Upon full execution of this Settlement Agreement ("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.

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 the AGREED PENALTY is not paid within fifteen working days from the Employer's execution of this Agreement, that 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 is due and payable immediately.

Except for this Agreement, and IOSHA 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 IOSHA matter economically and amicably, and they shall not be used for any other purpose, except as herein stated.

AJE SUSPENSION

-6

Title:

Date: 8

COMMISSIONER OF LABOR

Dy.____

Title: Supervisor

Date: 7/31/2019

SETTLEMENT AGREEMENT

The Commissioner of Labor (hereinafter referred to as "Commissioner") and AJE Suspension (hereinafter referred to as "Employer" or "ER") hereby agree as follows:

The Commissioner amends the Safety Order(s) and Notification(s) of Penalty IOSHA Inspection No. 318107885 issued to the Employer on July 11, 2019 in the following manner:

Item 1:	upheld	. Penalty 750.00	. Abatement	complete
Item 2:	upheld	Penalty _375.00	. Abatement	
Item 3:	upheld	. Penalty 750.00	. Abatement	
Item 4:		. Penalty 750.00	. Abatement	
Item 5:	upheld	. Penalty525.00	. Abatement	
Item 6:	upheld	Penalty525.00	. Abatement	
Item 7:	upheld	Penalty600.00	. Abatement	
Item 8:	upheld	Penalty300.00	. Abatement	complete
Item 9:	upheld	Penalty300.00	. Abatement	complete
Item 10:		ed with Item 7 Penalty0		
Item 11:		NonSerious Penalty0		
Item 12:		Penalty300		
_The employer	above amendments, t		9% off reduction. T	
_The employer to send docume	above amendments, that agreed to have an attain that the INSa	the Employer: n INSafe consultation for 50 fe consultation is scheduled	0% off reduction. T by 10/1/19.	
_The employer to send docume	above amendments, that agreed to have an attain that the INSa	the Employer:	0% off reduction. T by 10/1/19.	
_The employer to send docume	above amendments, that agreed to have an attain that the INSa	the Employer: In INSafe consultation for 50 fe consultation is scheduled for the same item. These we	0% off reduction. T by 10/1/19.	
_The employer to send docume	above amendments, that agreed to have an above an above an area and the INSa or 1-7 & 1-10 were for	the Employer: In INSafe consultation for 50 fe consultation is scheduled for the same item. These we	0% off reduction. T by 10/1/19.	
_The employer to send docume	above amendments, that agreed to have an above an above an area and the INSa or 1-7 & 1-10 were for	the Employer: In INSafe consultation for 50 fe consultation is scheduled for the same item. These we	0% off reduction. T by 10/1/19.	
_The employer to send docume	above amendments, that agreed to have an above an above an area and the INSa or 1-7 & 1-10 were for	the Employer: In INSafe consultation for 50 fe consultation is scheduled for the same item. These we	0% off reduction. T by 10/1/19.	

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.

Indiana Occupational Safety and Health Administration 402 West Washington St - Room W195 Indianapolis, IN 46204

Phone: (317)232-2691 FAX: (317)233-3790



Safety Order and Notification of Penalty

To: Inspection Number: 318107885

AJE Suspension CSHO ID: N1039

Ontional Papart No. 2251, 10

and its successors

Optional Report No.: 2251-19

6235 North County Road 275 West

Inspection Date(s): 2/13/2019 - 4/29/2019

North Vernon, IN 47265 Issuance Date: 7/11/2019

Inspection Site:

6235 North County Road 275 West

Notification of Penalty is (are) alleged to have occurred

or or about the day(s) the ingrestion was made unless

North Vernon, IN 47265 on or about the day(s) the inspection was made unless otherwise indicated within the description given below.

The violation(s) described in this Safety Order and

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 and proof of abatement must be sent to the email address: <u>AbatementGI@dol.in.gov</u> 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 be sent to the email address: <u>AbatementGI@dol.in.gov</u> 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 sending the Petition to AbatementGI@dol.in.gov. 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 and sent to the email address <u>AbatementGI@dol.in.gov</u>. 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 via email at <u>AbatementGI@dol.in.gov</u>, 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.

