

SENATE
STATE OF MINNESOTA
NINETY-SECOND SESSION

S.F. No. 3168

(SENATE AUTHORS: MARTY, McEwen and Johnson Stewart)

DATE	D-PG	OFFICIAL STATUS
02/17/2022	5040	Introduction and first reading Referred to Labor and Industry Policy

- 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 2020, section 182.666, subdivision 1.
- 1.5

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:
- 1.6

Section 1. Minnesota Statutes 2020, section 182.666, subdivision 1, is amended to read:
- 1.7

Subdivision 1. **Willful or repeated violations.** Any employer who willfully or repeatedly
- 1.8

violates the requirements of section 182.653, or any standard, rule, or order adopted under
- 1.9

the authority of the commissioner as provided in this chapter, may be assessed a fine not to
- 1.10

exceed \$70,000 for each violation. The minimum fine for a willful violation is \$5,000. In
- 1.11

addition, notwithstanding section 182.671 or any other law to the contrary, the employer is
- 1.12

liable for damages to a seriously injured employee or legal representative or, if death results
- 1.13

from the injury, the employee's heirs or next of kin where the violation was a major
- 1.14

contributing cause of the injury or death. A recovery under this subdivision must be reduced
- 1.15

by any benefits paid or payable under chapter 176. For purposes of this subdivision, "serious
- 1.16

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.