

# Indiana Department of Labor

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



## Safety Order and Notification of Penalty

**To:**

Flexco Products, Inc.  
and its successors  
2415 Bryant St.  
Elkhart, IN 46516

**Inspection Number:** 1763724**CSHO ID:** R2783**Optional Report No.:** 2024-31**Inspection Date(s):** 07/22/2024 - 08/28/2024**Issuance Date:** 01/13/2025**Inspection Site:**

2415 Bryant St.  
Elkhart, IN 46516

*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 workplace 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 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 board appointed by the governor with authority to conduct legal proceedings leading up to and including administrative hearings or assign an Administrative Law Judge (ALJ) to conduct the same, and to issue decisions concerning disputed safety orders and notifications of penalties. 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**

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



### **NOTICE TO EMPLOYEES OF INFORMAL CONFERENCE**

An informal conference has been scheduled with IOSHA to discuss the Safety Order(s) issued on 01/13/2025.

The Informal Conference will be held:

Date: \_\_\_\_\_

Time: \_\_\_\_\_

**Virtually/Telephonically via Microsoft Teams**

Call-in Number: \_\_\_\_\_

Conference ID: \_\_\_\_\_

**In-person at the Indiana Department of Labor, located at the following address:**

402 West Washington Street, Room W195  
Indianapolis, Indiana 46204

Meeting/Conference Room: \_\_\_\_\_

Employees and/or representatives of employees have a right to attend an informal conference.



**Safety Order and Notification of Penalty**

**Company Name:** Flexco Products, Inc.  
**Inspection Site:** 2415 Bryant St., Elkhart, IN 46516

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

29 CFR 1910.22(a)(3): Walking-working surfaces are maintained free of hazards such as sharp or protruding objects, loose boards, corrosion, leaks, spills, snow, and ice:

2415 Bryant Street, Elkhart IN, 46516 -Flexco Products Inc - On July 22nd, 2024, during industrial activity the walking/working surface consisting of finished concrete floor had large standing puddles of Shurcool coolant on floor and was not maintained free of hazards.

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated:  
Proposed Penalty:

February 14, 2025  
\$6,300.00



**Safety Order and Notification of Penalty**

**Company Name:** Flexco Products, Inc.  
**Inspection Site:** 2415 Bryant St., Elkhart, IN 46516

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

29 CFR 1910.30(d): Training must be understandable. The employer must provide information and training to each employee in a manner that the employee understands:

2415 Bryant St Elkhart IN, 46516- Flexco Products Inc - On July 22, 2024, during industrial activity, the employer failed to provide proper training on walkaway surfaces by not providing training in Spanish to all Spanish speaking/reading employees.

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated: February 14, 2025  
Proposed Penalty: \$6,300.00



**Safety Order and Notification of Penalty**

**Company Name:** Flexco Products, Inc.  
**Inspection Site:** 2415 Bryant St., Elkhart, IN 46516

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

29 CFR 1910.37(a)(3): Exit routes must be free and unobstructed. No materials or equipment may be placed, either permanently or temporarily, within the exit route. The exit access must not go through a room that can be locked, such as a bathroom, to reach an exit or exit discharge, nor may it lead into a dead-end corridor. Stairs or a ramp must be provided where the exit route is not substantially level:

2415 Bryant Street, Elkhart IN, 46516 -Flexco Products Inc - On July 22nd, 2024, during industrial activities, a fire exit was blocked by material such as pallets and steel preventing employees from being able to quickly exit through the designated fire exit door.

Date By Which Violation Must be Abated:

Corrected During Inspection

\$5,400.00

Proposed Penalty:



**Safety Order and Notification of Penalty**

**Company Name:** Flexco Products, Inc.  
**Inspection Site:** 2415 Bryant St., Elkhart, IN 46516

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

29 CFR 1910.178(l)(4)(iii): An evaluation of each powered industrial truck operator's performance shall be conducted at least once every three years:

2415 Bryant Street Elkhart IN, 46516 - Flexco Products Inc - On July 22nd, 2024, the employer failed to retrain and/or evaluate powered forklift operators after three years beyond their initial certification or previous evaluation.

