

## SETTLEMENT AGREEMENT

The Commissioner of Labor (here in after referred to as "Commissioner") and the Czoer Construction Remodeling, herein after referred to as "Employer") hereby agree as follows:

The Commissioner amends the Safety Order(s) and Notification(s) of Penalty, IOSHA Inspection No. 315868000 issued to the Employer on September 13, 2012 in the following manner.

RECEIVED

OCT 03 2012

SAFETY ORDER 01:

Item 1: Upheld; penalty reduced to \$ 292.50, **abatement has been modified until November 13, 2012.**

DEPARTMENT OF LABOR  
I.O.S.H.A.

Item 2a & b: Upheld; penalty reduced to \$ 292.50, **abatement has been modified until November 13, 2012.**

Item 3a, b, c, d, e & f: Upheld; penalty reduced to \$ 292.50, **abatement has been modified until October 13, 2012.**

Item 4a & b: Upheld; penalty reduced to \$ 682.50.

Item 5: Upheld; penalty reduced to \$ 975.02.

Item 6: Upheld; penalty reduced to \$ 975.02.

Item 7: Upheld; penalty reduced to \$ 682.50.

Item 8: Upheld; penalty reduced to \$ 390.00.

Item 9 & Item 10: Upheld; group, penalty reduced to \$ 975.02.

**In exchange, The Employer agrees:**

- 1. Provide Limited Scope training in OSHA Construction safety Fall Protection, Scaffolding, Ladders, Electrical and PPE for six (6) employees, along with competent person training for Supervisors within thirty (30) days of the Settlement Agreement.**
- 2. Develop Safety and Health programs within sixty (60) days of the Settlement Agreement.**
- 3. The Employer has elected to use the services of IDOL INSafe for a Consultation.**
- 4. The Employer shall provided an agenda and the class sign in sheet to IDOL upon completion of the training courses and forward a copy of their Safety**

and Health programs for my review upon completion. After my review programs will be returned to owner.

5. Also, the Employer has agreed to a PAYMENT PLAN: twelve (12) payments at \$ 463.13, starting: 1<sup>st</sup> Oct 4, 2012, 2<sup>nd</sup> Nov 4, 2012, 3<sup>rd</sup> Dec 4, 2012, 4<sup>th</sup> Jan 4, 2013, 5<sup>th</sup> Feb 4, 2013, 6<sup>th</sup> March 4, 2013, 7<sup>th</sup> April 4, 2013, 8<sup>th</sup> May 4, 2013, 9<sup>th</sup> June 4, 2013, 10<sup>th</sup> July 4, 2013, 11<sup>th</sup> Aug 4, 2013, 12, 12<sup>th</sup> Sept 4, 2013.

Except for the above specified amendments all other provisions of Safety Order Number 315868000 are retained intact.

**The TOTAL AGREED PENALTY is \$ 5557.56**

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 total AGREED PENALTY is due and payable on 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.

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.

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.

Czoer Construction Remodeling

By: [Signature]

Title: OWNER

Date: SEPT 26 2012

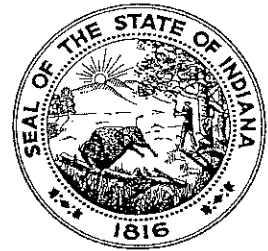
COMMISSIONER OF LABOR

By: [Signature]

Title: [Signature]

Date: 10/9/12

Indiana Department of Labor  
Occupational Safety and Health Administration  
402 West Washington Street  
Room W195  
Indianapolis, IN 46204-2751  
Phone: 317/232-1979 Fax: 317/233-3790



*Certified mail #7003 1010 0003 5732 3913 8-1-12 jto*

## Safety Order and Notification of Penalty

<b>To:</b>	<b>Inspection Number:</b>	315868000
Czoer Construction & Remodeling, and its successors 650 East 1025 South Attn: James Czoer Haubstadt, IN 47639	<b>Inspection Date(s):</b>	05/11/2012 - 06/06/2012
	<b>Issuance Date:</b>	08/01/2012

**Inspection Site:**

8852 South 100 West  
Richard Epperson Home  
Fort Branch, IN 47648

*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.

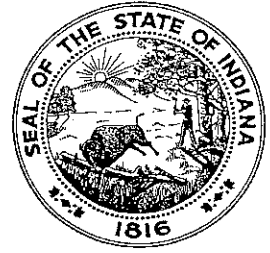
**Notification of Corrective Action** - Correction of the alleged violations which have an abatement period of thirty (30) days or less should be reported in writing to us promptly upon correction. A "Letter of Abatement" form and an "Abatement Photographs" worksheet are enclosed for your assistance 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.



