

SETTLEMENT AGREEMENT

The Commissioner of Labor (hereinafter referred to as "Commissioner") and *A & W Framing LLC* (hereinafter referred to as "Employer") hereby agree as follows:

The Commissioner amends the Safety Order(s) and Notification(s) of Penalty, IOSHA Inspection No. *318100229* issued to the Employer on *November 9, 2018*, in the following manner.

SAFETY ORDER 01:

- Item 1: Upheld; *Reclassified to Nonserious*, penalty reduced to \$ 0.00.
- Item 2: Upheld; *Reclassified to Nonserious*, penalty reduced to \$ 400.00, *abatement has been modified until December 9, 2018.*
- Item 3: *DELETE*; penalty reduced to \$ 0.00.
- Item 4a: Upheld; Penalty reduced to \$ 600.00, *abatement has been modified until December 9, 2018.*
- Item 4b: *DELETE*; Penalty reduced to \$ 0.00.
- Item 5: Upheld; Penalty reduced to \$ 600.00.
- Item 6: Upheld; Penalty reduced to \$ 800.00.
- Item 7: *DELETE*; Penalty reduced to \$ 0.00.
- Item 8: Upheld; Penalty reduced to \$ 800.00.
- Item 9: Upheld; Penalty reduced to \$ 600.00.
- Item 10: Upheld; Penalty reduced to \$ 800.00.
- Item 11: Upheld; *Reclassified to Nonserious*, Penalty reduced to \$ 0.00.

SAFETY ORDER 02:

- Item 1: Upheld; Penalty reduced to \$ 4,000.04. *04 JW*
- Item 2: *DELETE*; Penalty reduced to \$ 0.00.
- Item 3: *DELETE*; Penalty reduced to \$ 0.00.
- Item 4: *DELETE*; Penalty reduced to \$ 0.00.

In exchange, The Employer agrees:

1. *10 hour OSHA Construction Safety training for all employee(s) who have a safety responsible. Also provide Competent Person training for supervisors.*
2. *Tweak the Fire Protection portion of the Safety and Health programs.*
3. *The Employer shall provide an agenda and the class sign in sheet to IDOL upon completion of the course.*
4. *Agreed Plan of PAYMENT: Employer may take up to a total of [18] consecutive months to pay the total agreed penalty, [\$ 477.78] each in consecutive months until the total agreed penalty of [\$ 8,600.04] is paid in full; the first payment being due with Employer's execution of this Agreement. Subsequent payments shall be due by the 9th day of each consecutive month until said penalty is paid in full.*

Employer understands that a request must be made in writing to IOSHA for a Petition for Modification of Abatement prior to the above abatement date if abatement cannot be met by the respective dates and an extension is required.

Except for the above specified amendments all other provisions of Safety Order Number 318100229 are retained intact.

The TOTAL AGREED PENALTY is \$ 8,600.04

THE EMPLOYER IS SATISFIED WITH THE AMENDMENTS STATED ABOVE AND ACCORDINGLY WAIVES ITS RIGHT TO FILE A NOTICE OF CONTEST OF THE SAFETY ORDER(S) AND NOTIFICATION(S) OF PENALTY AS AMENDED AND AGREES TO WITHDRAW ANY PREVIOUSLY FILED NOTICES OF CONTEST IN THIS MATTER.

Upon full execution of this Settlement Agreement the Employer will post this Agreement for three (3) working days or until abatement is completed, whichever period is longer. The Safety Order(s) and Notification(s) of Penalty are, and shall be, herein a final and enforceable Order of the Board of Safety Review.

Unless otherwise specified herein, the total AGREED PENALTY is due and payable within fifteen (15) working days from the Employer's execution of this Agreement. The Employer further agrees that if Employer fails to make timely payments or fails to pay the full total agreed penalty as stated herein, the full amount of the penalty initially assessed against the Employer in the Safety Order(s) and Notification(s) of Penalty which are the subject of this Agreement, minus any payments already made, is due and payable immediately to the Indiana Department of Labor. The Commissioner may use every legal remedy available to collect such unpaid amount, interest shall begin to accrue on said unpaid amount at the rate of 12% apr compounded daily, and the Commissioner may collect legal fees from the Employer for any collection action that may be necessary.