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated:  
Proposed Penalty:

February 14, 2025  
\$5,400.00



**Safety Order and Notification of Penalty**

**Company Name:** Flexco Products, Inc.  
**Inspection Site:** 2415 Bryant St., Elkhart, IN 46516

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

29 CFR 1910.1200(b)(4)(ii): Employers shall maintain copies of any safety data sheets that are received with incoming shipments of the sealed containers of hazardous chemicals, shall obtain a safety data sheet as soon as possible for sealed containers of hazardous chemicals received without a safety data sheet if an employee requests the safety data sheet, and shall ensure that the safety data sheets are readily accessible during each work shift to employees when they are in their work area(s):

2415 Bryant St Elkhart IN, 46516 - Flexco Products Inc - On July 22, 2024, the employer failed to maintain copies of safety data sheets for hazards chemicals being used in the workplace. Hazardous chemicals are Shurcool (used as a coolant for machinery) and Propane (utilized as fuel for forklifts).

Date By Which Violation Must be Abated:  
Proposed Penalty:

Corrected During Inspection  
\$6,300.00



### **Safety Order and Notification of Penalty**

**Company Name:** Flexco Products, Inc.  
**Inspection Site:** 2415 Bryant St., Elkhart, IN 46516

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

29 CFR 1910.1200(h)(1): Employers shall provide employees with effective information and training on hazardous chemicals in their work area at the time of their initial assignment, and whenever a new chemical hazard the employees have not previously been trained about is introduced into their work area. Information and training may be designed to cover categories of hazards (e.g., flammability, carcinogenicity) or specific chemicals. Chemical-specific information must always be available through labels and safety data sheets:

2415 Bryant Street, Elkhart IN, 46516 -Flexco Products Inc - On July 22nd, 2024, employees were not provided information and training as specified in 29 CFR 1200(h)(2) and (3), on hazardous chemicals in their work area at the time of their initial assignment and whenever a new hazard was introduced into their work area. The employer failed to provide a hazardous communication program in native language for Spanish only speaking employees, resulting in them not being fully trained on proper and safe usage of chemicals.

#### **ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated:  
Proposed Penalty:

February 14, 2025  
\$6,300.00



**Safety Order and Notification of Penalty**

**Company Name:** Flexco Products, Inc.  
**Inspection Site:** 2415 Bryant St., Elkhart, IN 46516

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**Safety Order 2 Item 1**      Type of Violation: **Knowing-Serious**

29 CFR 1910.212(a)(1): Machine guarding was not provided to protect operator(s) and other employees from hazard(s) created by:

2415 Bryant St Elkhart IN, 46516 - On July 22, 2024, during industrial activity, machine guarding was not adequate as to protect employee from contacting moving parts on the level/de-leveler roller model 289 (SN 8194).

Flexco products Inc. was previously cited for a violation of this occupational safety and health standard or its equivalent standard 29 CFR 1910.212(a)(1), which was contained in OSHA inspection number 1748056, citation number 1, item number 1 and was affirmed as a final order on 6/11/2024, with respect to a workplace located at 2415 Bryant St Elkhart IN, 46516.

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated: February 14, 2025  
Proposed Penalty: \$63,000.00



**Safety Order and Notification of Penalty**

**Company Name:** Flexco Products, Inc.  
**Inspection Site:** 2415 Bryant St., Elkhart, IN 46516

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

29 CFR 1904.4(a): Basic requirement. Each employer required by this Part to keep records of fatalities, injuries, and illnesses must record each fatality, injury and illness that:

2415 Bryant St Elkhart IN, 46516 - Flexco Products Inc - On July 22nd, 2024, Employer failed to record an amputation that took place on an employee.

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated:  
Proposed Penalty:

Corrected During Inspection  
\$900.00

A handwritten signature of Jeremy Galloway in black ink.