## NOTICE TO EMPLOYEES OF INFORMAL CONFERENCE

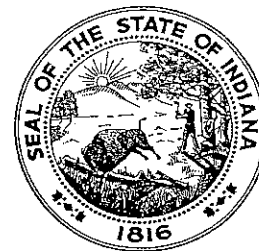
An informal conference has been scheduled with IOSHA to discuss the safety order(s) issued on 08/01/2012. The conference will be held at the IOSHA office located at 402 West Washington Street, Room W195, Indianapolis, IN 46204 on \_\_\_\_\_ at \_\_\_\_\_.

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:** 315868000  
**Inspection Dates:** 05/11/2012 - 06/06/2012  
**Issuance Date:** 08/01/2012



**Safety Order and Notification of Penalty**

**Company Name:** Czoer Construction & Remodeling  
**Inspection Site:** 8852 South 100 West, Richard Epperson Home,  
Fort Branch, IN 47648

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**Safety Order 1 Item 1** Type of Violation:  **Serious**

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

Job site ----- On May 11, 2012 and before, the employer had not developed, initiated, and implemented an a safety program which included identification and evaluation of hazards, employee participation in safety meetings and inspections, and development of written safety rules which would enable employees to recognize and avoid unsafe conditions and hazards.

**Date By Which Violation Must be Abated:** 09/18/2012  
**Proposed Penalty:** \$1,500.00



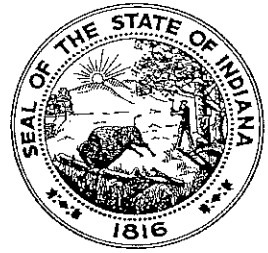
**Indiana Department of Labor**

Occupational Safety and Health Administration

**Inspection Number:** 315868000

**Inspection Dates:** 05/11/2012 - 06/06/2012

**Issuance Date:** 08/01/2012



**Safety Order and Notification of Penalty**

**Company Name:** Czoer Construction & Remodeling  
**Inspection Site:** 8852 South 100 West, Richard Epperson Home, Fort Branch, IN 47648

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

**Safety Order 1 Item 2a** Type of Violation: **Serious**

29 CFR 1926.20(b)(2): Inspections of the job site, materials, and equipment were not made by a competent person designated by the employer:

Job site ----- On May 11, 2012 and before, inspections of the job site, materials, and equipment were not performed by a competent person who was able to identify existing and predictable hazards where employees are working on a 8:12 pitched roof 10 to 15 feet high with no fall protection, working off of a ladder jack scaffolding with no fall protection, using extension ladder not extended 3 feet above the landing, ladders not tied off, not wearing hard hats, and who were exposed to other hazards.

**Date By Which Violation Must be Abated:** 09/18/2012  
**Proposed Penalty:** \$1,500.00

**Safety Order 1 Item 2b** Type of Violation: **Serious**

29 CFR 1926.451(f)(3) : Scaffold and scaffold components were not inspected for visible defects by a competent person before each work-shift which could affect a scaffolds structural integrity:

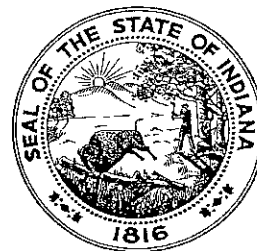
Job site ----- On May 11, 2012 and before, a ladder scaffold being used at a heigh of 15 feet with no fall protection consisting of a 24 foot tall aluminum Werner extension ladder leaning up against the house, a 20 foot long by 12 inch wide aluminum pick board spanning across the extension ladder to a 8 foot tall Werner aluminum stepladder that is setting on top of a flat roof had not been inspected prior to work by a competent person for the scaffolds structural integrity, and other deficiencies.

**Date By Which Violation Must be Abated:** 09/18/2012  
**Proposed Penalty:** \$0.00

**Indiana Department of Labor**

Occupational Safety and Health Administration

Inspection Number: 315868000  
Inspection Dates: 05/11/2012 - 06/06/2012  
Issuance Date: 08/01/2012



**Safety Order and Notification of Penalty**

**Company Name:** Czoer Construction & Remodeling  
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Fort Branch, IN 47648

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

**Safety Order 1 Item 3a Type of Violation: **Serious****

29 CFR 1926.21(b)(2): The employer did not instruct each employee in the recognition and avoidance of unsafe condition(s) and the regulation(s) applicable to his work environment to control or eliminate any hazard(s) or other exposure to illness or injury:

Job site ----- On May 11, 2012 employees working on a 8:12 pitched roof 10 to 15 feet high with no fall protection, working off of a ladder scaffolding with no fall protection, using ladders not extended 3 feet above the landing, ladders not tied off, not wearing hard hats, and exposed to other hazards, had not been instructed in the regulations applicable to their work and on recognizing hazards related to such.