NOTICE TO EMPLOYEES OF INFORMAL CONFERENCE

An informal conference has been scheduled with IOSHA to discuss the safety order(s) issued on 7/11/2019.
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.

Occupational Safety and Health Administration

Inspection Number: 318107885

Inspection Date(s): 2/13/2019 - 4/29/2019

Issuance Date: 7/11/2019 CSHO ID: N1039 Optional Report No.: 2251-19

Safety Order and Notification of Penalty

Company Name: AJE Suspension

Inspection Site: 6235 North County Road 275 West, North Vernon, IN 47265

Safety Order 01 Item 001 Type of Violation: Serious

IC 22-8-1.1 Section 2: The employer did not establish and maintain conditions of work which were reasonably safe 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 caught in hazards.

Lathe #1 - The e-stop button was not present on the operators panel which created potential caught-in hazards due to no effective way to power down the equipment in case of emergency.

AMONG OTHER METHODS, FEASIBLE MEANS OF ABATEMENT MAY INCLUDE: Install a functioning e-stop button for employees to use in case of an emergency per ANSI Bll.6-1984, American National Standard for Machine Tools; Lathes - Safety Requirements for Construction, Care, and Use: which states in Section 7 - Use: 7.2 Employee's Responsibility. The employer shall ensure that the lathe operator, setup operator, helper, or setup person follow the instructions and directions set forth by the employer to meet the requirements of this standard. E7.2 Employee's Responsibility; Examples of the lathe operator's, setup operator's, helper's, or setup person's responsibilities: "(5) Do not alter, remove, or disable any safety equipment without the approval of the employer."

Date By Which Violation Must Be Abated: Corrected During Inspection

Proposed Penalty: \$1,500.00

Occupational Safety and Health Administration

Inspection Number: 318107885

Inspection Date(s): 2/13/2019 - 4/29/2019

Issuance Date: 7/11/2019 CSHO ID: N1039 Optional Report No.: 2251-19

Safety Order and Notification of Penalty

Company Name: AJE Suspension

Inspection Site: 6235 North County Road 275 West, North Vernon, IN 47265

Safety Order 01 Item 002 Type of Violation: Serious

29 CFR 1910.37(b)(5): Each doorway or passage along an exit access that could be mistaken for an exit was not marked Not an Exit or similar designation, or be identified by a sign indicating its actual use (e.g. closet):

2nd Floor Office - The unlocked exit door which opened to a 12 foot 6 inch drop to the ground was not marked with signage designating the door as "Not An Exit" which created a potential struck-against hazard due to a fall.

Occupational Safety and Health Administration

Inspection Number: 318107885

Inspection Date(s): 2/13/2019 - 4/29/2019

Issuance Date: 7/11/2019 CSHO ID: N1039 Optional Report No.: 2251-19

Safety Order and Notification of Penalty

Company Name: AJE Suspension

Inspection Site: 6235 North County Road 275 West, North Vernon, IN 47265

Safety Order 01 Item 003 Type of Violation: Serious

29 CFR 1910.212(a)(1): One or more methods of machine guarding was not provided to protect the operator and other employees in the machine area from hazards such as those created by point of operation, ingoing nip points, rotating parts, flying chips and sparks:

- a) Shop Area Lathes such as, but not limited to; the ENCO 111-1445 and Lathe #1, did not have spindle/chuck and tailstock guards in place which created a potential caught-in and/or struck-by hazard.
- b) Shop Area Guarding was not present on the abrasive belt and pulley mechanism which created a potential caught-in hazard on sanders such as, but not limited to; the Jet JSG-6.