Jeremy Galloway  
IOSHA Director

**Indiana Department of Labor**  
Occupational Safety and Health Administration



## INVOICE/DEBT COLLECTION NOTICE

**Company Name:** Flexco Products, Inc.  
**Inspection Site:** 2415 Bryant St., Elkhart, IN 46516  
**Issuance Date:** 01/13/2025

**Summary of Penalties for Inspection Number:** 1763724

Safety Order 1 Item 1, Serious	\$6,300.00
Safety Order 1 Item 2, Serious	\$6,300.00
Safety Order 1 Item 3, Serious	\$5,400.00
Safety Order 1 Item 4, Serious	\$5,400.00
Safety Order 1 Item 5, Serious	\$6,300.00
Safety Order 1 Item 6, Serious	\$6,300.00
Safety Order 2 Item 1, Knowing-Serious	\$63,000.00
Safety Order 3 Item 1, Non Serious	\$900.00
<b>TOTAL PROPOSED PENALTIES:</b>	<b>\$99,900.00</b>

Penalties are due within fifteen (15) working days of receipt of this notification unless requested. 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://payinggov.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 worksheet has been provided to assist in providing the required abatement information. A completed copy of this worksheet should be posted at the worksite with safety orders.

A handwritten signature in black ink, appearing to read "Jeremy Galloway".

Jeremy Galloway  
IOSHA Director

1/13/2025

Date



STATE OF INDIANA )  
 ) SS:  
COUNTY OF MARION )

BEFORE THE INDIANA OFFICE OF  
ADMINISTRATIVE LAW PROCEEDINGS

Filed September 30, 2025

## **AGREED ENTRY**

The parties to the above-captioned proceeding, the Commissioner of the Indiana Department of Labor (hereinafter "Complainant") and Flexco Products, Inc. (hereinafter "Respondent"), through their duly authorized representatives, desiring to enter into this Agreed Entry as final settlement of this matter, do hereby stipulate and agree as follows:

## PART I.

1. From July 22, 2024, through August 28, 2024, authorized employees of the Indiana Department of Labor conducted an inspection at the Respondent's worksite located at 2415 Bryant St. Elkhart, IN 46516.
2. On January 13, 2025, Complainant issued a Safety Order and Notification of Penalty (hereinafter "Safety Order") resulting from Indiana Department of Labor Inspection No. 1763724 and alleging that Respondent had violated the Indiana Occupational Safety and Health Act (IC 22-8-1.1 *et seq.*) or the standards or rules thereunder. The Safety Order is attached hereto as Exhibit A and is incorporated herein.

*Agreed Entry*  
Page 1 of 5

3. On or about February 5, 2025, Respondent duly and timely petitioned for review of the Safety Order.

PART II.

4. The Safety Order consists of Safety Order 1, Item Nos. 1, 2, 3, 4, 5, and 6, Safety Order 2, Item No. 1, and Safety Order 3 Item No. 1.

5. Safety Order 1, Item 1 alleges a "Serious" violation of 29 CFR 1910.22(a)(3) and assesses a penalty of Six Thousand Three Hundred Dollars (\$6,300).

6. Safety Order 1, Item 2 alleges a "Serious" violation of 29 CFR 1910.30(d) and assesses a penalty of Six Thousand Three Hundred Dollars (\$6,300).

7. Safety Order 1, Item 3 alleges a "Serious" violation of 29 CFR 1910.37(a)(3) and assesses a penalty of Five Thousand Four Hundred Dollars (\$5,400).

8. Safety Order 1, Item 4 alleges a "Serious" violation of 29 CFR 1910.178(1)(4)(iii) and assesses a penalty of Five Thousand Four Hundred Dollars (\$5,400).

9. Safety Order 1, Item 5 alleges a "Serious" violation of 29 CFR 1910.1200(b)(4)(ii) and assesses a penalty of Six Thousand Three Hundred Dollars (\$6,300).

