This bill provides a presumptive $50,000 penalty against any employer who commits a serious, willful, or repeated violation of occupational safety and health requirements and the violation contributes to the death of an employee. It also provides that a deceased employee's next of kin can participate in the process of reviewing and challenging the citation issued to the employer.

1 **Authorized employee representative.** This section adds the next of kin of a deceased employee to the definition of an authorized employee representative. The authorized employee representative, limited under current law to a labor organization operating as the employee's representative in collective bargaining, has the right under the law to challenge the citation issued to an employer.

2 **Notice of citation.** This section clarifies that the commissioner must provide a copy of a citation issued to an employer to the next of kin in any case in which the death of an employee resulted.

3 **Penalty where the death of an employee results.** This section removes existing language providing that the commissioner may impose a penalty of up to $25,000 for a serious violation where the death of an employee resulted.

4 **Presumptive penalty.** This new section provides a presumptive penalty of $50,000 to be imposed in any case where a serious, willful, or repeated violation causes or contributes to the death of an employee. The presumptive penalty does not apply to a violation of the "general duty clause." The commissioner has the authority to find extraordinary circumstances and impose a lower penalty, but if that occurs, the commissioner must include a specific written explanation of the commissioner's findings that support the lower penalty along with the citation.