Occupational Safety and Health Administration

Inspection Number: 318107885

Inspection Date(s): 2/13/2019 - 4/29/2019

Issuance Date: 7/11/2019 CSHO ID: N1039 Optional Report No.: 2251-19

Safety Order and Notification of Penalty

Company Name: AJE Suspension

Inspection Site: 6235 North County Road 275 West, North Vernon, IN 47265

Safety Order 01 Item 004 Type of Violation: Serious

29 CFR 1910.212(a)(3)(ii): Point(s) of operation of machinery were not guarded to prevent employee(s) from having any part of their body in the danger zone(s) during operating cycle(s):

- a) Shop Area Lathes such as, but not limited to; the ENCO 111-1445 and Lathe #1, did not have a cross slide guard in place which created a potential caught-in hazard.
- b) Skil Drill Press Guarding to prevent access to the point of operation (rotating chuck and bit) was not in place which created a potential caught-in hazard.

Occupational Safety and Health Administration

Inspection Number: 318107885

Inspection Date(s): 2/13/2019 - 4/29/2019

Issuance Date: 7/11/2019 CSHO ID: N1039 Optional Report No.: 2251-19

Safety Order and Notification of Penalty

Company Name: AJE Suspension

Inspection Site: 6235 North County Road 275 West, North Vernon, IN 47265

Safety Order 01 Item 005 Type of Violation: Serious

29 CFR 1910.252(a)(2)(vii): Where practicable, combustible materials were not relocated at least 35 feet (10.7 m) from the cutting or welding operation work site:

Welding Area - Combustible/flammable materials such as, but not limited to; Rust-Oleum Lacquer Thinner (flashpoint -20 C, Category 1 Flammable) and shop rags were stored 6 1/2 feet from the welding area which created potential struck-by and fire hazards.

Occupational Safety and Health Administration

Inspection Number: 318107885

Inspection Date(s): 2/13/2019 - 4/29/2019

Issuance Date: 7/11/2019 CSHO ID: N1039 Optional Report No.: 2251-19

Safety Order and Notification of Penalty

Company Name: AJE Suspension

Inspection Site: 6235 North County Road 275 West, North Vernon, IN 47265

Safety Order 01 Item 006 Type of Violation: Serious

29 CFR 1910.252(b)(2)(iii): Workers and other persons adjacent to the welding area were not required to wear appropriate goggles to protect them from the rays when noncombustible or flameproof screens or shields were not used:

Welding Area - Employees who worked nearby the plasma cutter were exposed to potential ultraviolet radiation burn hazards due to the lack of welding screens and/or protective eyewear.

Occupational Safety and Health Administration

Inspection Number: 318107885

Inspection Date(s): 2/13/2019 - 4/29/2019

Issuance Date: 7/11/2019 CSHO ID: N1039 Optional Report No.: 2251-19

Safety Order and Notification of Penalty

Company Name: AJE Suspension

Inspection Site: 6235 North County Road 275 West, North Vernon, IN 47265

Safety Order 01 Item 007 Type of Violation: Serious

29 CFR 1910.303(b)(1)(iv): Electrical equipment was not free from recognized hazards that were likely to cause death or serious physical harm to employees. Safety of equipment shall be determined using the consideration of electrical insulation:

Econo Lathe #2 - Electrical conductors at the power converter for the Econo Lathe #2 were not contained in an outer insulating jacket which created a potential shock hazard.

Occupational Safety and Health Administration

Inspection Number: 318107885

Inspection Date(s): 2/13/2019 - 4/29/2019

Issuance Date: 7/11/2019 CSHO ID: N1039 Optional Report No.: 2251-19

Safety Order and Notification of Penalty

Company Name: AJE Suspension

Inspection Site: 6235 North County Road 275 West, North Vernon, IN 47265

Safety Order 01 Item 008 Type of Violation: Serious

29 CFR 1910.303(b)(2): Listed or labeled electrical equipment was not used or installed in accordance with instructions included in the listing or labeling:

Facility - The Intertek WC1035 power strip, used to supply up to 125V power to an orange parts deburring mixer, was not used in accordance to electrical code (UL Whitebook 2012, page 440) which created a potential electrical shock and fire hazard.