Please make your check or money order payable to "Indiana DOL/IOSHA," indicate IOSHA's Inspection Number (indicated above) on your remittance, and send payments to the following address:

*Indiana Department of Labor
402 West Washington Street – Room W195
Indianapolis, Indiana 46204*

Except for this agreement, and matters arising out of this agreement and any other subsequent IOSHA proceedings between the parties, none of the foregoing agreements, statements, findings, and actions taken by Employer shall be deemed an admission by Employer of the allegations contained within the Safety Order(s) and Notification(s) of Penalty. The agreements, statements, findings and actions taken herein are made in order to compromise and settle this matter economically and amicably, and they shall not be used for any other purpose, except as herein stated.

A & W Framing LLC

By: *Lushy B. Smith*

Title: *Owner*

Date: *11/15/18*

COMMISSIONER OF LABOR

By: *[Signature]*

Title: *[Signature]*

Date: *11/26/18*

Indiana Department of Labor

Indiana Occupational Safety and Health Administration
402 West Washington St - Room W195
Indianapolis, IN 46204
Phone: (317)232-1979 FAX: (317)233-3790



Safety Order and Notification of Penalty

To:
A & W Framing LLC
5828 Lake Boggs Street
Indianapolis, IN 46254

Inspection Number: 318100229
CSHO ID: L9647
Optional Report No.: 08918
Inspection Date(s): 6/26/2018 - 9/27/2018
Issuance Date: 10/16/2018

Inspection Site:
5250 Noggle Way
Indianapolis, IN 46237

The violation(s) described in this Safety Order and Notification of Penalty is (are) alleged to have occurred on or about the day(s) the inspection was made unless otherwise indicated within the description given below.

An inspection of your place of employment has revealed conditions which we believe do not comply with the provisions of the Indiana Occupational Safety and Health Act (Indiana Code Chapter 22-8-1.1) or the standards or rules adopted thereunder. Accordingly, enclosed please find safety order(s) and notification(s) of penalty describing such violation(s) with references to applicable standards, rules, or provisions of the statute and stating the amount of any penalty(ies).

Informal Conference - Please be advised that it may be possible to informally settle any potential dispute without initiating the more elaborate proceedings brought on by a petition for review. Prior to filing a petition for review, you may request an informal conference concerning any of the results of the inspection (safety orders, penalties, abatement dates, etc.) by contacting the Indiana Department of Labor/IOSHA, preferably by telephone, in a prompt manner. Please be advised that a request for an informal conference cannot extend the fifteen working day period for filing a petition for review. Informal conferences frequently resolve any possible disputes, and therefore you are urged to take advantage of this opportunity. Because of the limited time period and in order to facilitate scheduling, any requests for an informal conference should be made promptly upon your receipt of the safety order(s) and notification(s) of penalty.

Right to Contest - You are hereby also notified that you are entitled to seek administrative review of the safety order(s), penalty(ies), or both by filing a written petition for review at the above address postmarked within fifteen working days of your receipt of the safety order(s) and notification(s) of penalty. ("Working days" means Mondays through Fridays, but does not include Saturdays, Sundays, legal holidays under a state statute or days on which the Indiana Department of Labor's offices are closed during regular business hours). If you do not file such a petition for review (contest), the safety order(s)

and penalty(ies) shall be deemed final orders of the Board of Safety Review and not subject to review by any court or agency. The issuance of a safety order does not constitute a finding that a violation has occurred unless no petition for review is filed, or if a petition for review (contest) is filed, it must contain a statement of its basis and should reference the above inspection number. Upon receipt of your petition for review, we will affirm, amend or dismiss the safety order(s) and notification(s) of penalty. If we affirm, your petition for review will be granted (unless it was not timely) and the dispute will be certified by the Board of Safety Review for further proceedings. The Board of Safety Review is an independent agency appointed by the governor with authority to conduct hearings and to issue decisions concerning disputed safety order(s) and notification(s) of penalty. If we amend the safety order(s) or notification(s) of penalty, your petition for review shall be deemed moot. However, you will then be given an opportunity to file a petition for review concerning the amended safety order(s) and notification(s) of penalty.

Please be advised that an employee or representative of employees may file a petition for review to contest the reasonableness of the time stated in the safety order(s) for the abatement of any violation.

Posting - Upon receipt of any safety order(s) you are required to post such safety order(s), or a copy thereof, unedited, at or near each place an alleged violation referred to in the safety order(s) occurred. However, if your operations are such that it is not practicable to post the safety order(s) at or near each place of alleged violation, such safety order(s) shall be posted, unedited, in a prominent place where it will be readily observable by all affected employees. For example, if you are engaged in activities which are physically dispersed, the safety order(s) may be posted at the location from which the employees operate to carry out their activities. You must take steps to ensure that the safety order is not altered, defaced, or covered by other material. Posting shall be until the violation is abated, or for three working days, whichever is longer.