10. Safety Order 1, Item 6 alleges a "Serious" violation of 29 CFR 1910.1200(h)(1) and assesses a shared penalty, grouped with Item 6b, of penalty of Six Thousand Three Hundred Dollars (\$6,300).

11. Safety Order 2, Item 1 alleges a "Knowing- Serious" violation of 29 CFR 1910.212(a)(1) and assesses a penalty of Sixty-Three Thousand Dollars (\$63,000).

12. Safety Order 3, Item 1 alleges a "Non-Serious" violation of 29 CFR 1904.4(a) and assesses a penalty of Nine Hundred Dollars (\$900).

13. The total assessed penalty for Safety Order 1, 2, and 3 combined is Ninety-Nine

Thousand Nine Hundred Dollars (\$99,900).

PART III.

14. The Safety Order is hereby amended as follows.
15. Safety Order 1, Item 1 is deleted in its entirety.
16. Safety Order 1, Item 2 is deleted in its entirety.
17. Safety Order 1, Item 3 is upheld is upheld, but the penalty is reduced to Two Thousand Seven Hundred Dollars (\$2,700).
18. Safety Order 1, Item 4 is upheld, but the penalty is reduced to Two Thousand Seven Hundred Dollars (\$2,700).
19. Safety Order 1, Item 5 is upheld, but the penalty is reduced to Three Thousand One Hundred Fifty Dollars (\$3,150).
20. Safety Order 1, Item 6 is deleted in its entirety.
21. Safety Order 2, Item 1 is upheld, but the penalty is reduced to Thirty-One Thousand Five Hundred Dollars (\$31,500).
22. Safety Order 3, Item 1 is upheld, but the penalty is reduced to Four Hundred Fifty Dollars (\$450).
23. The AGREED TOTAL PENALTY for all violations and all subparts thereunder, subject to this Agreed Entry, is Forty Thousand Five Hundred Dollars (\$40,500).
24. In consideration for the deletion and penalty reduction of the citations, Respondent agrees to complete the following enhanced abatement and provide Complainant with proof of each within sixty (60) days of the issuance of a Final Order in this matter:
  - a. Contact INSafe and schedule and complete a full-service, comprehensive safety consultation.

25. It is understood and agreed by the Respondent and Complainant that this Agreed Entry and attachments will constitute a final, enforceable OSHA Safety Order(s) and penalties for the purposes of the Indiana Occupational Safety and Health Act ("Act").

26. Respondent confirms Complainant's right to re-inspect its workplaces, in accordance with the Act, and to verify abatement of the alleged violations.

27. Respondent hereby withdraws its petition for review previously filed in this matter.

PART IV.

28. Nothing contained in this Agreed Entry shall be construed to affect Complainant's interpretation of the Act or any standard or regulation enforced pursuant thereto or the applicable classification thereof.

29. 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 the Respondent shall be deemed an admission by Respondent 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.

30. The invalidity or unenforceability of any section, subsection, clause or provision of this Agreed Entry does not affect the remaining sections, subsections, clauses, or provisions of this Agreed Entry.

31. Respondent, upon full execution of this Agreed Entry, will post this Agreed Entry for three (3) working days or until abatement is completed, whichever period is longer, pursuant to Board of Safety Review Rules of Procedure, 615 IAC 1-2-18(b)(3)(C).

AGREED this 30 day of September, 2025.

FLEXCO PRODUCTS, INC.

By: Brett M. Jellison  
Printed: Brett M. Jellison  
Title: President

Approved as to Form:

By: Dean E. Leazenby  
Dean E. Leazenby,  
Counsel for Respondent

COMMISSIONER OF LABOR

By: Jeremy Galloway  
Jeremy Galloway  
Deputy Commissioner – IOSHA

By: Brent J. Cullers  
Brent J. Cullers,  
Counsel for Complainant

Exhibit A

## Indiana Department of Labor

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



## Safety Order and Notification of Penalty

**To:**  
Flexco Products, Inc.  
and its successors  
2415 Bryant St.  
Elkhart, IN 46516

**Inspection Number:** 1763724  
**CSHO ID:** R2783  
**Optional Report No.:** 2024-31  
**Inspection Date(s):** 07/22/2024 - 08/28/2024  
**Issuance Date:** 01/13/2025

**Inspection Site:**  
2415 Bryant St.  
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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 board appointed by the governor with authority to conduct legal proceedings leading up to and including administrative hearings or assign an Administrative Law Judge (ALJ) to conduct the same, and to issue decisions concerning disputed safety orders and notifications of penalties. 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.

