

**BEMIDJI STATE UNIVERSITY
OSHA FINE PAYMENT POLICY
07/14/95**

Bemidji State University will be represented by a member or designee of the Administrative Affairs office during OSHA inspections. All subsequent activity associated with the inspection, such as disclosure of records, appeals, and payment of fines will also be coordinated through that office.

The source of the funds to pay fines resulting from OSHA regulatory compliance violations will be determined as follows.

Departments will be liable for fines for violations cited in their respective areas of responsibility under the following conditions:

- The Department had knowledge of the need to comply with the cited requirement, and ;
- The Department had the ability and reasonable time to comply but failed to do so.

Prior knowledge of a need to correct a violation may originate from reports or other documentation from previous inspections or audits by OSHA personnel, local inspectors, BSU Environmental Health and Safety or maintenance personnel, BSU Safety Committee representatives, or other recognized authority.

Departments and colleges will not be expected to pay fines for citations resulting from conditions or situations that would require expenditures of capital or resources beyond their ability to provide. However, inability to take corrective action may not be used as justification to consciously enter into a violation. Work and other activity in the affected area may have to cease or be modified until the problems are corrected.

Departments may appeal fine payment decisions to the Vice President of Administrative Affairs, through their respective Deans.