Penalties - Penalties are due within fifteen (15) working days of receipt of this notification unless contested. Abatement does not constitute payment of penalties.

Abatement - The conditions cited in the safety order(s) must be corrected (abated) on or before the date shown for each item on the safety order(s) and notification(s) of penalty unless:

(1) You file a petition for review concerning the violation, in which case the full abatement period shall commence from the issuance of a final decision by the Board of Safety Review or the courts which requires compliance with the safety order; or

(2) The abatement period is extended by the granting of a petition for modification of abatement date.

PMAs - The petition for modification of abatement date is a manner in which you may seek additional time to correct (abate) a violation without having to file a petition for review concerning the safety order, or after the expiration of the time period to file such a petition for review when it becomes apparent that you need extra time to abate the violation. A petition for modification of abatement date shall be in writing and shall include the following information:

(1) All steps you have taken, and the dates of such actions, in an effort to achieve compliance

during the prescribed abatement period.

(2) The specific additional abatement time necessary in order to achieve compliance.

(3) The reasons such additional time is necessary, including the unavailability of professional or technical personnel or of materials and equipment, or because necessary construction or alteration of facilities cannot be completed by the original abatement date.

(4) All available interim steps being taken to safeguard employees against the cited hazard during the abatement period.

(5) A certification that a copy of the petition has been posted, and if appropriate, served on the authorized representative of affected employees, and a certification of the date upon which such posting and service was made.

A petition for modification of abatement date shall be filed with the Indiana Department of Labor/IOSHA no later than the close of the next working day following the date on which abatement was originally required. A later-filed petition shall be accompanied by the employer's statement of exceptional circumstances explaining the delay. A copy of such petition shall be posted in a conspicuous place where all affected employees will have notice thereof or near such location where the violation occurred. The petition shall remain posted until the time period for the filing of a petition for review of the Commissioner's granting or denying the petition expires. Where affected employees are represented by an authorized representative, said representative shall be served a copy of such petition.

Notification of Corrective Action - Correction of the alleged violations which have an abatement period of thirty (30) days or less should be reported in writing to us promptly upon correction. A "Letter of Abatement" form and an "Abatement Photographs" worksheet are enclosed for your assistance in providing adequate documentation of abatement. Reports of corrections should show specific corrective action on each alleged violation and the date of such action. On alleged violations with abatement periods of more than thirty (30) days, a written progress report should be submitted, detailing what has been done, what remains to be done, and the time needed to fully abate each such violation. When the alleged violation is fully abated, we should be so advised. Timely correction of an alleged violation does not affect the initial proposed penalty..

Followup Inspections - Please be advised that a followup inspection may be made for the purpose of ascertaining that you have posted the safety order(s) and corrected the alleged violations. Failure to correct an alleged violation may result in additional penalties for each day that the violation has not been corrected.

Employer Discrimination Unlawful - The law prohibits discrimination by an employer against an employee for filing a complaint or for exercising any rights under this Act. An employee who believes that he/she has been discriminated against may file a complaint no later than 30 days after the discrimination occurred with the Indiana Department of Labor/IOSHA at the address shown above.

Notice to Employees - The law gives an employee or his/her representative the opportunity to object to any abatement date set for a violation if he/she believes the date to be unreasonable. The contest must

be mailed to the Indiana Department of Labor/IOSHA at the address shown above within fifteen (15) working days (excluding weekends and State holidays) or receipt by the employer of this safety order and penalty.

If you wish additional information, you may direct such requests to us at the address or telephone number stated above.

Indiana Department of Labor

NOTICE TO EMPLOYEES OF INFORMAL CONFERENCE

An informal conference has been scheduled with IOSHA to discuss the safety order(s) issued on 10/16/2018. The conference will be held at the IOSHA office located at 402 West Washington Street, Room W195, Indianapolis, IN 46204 on _____ at _____. Employees and/or representatives of employees have a right to attend an informal conference.