**Date By Which Violation Must be Abated:** 09/18/2012  
**Proposed Penalty:** \$1,500.00

**Safety Order 1 Item 3b Type of Violation: **Serious****

29 CFR 1926.451(f)(7): Scaffold(s) were not erected, moved, dismantled, or altered under the supervision and direction of a competent person qualified in such and were not erected, moved, dismantled, or altered by experienced and trained employees selected for such work by the competent person:

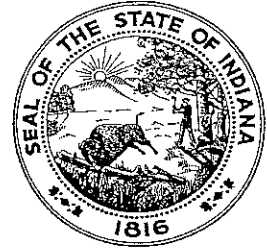
Job site ----- On May 11, 2012 and before, a ladder scaffold consisting of a 24 foot tall aluminum Werner extension ladder, an 8 foot tall Werner aluminum stepladder, and a 20 foot long by 12 inch wide aluminum pick spanned between the two ladders, with no fall protection being used, ladders too close to electrical power lines, and other hazards had not been erected by trained employees under the direction and supervision of a competent person qualified and trained in such.

**Date By Which Violation Must be Abated:** 09/18/2012  
**Proposed Penalty:** \$0.00

**Indiana Department of Labor**

Occupational Safety and Health Administration

**Inspection Number:** 315868000  
**Inspection Dates:** 05/11/2012 - 06/06/2012  
**Issuance Date:** 08/01/2012



**Safety Order and Notification of Penalty**

**Company Name:** Czoer Construction & Remodeling  
**Inspection Site:** 8852 South 100 West, Richard Epperson Home, Fort Branch, IN 47648

**Safety Order 1 Item 3c Type of Violation: **Serious****

29 CFR 1926.454(a): The employer did not have each employee who performs work while on a scaffold trained by a qualified person to recognize any hazard associated with the type of scaffold being used and to understand the procedures to control or minimize those hazards:

Job site ----- On May 11, 2012 and before, employees working from a ladder scaffold consisting of a 24 foot tall aluminum Werner extension ladder, an 8 foot tall Werner aluminum stepladder, and a 20 foot long by 12 inch wide aluminum pick spanned between the two ladders, with no fall protection being used, ladders to close to electrical power lines, and other hazards had not been trained to recognize hazards associated with the type of scaffold being used and to understand the procedures to control or minimize those hazards.

**Date By Which Violation Must be Abated:** 09/18/2012  
**Proposed Penalty:** \$0.00

**Safety Order 1 Item 3d Type of Violation: **Serious****

29 CFR 1926.454(b): The employer did not have each employee who is involved in erecting, disassembling, moving, operating, repairing, maintaining, or inspecting a scaffold trained by a competent person to recognize any hazard associated with the work in question:

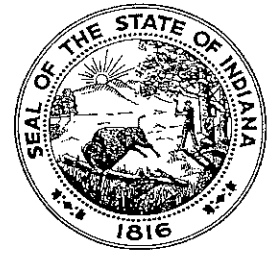
Job site ----- On May 11, 2012 and before, employees who erected the ladder scaffold consisting of a 24 foot tall aluminum Werner extension ladder, an 8 foot tall Werner aluminum stepladder, and a 20 foot long by 12 inch wide aluminum pick spanned between the two ladders, with no fall protection being used, ladders to close to electrical power lines, and other hazards had not been trained to recognize hazards associated with this type of scaffold and on the scaffold regulations which include the nature of such hazards, proper erection, loading, and other requirements.

**Date By Which Violation Must be Abated:** 09/18/2012  
**Proposed Penalty:** \$0.00

**Indiana Department of Labor**

Occupational Safety and Health Administration

**Inspection Number:** 315868000  
**Inspection Dates:** 05/11/2012 - 06/06/2012  
**Issuance Date:** 08/01/2012



**Safety Order and Notification of Penalty**

**Company Name:** Czoer Construction & Remodeling  
**Inspection Site:** 8852 South 100 West, Richard Epperson Home, Fort Branch, IN 47648

**Safety Order 1 Item 3e** Type of Violation: **Serious**

CFR 1926.503(a)(1): The employer did not provide a training program for each employee exposed to fall hazards:

Job site/Roof ----- On May 11, 2012 and before, employees working on 8:12 pitched roof 15 feet high with no fall protection had not received any fall protection training by the employer.

