact Tom with questions and/or comments: tom@wbma.org

Upcoming Events:

**INTRO TO BUILDING MATERIAL SALES**
**NOVEMBER 16, 2015**
**VALLEY RIVER INN – EUGENE, OR**

**ESTIMATING WORKSHOP**
**NOVEMBER 17-18, 2015**
**VALLEY RIVER INN – EUGENE, OR**

**CHECK THIS OUT:**
As the hub for industry training and education, the WBMA is excited to present our new 3-Part leadership series! Kicking off at the end of January is Part I: Customer Service and Sales Management led by Bill Sharp. Stay Tuned!

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