Indiana Department of Labor
Occupational Safety and Health Administration

Inspection Number: 318100229
Inspection Date(s): 6/26/2018 - 9/27/2018
Issuance Date: 10/16/2018
CSHO ID: L9647
Optional Report No.: 08918

Safety Order and Notification of Penalty

Company Name: A & W Framing LLC
Inspection Site: 5250 Noggle Way, Indianapolis, IN 46237

Safety Order 01 Item 001 Type of Violation: **Serious**

IC 22-8-1.1 Section 2: The employer did not furnish employment and a place of employment which were free from recognized hazards that were causing or likely to cause death or serious physical harm to employees, in that employees were exposed to:

Job site various locations, 5250 Noggle Way, Indianapolis IN. 46237, during construction activities, I observed employees are exposed to missing warning / information labels on two 8 foot Werner step ladders and one 10 foot Werner step ladder.

Among other methods, one feasible and acceptable abatement method to correct this hazard is to replace the missing warning / information labels.

Date By Which Violation Must Be Abated:
Proposed Penalty:

Corrected During Inspection
\$600.00

Indiana Department of Labor
Occupational Safety and Health Administration

Inspection Number: 318100229
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CSHO ID: L9647
Optional Report No.: 08918

Safety Order and Notification of Penalty

Company Name: A & W Framing LLC
Inspection Site: 5250 Noggle Way, Indianapolis, IN 46237

Safety Order 01 Item 002 Type of Violation: **Serious**

29 CFR 1910.1200(e)(4): The employer did not make the written hazard communication program available upon request to the employees or their designated representatives in accordance with 29 CFR 1910.1020(e): (Construction Reference: 1926.59)

Job site, 5250 Noggle Way, Indianapolis IN 46237, on June 26, 2018, during construction activities, such program was not available when requested, where employees were exposed to CO2 cartridges and coated nails.

Date By Which Violation Must Be Abated: **11/13/2018**
Proposed Penalty: **\$600.00**

Indiana Department of Labor
Occupational Safety and Health Administration

Inspection Number: 318100229
Inspection Date(s): 6/26/2018 - 9/27/2018
Issuance Date: 10/16/2018
CSHO ID: L9647
Optional Report No.: 08918

Safety Order and Notification of Penalty

Company Name: A & W Framing LLC
Inspection Site: 5250 Noggle Way, Indianapolis, IN 46237

Safety Order 01 Item 003 Type of Violation: **Serious**

29 CFR 1926.20(b)(1): The employer did not initiate and maintain such programs as may be necessary to comply with this part:

Job site-5250 Noggle Way, Indianapolis IN. 46237, June 26, 2018, during construction activities, the employer had not developed, implemented, or enforced an accident prevention safety and health program which included but is not limited to the following items:

- (1) A statement of management commitment toward the identification and evaluation of occupational hazards.
- (2) Establishment of employee participation in safety meetings and inspections.
- (3) Development of documentation of the instructions of each employee in the recognition and avoidance of unsafe work.

Date By Which Violation Must Be Abated: **11/13/2018**
Proposed Penalty: **\$600.00**

Indiana Department of Labor
Occupational Safety and Health Administration

Inspection Number: 318100229
Inspection Date(s): 6/26/2018 - 9/27/2018
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Safety Order and Notification of Penalty

Company Name: A & W Framing LLC
Inspection Site: 5250 Noggle Way, Indianapolis, IN 46237

The alleged violations below have been grouped because they involve similar or related hazards that may increase the potential for injury or illness.

Safety Order 01 Item 004a . Type of Violation: **Serious**

29 CFR 1926.21(b)(2): The employer did not instruct each employee in the recognition and avoidance of unsafe conditions and the regulations applicable to his/her environment to control or eliminate any hazards or other exposure to illness or injury:

Job site-5250 Noggle Way, Indianapolis IN 46237, during construction activities, employees were not instructed in the recognition and avoidance of unsafe conditions applicable to their work environment such as but not limited to those connected with fire protection.

Date By Which Violation Must Be Abated: 11/13/2018
Proposed Penalty: \$600.00

Indiana Department of Labor
Occupational Safety and Health Administration

Inspection Number: 318100229
Inspection Date(s): 6/26/2018 - 9/27/2018
Issuance Date: 10/16/2018
CSHO ID: L9647
Optional Report No.: 08918

Safety Order and Notification of Penalty

Company Name: A & W Framing LLC
Inspection Site: 5250 Noggle Way, Indianapolis, IN 46237

Safety Order 01 Item 004b Type of Violation: **Serious**

29 CFR 1926.1060(a): The employer did not provide a training program for each employee using ladders and stairways, as necessary, which would train each employee in the procedures to be followed to minimize hazards related to ladders and stairways:

Job site-5250 Noggle Way, Indianapolis IN 46237, during construction activities, the employer did not provide such a program and train each employee in the use of and hazards related to ladders.