**Date By Which Violation Must be Abated:** 09/18/2012  
**Proposed Penalty:** \$0.00

**Safety Order 1 Item 3f** Type of Violation: **Serious**

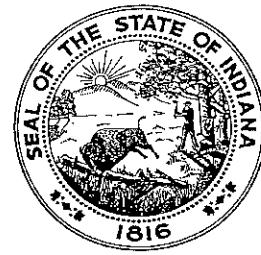
29 CFR 1926.1060(a): The employer did not provide a training program for each employee using ladders and stairways which would train each employee in the procedures to be followed to minimize hazards related to ladders and stairways:

Jobs site ----- On May 11, 2012 and before, the employer did not provide ladder training to employees working from and using, stepladders and extension ladders for access and for scaffold supports.

**Date By Which Violation Must be Abated:** 09/18/2012  
**Proposed Penalty:** \$0.00

Indiana Department of Labor  
Occupational Safety and Health Administration

Inspection Number: 315868000  
Inspection Dates: 05/11/2012 - 06/06/2012  
Issuance Date: 08/01/2012



**Safety Order and Notification of Penalty**

Company Name: Czoer Construction & Remodeling  
Inspection Site: 8852 South 100 West, Richard Epperson Home,  
Fort Branch, IN 47648

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

**Safety Order 1 Item 4a** Type of Violation: **Serious**

29 CFR 1926.100(a): Employees were not protected by protective helmets while working in areas where there was a possible danger of head injury from impact, or from falling or flying objects, or from electrical shock and burns:

Job site ----- On May 11, 2012 and before, employees working on an 8:12 pitched roof 10 to 15 feet high tearing off asphalt shingles, and the owner of the company working off of a ladder scaffold approximately 15 feet high installing j-channel, where the possibility of falling objects existed, were not wearing hard hats.

**Date By Which Violation Must be Abated:** Corrected During Inspection  
**Proposed Penalty:** \$1,050.00

**Safety Order 1 Item 4b** Type of Violation: **Serious**

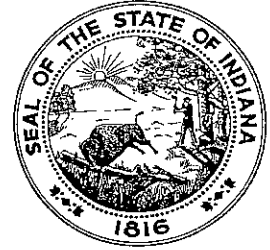
29 CFR 1926.451(h)(2): Where there was a danger of tools, materials or equipment falling from a scaffold and striking employees below, the area below the scaffold to which objects could fall was not barricaded and employees were not prevented from entering the area:

Job site ----- On May 11, 2012 and before, employees working on the job site are not wearing hard hats, and the area below the 15 foot high ladder scaffolding was not barricaded and employees were not prevented from entering the area where tools, materials or equipment could fall and strike them.

**Date By Which Violation Must be Abated:** Corrected During Inspection  
**Proposed Penalty:** \$0.00

Indiana Department of Labor  
Occupational Safety and Health Administration

Inspection Number: 315868000  
Inspection Dates: 05/11/2012 - 06/06/2012  
Issuance Date: 08/01/2012



**Safety Order and Notification of Penalty**

Company Name: Czoer Construction & Remodeling  
Inspection Site: 8852 South 100 West, Richard Epperson Home,  
Fort Branch, IN 47648

**Safety Order 1 Item 5 Type of Violation: **Serious****

29 CFR 1926.451(f)(6): Scaffolds were not erected, used, dismantled, altered, or moved such that they or any conductive material handled on them was not at least 3 feet, from exposed and energized power lines, less than 300 volts:

Job site ----- On May 11, 2012 and before, a ladder scaffold consisting of a 24 foot tall aluminum Werner extension ladder, an 8 foot tall Werner aluminum stepladder, and a 20 foot long by 12 inch wide aluminum pick spanned between the two ladders, was next to the service entrance conductors coming into the house and not at least 3 feet away from the open conductors.

**Date By Which Violation Must be Abated:** **Corrected During Inspection**  
**Proposed Penalty:** **\$1,500.00**

**Safety Order 1 Item 6 Type of Violation: **Serious****

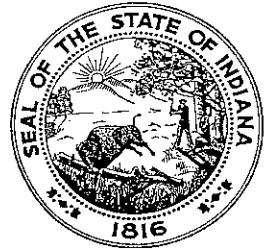
29 CFR 1926.451(g)(1)(vii): Each employee on a scaffold, not otherwise specified in paragraphs (g)(1)(i) through (g)(1)(vi) of this section, more than 10 feet (3.1 m) above lower level was not protected from falls by the use of personal fall arrest systems or guardrail systems meeting the requirements of paragraph (g)(4) of this section:

Job site ----- On May 11, 2012 and before, employees working from a ladder scaffold 15 feet high, consisting of a 24 foot tall aluminum Werner extension ladder, an 8 foot tall Werner aluminum stepladder, and a 20 foot long by 12 inch wide aluminum pick spanned between the two ladders, were not protected from falling by any means.