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**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.

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(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**

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



**NOTICE TO EMPLOYEES OF INFORMAL CONFERENCE**

An informal conference has been scheduled with IOSHA to discuss the Safety Order(s) issued on 01/13/2025.

The Informal Conference will be held:

Date: \_\_\_\_\_

Time: \_\_\_\_\_

**Virtually/Telephonically via Microsoft Teams**

Call-in Number: \_\_\_\_\_

Conference ID: \_\_\_\_\_

**In-person at the Indiana Department of Labor, located at the following address:**

402 West Washington Street, Room W195  
Indianapolis, Indiana 46204

Meeting/Conference Room: \_\_\_\_\_

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: 1763724  
CSHO ID: R2783  
Optional Report No.: 2024-31  
Inspection Date(s): 07/22/2024 - 08/28/2024  
Issuance Date: 01/13/2025



### **Safety Order and Notification of Penalty**

**Company Name:** Flexco Products, Inc.  
**Inspection Site:** 2415 Bryant St., Elkhart, IN 46516

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

29 CFR 1910.22(a)(3): Walking-working surfaces are maintained free of hazards such as sharp or protruding objects, loose boards, corrosion, leaks, spills, snow, and ice:

2415 Bryant Street, Elkhart IN, 46516 -Flexco Products Inc - On July 22nd, 2024, during industrial activity the walking/working surface consisting of finished concrete floor had large standing puddles of Shurcool coolant on floor and was not maintained free of hazards.

#### **ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated:  
Proposed Penalty:

February 14, 2025  
\$6,300.00

**Indiana Department of Labor**  
Occupational Safety and Health Administration

Inspection Number: 1763724  
CSHO ID: R2783  
Optional Report No.: 2024-31  
Inspection Date(s): 07/22/2024 - 08/28/2024  
Issuance Date: 01/13/2025



### **Safety Order and Notification of Penalty**

**Company Name:** Flexco Products, Inc.  
**Inspection Site:** 2415 Bryant St., Elkhart, IN 46516

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

29 CFR 1910.30(d): Training must be understandable. The employer must provide information and training to each employee in a manner that the employee understands:

2415 Bryant St Elkhart IN, 46516- Flexco Products Inc - On July 22, 2024, during industrial activity, the employer failed to provide proper training on walkaway surfaces by not providing training in Spanish to all Spanish speaking/reading employees.

#### **ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated: February 14, 2025  
Proposed Penalty: \$6,300.00

**Indiana Department of Labor**  
Occupational Safety and Health Administration

Inspection Number: 1763724  
CSHO ID: R2783  
Optional Report No.: 2024-31  
Inspection Date(s): 07/22/2024 - 08/28/2024  
Issuance Date: 01/13/2025



### **Safety Order and Notification of Penalty**

**Company Name:** Flexco Products, Inc.  
**Inspection Site:** 2415 Bryant St., Elkhart, IN 46516

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

29 CFR 1910.37(a)(3): Exit routes must be free and unobstructed. No materials or equipment may be placed, either permanently or temporarily, within the exit route. The exit access must not go through a room that can be locked, such as a bathroom, to reach an exit or exit discharge, nor may it lead into a dead-end corridor. Stairs or a ramp must be provided where the exit route is not substantially level:

2415 Bryant Street, Elkhart IN, 46516 -Flexco Products Inc - On July 22nd, 2024, during industrial activities, a fire exit was blocked by material such as pallets and steel preventing employees from being able to quickly exit through the designated fire exit door.