Date By Which Violation Must Be Abated: **11/13/2018**
Proposed Penalty: **\$0.00**

Indiana Department of Labor
Occupational Safety and Health Administration

Inspection Number: 318100229
Inspection Date(s): 6/26/2018 - 9/27/2018
Issuance Date: 10/16/2018
CSHO ID: L9647
Optional Report No.: 08918

Safety Order and Notification of Penalty

Company Name: A & W Framing LLC
Inspection Site: 5250 Noggle Way, Indianapolis, IN 46237

Safety Order 01 Item 005 Type of Violation: **Serious**

29 CFR 1926.416(e)(1): Worn or frayed electric cords or cables were used:

1st floor south side, 5250 Noggle Way, Indianapolis IN. 46237, during construction activities, a yellow, 100 foot long 12 gauge round frayed extension cord, providing power for cutting activities was not prevented from being used or properly removed from service.

Date By Which Violation Must Be Abated:
Proposed Penalty:

Corrected During Inspection
\$600.00

Indiana Department of Labor
Occupational Safety and Health Administration

Inspection Number: 318100229
Inspection Date(s): 6/26/2018 - 9/27/2018
Issuance Date: 10/16/2018
CSHO ID: L9647
Optional Report No.: 08918

Safety Order and Notification of Penalty

Company Name: A & W Framing LLC
Inspection Site: 5250 Noggle Way, Indianapolis, IN 46237

Safety Order 01 Item 006 Type of Violation: **Serious**

29 CFR 1926.453(b)(2)(v): A body belt was not worn and a lanyard attached to the boom or basket, when working from an aerial lift:

Aerial lift-5250 Noggle Way, Indianapolis IN 46237-June 26, 2018-during construction activities, one employee working at heights of up to 12 feet high in the basket of the JLG 860SJ aerial lift did not have the fall arrest system they were wearing attached to the basket approved attachment point.

Date By Which Violation Must Be Abated:	Corrected During Inspection
Proposed Penalty:	\$800.00

Indiana Department of Labor
Occupational Safety and Health Administration

Inspection Number: 318100229
Inspection Date(s): 6/26/2018 - 9/27/2018
Issuance Date: 10/16/2018
CSHO ID: L9647
Optional Report No.: 08918

Safety Order and Notification of Penalty

Company Name: A & W Framing LLC
Inspection Site: 5250 Noggle Way, Indianapolis, IN 46237

Safety Order 01 Item 007 Type of Violation: **Serious**

29 CFR 1926.501(b)(10): Each employee engaged in roofing activities on low slope roofs with unprotected sides and edges 6 feet or more above lower levels was not protected from falling by guardrail systems, safety net systems, personal fall arrest systems or a combination of warning line system and guardrail system, warning line system and safety net system, or warning line system and personal fall arrest system or a warning line system and a safety monitoring system:

Canopy area front of building, 5250 Noggle Way, Indianapolis IN 46237, during construction activities, employee engaged in roofing activities on a flat roof, 9 feet 8 inches above the lower level, were not protected from falls.

Date By Which Violation Must Be Abated:	Corrected During Inspection
Proposed Penalty:	\$1,400.00

Indiana Department of Labor
Occupational Safety and Health Administration

Inspection Number: 318100229
Inspection Date(s): 6/26/2018 - 9/27/2018
Issuance Date: 10/16/2018
CSHO ID: L9647
Optional Report No.: 08918

Safety Order and Notification of Penalty

Company Name: A & W Framing LLC
Inspection Site: 5250 Noggle Way, Indianapolis, IN 46237

Safety Order 01 Item 008 Type of Violation: **Serious**

29 CFR 1926.501(b)(14): Employees working on, at, above, or near wall openings, (including with chutes attached) where the outside bottom edge of the wall opening is 6 feet or more above lower levels and the inside bottom edge of the wall opening is less than 39 inches above the walking/working surface, were not protected from falling by the use of a guardrail system, a safety net system, or a personal fall arrest system:

Jobsite, 2nd, 3rd, 4th floors, 5250 Noggle Way, Indianapolis IN. 46237, during construction activities, 9 employees engaged in framing activities were exposed to a wall opening that was 11 feet to 33 feet above the lower level and was 36 inches above the walking/working surface, was not protected from falls.

