



OSHA Citations and Penalties Bulletin – No. 51

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:	HEALTHCARE COMPANY			INDIANA
Inspection Site:	NEWBURGH, IN 47630			
Issuance Date	OSHA Standard	OSHA Standard Violated	Standard Classification	Proposed Penalty
12/02/2020	29 CFR 1910.134 (c)(1)(i)-(ix)	Respiratory Protection	Serious	\$7,000
Violation:	A written respiratory protection program that included the provisions in 29 CFR1910.134(c)(1)(i)-(ix) with worksite specific procedures was not established and implemented for required respirator use:			
Site Specific Violation:	Facility – An effective respiratory protection program was not developed, written and implemented in a workplace where employees such as, but not limited to, the charge nurse wore N95 respirators.			

###

Company Type:	HEALTHCARE COMPANY			NEW JERSEY
Inspection Site:	NORTH BERGEN, NEW JERSEY 07407			
Issuance Date	OSHA Standard	OSHA Standard Violated	Standard Classification	Proposed Penalty
09/04/2020	29 CFR 1910.134 (E)(2)(ii)	Respiratory Protection	Serious	\$13,494



OSHA Citations and Penalties Bulletin – No. 51

Violation:	The medical evaluation did not obtain the information requested by the questionnaire in Sections 1 and 2, Part A of Appendix C of 29 CFR 1910.134:
Site Specific Violation:	Facility Wide: The medical evaluation provided by the employer did not obtain the information requested in Sections 1 and 2, Part A of Appendix C of 29 CFR 1910.134. The information missing includes but is not limited to, questions about symptoms of pulmonary or lung illnesses, cardiovascular or heart problems and symptoms. The employer required employees including RNs to wear N95 respirators to care for residents including those under investigation and/or confirmed as Covid-19 positive.

###

Company Type:	RENTAL CAR COMPANY			MICHIGAN
Inspection Site:	FREELAND, MI 48623			
Issuance Date	OSHA Standard	OSHA Standard Violated	Standard Classification	Proposed Penalty
09/11/2020	408.1011(a) ACT 154	Personal Protective Equipment	Serious	\$6,300
Violation:	An employer shall furnish to each employee, employment and a place of employment that is free from recognized hazards that are causing, or are likely to cause, death or serious physical harm to the employee:			
Site Specific Violation:	Company wide: On July 7, 2020, the employer did not furnish to each employee a place of employment free from recognized hazards that were causing or likely to cause death or serious physical harm to employees, in that employees were not protected from the hazard of exposure to the virus, SARS-CopV-2 (severe acute respiratory syndrome coronavirus 2), the cause of coronavirus disease 2019 (COVID-19): a. The employer had not developed a written COVID-19 preparedness and response plan. b. The employer had not installed engineering controls such as barriers at service counters and markings that enabled social distancing. c. The employer did not conduct a daily entry self-screening protocol for employees entering the facility including a questionnaire that covered COVID-19 symptoms, and temperature screening when no-touch thermometers could be obtained. d. The employer did not require individuals to wear face coverings when inside the building, and employees were observed in close contact with no face coverings. Employees work with the public and had face-to-face contact when retrieving and delivering rental cars without wearing masks and are unable to social distance inside vehicles. e. The employer did not provide COVID-19 training to employees that covered workplace infection-control practices; the proper use of personal protective equipment; steps the employee must take to notify the business of any symptoms of COVID-19 or a suspected or confirmed diagnosis of COVID-19; and how to report unsafe working conditions.			

Company Type:	PETROLEUM CORPORATION			MICHIGAN
Inspection Site:	OTTAWA LAKE, MI 49267			
Issuance Date	OSHA Standard	OSHA Standard Violated	Standard Classification	Proposed Penalty
08/24/2020	408.1011 (a) ACT 154	Personal Protective Equipment	Serious	\$3,500
Violation:	An employer shall furnish to each employee, employment and a place of employment that is free from recognized hazards that are causing, or are likely to cause, death or serious physical harm to the employee.			
Site Specific Violation:	<p>Company wide - the employer did not furnish to each employee a place of employment free from recognized hazards that were causing or likely to cause death or serious physical harm to employees, in that employees were not protected from the hazard of exposure to the virus, SARS-CopV-2 (severe acute respiratory syndrome coronavirus 2), the cause of coronavirus disease 2019 (COVID-19):</p> <ul style="list-style-type: none">a. On August 4, 2020, the employer had not developed a COVID-19 specific preparedness and response plan, including the steps for dealing with a confirmed infection in the workplace to include protocols for sending employees home and for temporary closures of all or part of the workplace to allow for deep cleaning, thus potentially exposing employees to SARS-CoV-2 virus.b. Employees performed customer service, cashier, and maintenance duties at the Company gas station. On August 4, 2020, the employer had not provided adequate Covid-19 training to employees including appropriate cleaning procedures for cashiers on cleaning between customers and steps the employee must take to notify the business of any symptoms of COVID-19 or a suspected or confirmed diagnosis of COVID-19. Records related to training were not maintained.c. Employees performed customer service, cashier, and maintenance duties at the Company gas station. On August 4, 2020, the employer did not require employees to conduct a daily entry screening protocol, thus potentially exposing employees to SARS-CoV-2 virus. Records related to the screening protocol we not maintained.			