**Date By Which Violation Must be Abated:** **Corrected During Inspection**  
**Proposed Penalty:** **\$1,500.00**

Indiana Department of Labor  
Occupational Safety and Health Administration

Inspection Number: 315868000  
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**Safety Order and Notification of Penalty**

Company Name: Czoer Construction & Remodeling  
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Fort Branch, IN 47648

**Safety Order 1 Item 7** Type of Violation: **Serious**

29 CFR 1926.501(b)(13): Each employee engaged in residential construction activities 6 feet or more above lower levels was not protected by guardrail systems, safety net system, or personal fall arrest system:

Roof of house ----- On May 11, 2012 and before, employees doing roofing and other work removing shingles on a 8:12 pitched roof approximately 15 feet above ground level were not protected from falling by any means.

**Date By Which Violation Must be Abated:** **Corrected During Inspection**  
**Proposed Penalty:** **\$1,050.00**

**Safety Order 1 Item 8** Type of Violation: **Serious**

29 CFR 1926.1053(b)(1): Portable ladders were used for access to an upper landing surface and the ladder side rails did not extend at least 3 feet (.9 m) above the upper landing surface to which the ladder was used to gain access:

East side of house ----- On May 11, 2012 and before, the side rails of the 12 foot tall aluminum ladder being used to access the roof only extended 14 inches above the roof landing and not at least 3 feet above the roof edge.

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

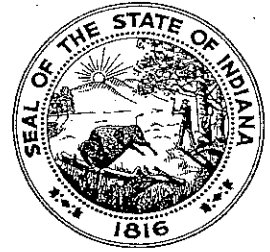
**Indiana Department of Labor**

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06/06/2012

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**Company Name:** Czoer Construction & Remodeling  
**Inspection Site:** 8852 South 100 West, Richard Epperson Home,  
Fort Branch, IN 47648

**Safety Order 1 Item 9 Type of Violation: **Serious****

29 CFR 1926.1053(b)(6): Ladders were used on surfaces which were not stable and level:

South side of house ----- On May 11, 2012 the feet of the Werner aluminum 8 foot stepladder was setting on the open joist roof area at the side of the house and the ladder was not resting on a stable surface.

**Date By Which Violation Must be Abated:** **Corrected During Inspection**  
**Proposed Penalty:** **\$1,500.00**



**Indiana Department of Labor**

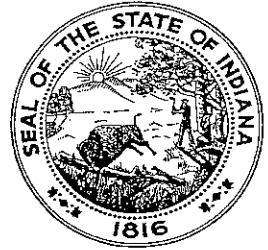
Occupational Safety and Health Administration

**Inspection Number:** 315868000

**Inspection Dates:** 05/11/2012 -

06/06/2012

**Issuance Date:** 08/01/2012



**Safety Order and Notification of Penalty**

**Company Name:** Czoer Construction & Remodeling  
**Inspection Site:** 8852 South 100 West, Richard Epperson Home,  
Fort Branch, IN 47648

**Safety Order 1 Item 10 Type of Violation: **Serious****

29 CFR 1926.1053(b)(8): Ladders placed in a location where they could be displaced by workplace activities or traffic, such as in passageways, doorways, or driveways, were not secured to prevent accidental displacement, nor was a barricade used to keep the activities or traffic away from the ladder:

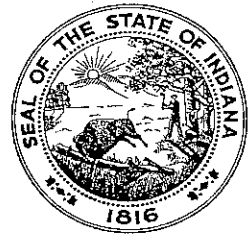
East side of building ----- On May11, 2012 the 12 aluminum ladder being used to access the roof was placed in front of a back doorway entrance area, and the ladder was not secured to prevent accidental displacement and the area was not barricaded.

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

\_\_\_\_\_  
Jerry W. Lander  
Director, Construction Compliance

**Indiana Department of Labor**

Indiana Occupational Safety and Health Administration  
402 West Washington Street  
Room W195  
Indianapolis, IN 46204-2751  
Phone: 317/232-1979 Fax: 317/233-3790



**INVOICE/DEBT COLLECTION NOTICE**

**Company Name:** Czoer Construction & Remodeling  
**Inspection Site:** 8852 South 100 West, Richard Epperson Home, Fort Branch, IN 47648  
**Issuance Date:** 08/01/2012

**Summary of Penalties for Inspection Number 315868000**

<b>Safety Order 01, Serious</b>	=	\$12,300.00
<b>Total Proposed Penalties</b>		\$12,300.00

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, Construction Compliance

Date

8.1.12