Date By Which Violation Must Be Abated:	Corrected During Inspection
Proposed Penalty:	\$800.00

Indiana Department of Labor
Occupational Safety and Health Administration

Inspection Number: 318100229
Inspection Date(s): 6/26/2018 - 9/27/2018
Issuance Date: 10/16/2018
CSHO ID: L9647
Optional Report No.: 08918

Safety Order and Notification of Penalty

Company Name: A & W Framing LLC
Inspection Site: 5250 Noggle Way, Indianapolis, IN 46237

Safety Order 01 Item 009 Type of Violation: **Serious**

29 CFR 1926.501(e)(1): When employees were exposed to falling objects, the employer did not have each employee wear a hard hat and did not erect toeboards, screens, canopy structures or barricades to prevent objects from falling from higher levels:

2nd, 3rd and 4th floor, 5250 Noggle Way, Indianapolis In. 46237, June 26, 2018, during construction activities, hard hats were worn and toe boards were not installed above working areas and walkways where employees were working below, to prevent objects from being accidentally displaced.

Date By Which Violation Must Be Abated:	Corrected During Inspection
Proposed Penalty:	\$600.00

Indiana Department of Labor
Occupational Safety and Health Administration

Inspection Number: 318100229
Inspection Date(s): 6/26/2018 - 9/27/2018
Issuance Date: 10/16/2018
CSHO ID: L9647
Optional Report No.: 08918

Safety Order and Notification of Penalty

Company Name: A & W Framing LLC
Inspection Site: 5250 Noggle Way, Indianapolis, IN 46237

Safety Order 01 Item 010 Type of Violation: **Serious**

29 CFR 1926.502(d)(17): The attachment point of the body harness was not located in the center of the wearer's back near shoulder level, or above the wearer's head:

Aerial lift, south side exterior of building, 5250 Noggle Way, Indianapolis IN. 46237, during construction activities, the attachment point of the body harness was not located in the center of the wearer's back, near shoulder level, or above the wearer's head.

Date By Which Violation Must Be Abated:	Corrected During Inspection
Proposed Penalty:	\$800.00

Indiana Department of Labor
Occupational Safety and Health Administration

Inspection Number: 318100229
Inspection Date(s): 6/26/2018 - 9/27/2018
Issuance Date: 10/16/2018
CSHO ID: L9647
Optional Report No.: 08918

Safety Order and Notification of Penalty

Company Name: A & W Framing LLC
Inspection Site: 5250 Noggle Way, Indianapolis, IN 46237

Safety Order 01 Item 011 Type of Violation: **Serious**

29 CFR 1926.1053(b)(16): Portable ladders with structural defects, such as, but not limited to, broken or missing rungs, cleats, or steps, broken or split rails, corroded components, or other faulty or defective components, were not either immediately marked in a manner that readily identifies them as defective, or tagged with Do Not Use or similar language, and were not withdrawn from service until repaired:

1st floor inside building- 5250 Noggle Way, Indianapolis IN- 46237-during construction activities, a Werner 8 foot step ladder, Model FS 108, has a damaged spreader arm and was not tagged do not use or removed from service and a Keller 7 foot step ladder has a damaged spreader arm and not tagged do not use or removed from service.

Date By Which Violation Must Be Abated:	Corrected During Inspection
Proposed Penalty:	\$600.00

Indiana Department of Labor
Occupational Safety and Health Administration

Inspection Number: 318100229
Inspection Date(s): 6/26/2018 - 9/27/2018
Issuance Date: 10/16/2018
CSHO ID: L9647
Optional Report No.: 08918

Safety Order and Notification of Penalty

Company Name: A & W Framing LLC
Inspection Site: 5250 Noggle Way, Indianapolis, IN 46237

Safety Order 02 Item 001 Type of Violation: **Repeat**

29 CFR 1926.20(b)(2): The employer's safety and health program did not provide for frequent and regular inspections of the jobsite and equipment by a competent person:

Throughout jobsite-On June 26, 2018,5250 Noggle Way, Indianapolis IN 46237, during construction activities, I observed the employer's competent person, on the site, failed to identify existing and predictable hazards and/or take the necessary measures to alleviate the hazards of fire protection, fall protection, electrical, ladder and lift safety.

