



## OSHA Citations and Penalties Bulletin – No. 49

The Occupational Safety and Health Administration (OSHA) is authorized to issue citations and penalties against an employer when workplace health and safety standards have been violated. Citations are classified as *De Minimus*, *Other-Than-Serious*, *Serious*, *Willful*, *Repeat*, or *Failure to Abate*. Penalties are proposed based on a variety of factors including site conditions, size reduction, good faith, minimum penalties, and history. The information below is not an official OSHA document, but is a summary of alleged violations and penalties collected from notices, safety orders, press releases, etc. issued directly by OSHA.

Knowing the current citation and penalty trends helps an employer better evaluate their current performance, understand conditions that OSHA considers to be hazardous and to recognize the penalty values that might be assessed.

Company Type:	CONSTRUCTION MATERIALS COMPANY			INDIANA
Inspection Site:	MAXWELL, IN 46154			
Issuance Date	OSHA Standard	OSHA Standard Violated	Standard Classification	Proposed Penalty
09/23/2020	29 CFR 1910.132 (d)(2)	Personal Protective Equipment	Serious	\$7,000
Violation:	The employer did not verify that the required workplace hazard assessment has been performed through a written certification which included the requirements as outlined in 29 CFR 1910.132(d)(2):			
Site Specific Violation:	Facility – A workplace hazard assessment was not certified for a workplace where there were hazards which necessitate the use of personal protective equipment such as, but not limited to, fall protection for employees on the main level in the aggregate room where there was a fall hazard of up to 12-foot to the floor below.			

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Company Type:	CONCRETE CONSTRUCTION COMPANY			INDIANA
Inspection Site:	INDIANAPOLIS, IN 46225			
Issuance Date	OSHA Standard	OSHA Standard Violated	Standard Classification	Proposed Penalty
09/01/2020	29 CFR 1926.651 (c)(2)	Subpart P: Excavations	Serious	\$1,500
Violation:	A stairway, ladder, ramp or other safe means of egress was not located in trench excavations that were 4 feet (1.22m) or more in depth so as to require no more than 25 feet (7.62m) of lateral travel for employees:			



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<b>Site Specific Violation:</b>	Jobsite – during construction activities, no ladder, ramp, or other acceptable means of egress was provided for employees in the excavation that was 35-feet wide, 68-feet long and 9-feet deep.
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Company Type:	METAL FINISHING COMPANY			INDIANA
Inspection Site:	LAFAYETTE, IN 47905			
Issuance Date	OSHA Standard	OSHA Standard Violated	Standard Classification	Proposed Penalty
09/04/2020	IC 22-8-1.1 Section 2	Indiana Occupational Safety & Health Act	Knowing	\$132,598
Violation:	The employer did not establish and maintain conditions of work which were reasonably safer and healthful for employees, and free from recognized hazards that were causing or likely to cause death or serious physical harm to employees in that employees were exposed to struck by hazards while operating overhead cranes:			
Site Specific Violation:	Facility – Deshazo crane #1 employees were exposed to struck-by hazards due to operating the crane with a bypass safety latch on the crane hook. AMONG OTHER METHODS, FEASIBLE MEANS OF ABATEMENT MAY INCLUDE; Maintaining functional safety latches on the hooks as required by ANSI B30.16-2007 section 16-1.2.9, which states that hooks shall be equipped with latches unless use of the latch creates a hazardous condition. When required, a latch shall be provided to bridge the throat opening of the hook and retain, under slack conditions, such items as, but not limited to, slings and chains.			

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Company Type:	TREE CUTTING SERVICE			INDIANA
Inspection Site:	ANDERSON, IN 46012			
Issuance Date	OSHA Standard	OSHA Standard Violated	Standard Classification	Proposed Penalty
09/28/2020	29 CFR 1904.39 (a)(1)	Reporting Injury and Illness Information	Non Serious	\$5,000
Violation:	Within eight (8) hours after the death of any employee as a result of a work-related incident, you must report the fatality to the Occupational Safety and Health Administration (OSHA), U.S. Department of Labor:			
Site Specific Violation:	Facility – A worker fatality which occurred on 6/1/2020 was not reported to IOSHA until 6/3/2020, outside of the 8-hour reporting requirement.			