Occupational Safety and Health Administration

Inspection Number: 318107885

Inspection Date(s): 2/13/2019 - 4/29/2019

Issuance Date: 7/11/2019 CSHO ID: N1039 Optional Report No.: 2251-19

Safety Order and Notification of Penalty

Company Name: AJE Suspension

Inspection Site: 6235 North County Road 275 West, North Vernon, IN 47265

Safety Order 01 Item 009 Type of Violation: Serious

29 CFR 1910.303(g)(1)(ii): The required working space about electric equipment rated 600 volts, nominal, or less to ground, was used for storage:

Facility - The space in front of electrical breaker panels/boxes located in areas such as, but not limited to; next to the emergency exit and in the sander/lathe area, were used for storage of materials to include compressed gas cylinders and tool boxes which created potential struck against hazards.

Inspection Number: 318107885

Occupational Safety and Health Administration

Inspection Date(s): 2/13/2019 - 4/29/2019

Issuance Date: 7/11/2019 CSHO ID: N1039 Optional Report No.: 2251-19

Safety Order and Notification of Penalty

Company Name: AJE Suspension

Inspection Site: 6235 North County Road 275 West, North Vernon, IN 47265

Safety Order 01 Item 010 Type of Violation: Serious

29 CFR 1910.305(b)(1)(i): Conductors entering cutout boxes, cabinets, or fittings were not protected from abrasions:

Econo Lathe #2 - A NM cable (Romex) and a gray power cable running to/from a junction box entered/exited through the knockouts without being secured which created a potential shock hazard.

Occupational Safety and Health Administration

Inspection Number: 318107885

Inspection Date(s): 2/13/2019 - 4/29/2019

Issuance Date: 7/11/2019 CSHO ID: N1039 Optional Report No.: 2251-19

Safety Order and Notification of Penalty

Company Name: AJE Suspension

Inspection Site: 6235 North County Road 275 West, North Vernon, IN 47265

Safety Order 01 Item 011 Type of Violation: Serious

29 CFR 1910.305(g)(1)(iv)(A): Flexible cords and/or cables were used as a substitute for the fixed wiring of a structure:

Facility - Extension cords such as, but not limited to: an orange 110V extension cord used to supply power to the Locose scale, were being connected permanently which created a potential shock and fire hazard.

Occupational Safety and Health Administration

Inspection Number: 318107885

Inspection Date(s): 2/13/2019 - 4/29/2019

Issuance Date: 7/11/2019 CSHO ID: N1039 Optional Report No.: 2251-19

Safety Order and Notification of Penalty

Company Name: AJE Suspension

Inspection Site: 6235 North County Road 275 West, North Vernon, IN 47265

Safety Order 01 Item 012 Type of Violation: Serious

29 CFR 1910.305(g)(2)(iii): Flexible cords were not connected to devices and fittings so that tension would not be transmitted to joints or terminal screws:

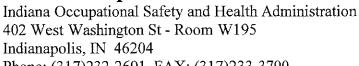
Facility - The power cord for the cutting table generator had the outer insulation pulled away from the plug, exposing the conductors within which created a potential shock hazard.

Date By Which Violation Must Be Abated: 8/13/2019
Proposed Penalty: \$600.00

Julie C. Alexander, JD Director of General Industry

402 West Washington St - Room W195

Phone: (317)232-2691 FAX: (317)233-3790





INVOICE/DEBT COLLECTION NOTICE

Company Name:

AJE Suspension

and its successors

Inspection Site:

6235 North County Road 275 West, North Vernon, IN 47265

Issuance Date:

7/11/2019

Summary of Penalties for Inspection Number: 318107885

Safety Order 1, Serious

=\$11,700.00

TOTAL PENALTIES

=\$11,700.00

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. You may also make a payment online at https://payingov.com/dol/. Your account number is your inspection number.

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).

Director of General Industry

7///9 Date