Date By Which Violation Must Be Abated: **12/6/2018**
Proposed Penalty: **\$4,000.00**

Indiana Department of Labor
Occupational Safety and Health Administration

Inspection Number: 318100229
Inspection Date(s): 6/26/2018 - 9/27/2018
Issuance Date: 10/16/2018
CSHO ID: L9647
Optional Report No.: 08918

Safety Order and Notification of Penalty

Company Name: A & W Framing LLC
Inspection Site: 5250 Noggle Way, Indianapolis, IN 46237

Safety Order 02 Item 002 **Type of Violation: Repeat**

29 CFR 1926.150(c)(1)(i): A fire extinguisher, rated not less than 2A, was not provided for each 3,000 square feet of the protected building area, or major fraction thereof:

Job site all floors, on June 26, 2018, 5250 Noggle Way, Indianapolis IN 46237, during construction activities, I observed only 2 fire extinguishers, instead of the 7 per floor required, were provided, for the 20,000 square feet of protected building area per floor.

Date By Which Violation Must Be Abated:	Corrected During Inspection
Proposed Penalty:	\$1,200.00

Indiana Department of Labor
Occupational Safety and Health Administration

Inspection Number: 318100229
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CSHO ID: L9647
Optional Report No.: 08918

Safety Order and Notification of Penalty

Company Name: A & W Framing LLC
Inspection Site: 5250 Noggle Way, Indianapolis, IN 46237

Safety Order 02 Item 003 **Type of Violation: Repeat**

29 CFR 1926.501(b)(1): Each employee on a walking/working surface with an unprotected side or edge which was 6 feet or more above a lower level was not protected from falling by the use of guardrail systems, safety net systems, or personal fall arrest systems:

4th floor roof access, 5250 Noggle Way, Indianapolis IN. 46237, June 26, 2018, during construction activities, employees engaged in roofing/framing activities at a height of 11 feet 3 inches above the lower level, were not protected from falling.

Date By Which Violation Must Be Abated:	Corrected During Inspection
Proposed Penalty:	\$2,800.00

Indiana Department of Labor
Occupational Safety and Health Administration

Inspection Number: 318100229
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Optional Report No.: 08918

Safety Order and Notification of Penalty


Company Name: A & W Framing LLC
Inspection Site: 5250 Noggle Way, Indianapolis, IN 46237

Safety Order 02 Item 004 Type of Violation: **Repeat**

29 CFR 1926.503(b)(1): The employer did not prepare a written certification record containing the name or other identity of the employee trained, the dates of the training, and the signature of the person who conducted the training:

Job site-5250 Noggle Way Indianapolis IN 46237-June 26, 2018, during construction activities, the employer did not prepare such record/certification.

Date By Which Violation Must Be Abated: **12/6/2018**
Proposed Penalty: **\$1,200.00**

Jerry W. Lander
Director of Construction Safety


Indiana Department of Labor

Indiana Occupational Safety and Health Administration
402 West Washington St - Room W195
Indianapolis, IN 46204
Phone: (317)232-1979 FAX: (317)233-3790



INVOICE/DEBT COLLECTION NOTICE

Company Name: A & W Framing LLC
Inspection Site: 5250 Noggle Way, Indianapolis, IN 46237
Issuance Date: 10/16/2018

Summary of Penalties for Inspection Number: 318100229

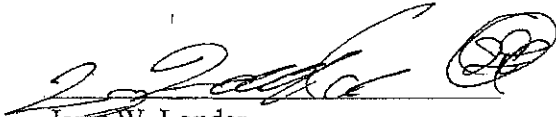
Safety Order 1, Serious	= \$8,000.00
Safety Order 2, Repeat	= \$9,200.00
TOTAL PENALTIES	= \$17,200.00

Penalties are due within fifteen (15) working days of receipt of this notification unless contested. Make your check or money order payable to: "Indiana DOL/IOSHA". Please indicate IOSHA's Inspection Number (indicated above) on the remittance.

IOSHA does not agree to any restrictions or conditions or endorsements put on any check or money order for less than full amount due, and will cash the check or money order as if these restrictions, conditions, or endorsements do not exist.

Corrective action, taken by you for each alleged violation should be submitted to this office on or about the abatement dates indicated on the Safety Order and Notification of Penalty.

A work sheet has been provided to assist in providing the required abatement information. A completed copy of this work sheet should be posted at the worksite with the safety order(s).


Jerry W. Lander
Director of Construction Safety

10-16-18
Date