Date By Which Violation Must be Abated:  
Proposed Penalty:

Corrected During Inspection  
\$5,400.00

**Indiana Department of Labor**  
Occupational Safety and Health Administration

Inspection Number: 1763724  
CSHO ID: R2783  
Optional Report No.: 2024-31  
Inspection Date(s): 07/22/2024 - 08/28/2024  
Issuance Date: 01/13/2025



### **Safety Order and Notification of Penalty**

**Company Name:** Flexco Products, Inc.  
**Inspection Site:** 2415 Bryant St., Elkhart, IN 46516

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

29 CFR 1910.178(l)(4)(iii): An evaluation of each powered industrial truck operator's performance shall be conducted at least once every three years:

2415 Bryant Street Elkhart IN, 46516 - Flexco Products Inc - On July 22nd, 2024, the employer failed to retrain and/or evaluate powered forklift operators after three years beyond their initial certification or previous evaluation.

#### **ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated: February 14, 2025  
Proposed Penalty: \$5,400.00

**Indiana Department of Labor**  
Occupational Safety and Health Administration

Inspection Number: 1763724  
CSHO ID: R2783  
Optional Report No.: 2024-31  
Inspection Date(s): 07/22/2024 - 08/28/2024  
Issuance Date: 01/13/2025



### **Safety Order and Notification of Penalty**

**Company Name:** Flexco Products, Inc.  
**Inspection Site:** 2415 Bryant St., Elkhart, IN 46516

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

29 CFR 1910.1200(b)(4)(ii): Employers shall maintain copies of any safety data sheets that are received with incoming shipments of the sealed containers of hazardous chemicals, shall obtain a safety data sheet as soon as possible for sealed containers of hazardous chemicals received without a safety data sheet if an employee requests the safety data sheet, and shall ensure that the safety data sheets are readily accessible during each work shift to employees when they are in their work area(s):

2415 Bryant St Elkhart IN, 46516 - Flexco Products Inc - On July 22, 2024, the employer failed to maintain copies of safety data sheets for hazards chemicals being used in the workplace. Hazardous chemicals are Shurcool (used as a coolant for machinery) and Propane (utilized as fuel for forklifts).

Date By Which Violation Must be Abated:  
Proposed Penalty:

Corrected During Inspection  
\$6,300.00

**Indiana Department of Labor**  
Occupational Safety and Health Administration

Inspection Number: 1763724  
CSHO ID: R2783  
Optional Report No.: 2024-31  
Inspection Date(s): 07/22/2024 - 08/28/2024  
Issuance Date: 01/13/2025



### **Safety Order and Notification of Penalty**

**Company Name:** Flexco Products, Inc.  
**Inspection Site:** 2415 Bryant St., Elkhart, IN 46516

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

29 CFR 1910.1200(h)(1): Employers shall provide employees with effective information and training on hazardous chemicals in their work area at the time of their initial assignment, and whenever a new chemical hazard the employees have not previously been trained about is introduced into their work area. Information and training may be designed to cover categories of hazards (e.g., flammability, carcinogenicity) or specific chemicals. Chemical-specific information must always be available through labels and safety data sheets:

2415 Bryant Street, Elkhart IN, 46516 -Flexco Products Inc - On July 22nd, 2024, employees were not provided information and training as specified in 29 CFR 1200(h)(2) and (3), on hazardous chemicals in their work area at the time of their initial assignment and whenever a new hazard was introduced into their work area. The employer failed to provide a hazardous communication program in native language for Spanish only speaking employees, resulting in them not being fully trained on proper and safe usage of chemicals.

### **ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated:  
Proposed Penalty:

February 14, 2025  
\$6,300.00

**Indiana Department of Labor**  
Occupational Safety and Health Administration

Inspection Number: 1763724  
CSHO ID: R2783  
Optional Report No.: 2024-31  
Inspection Date(s): 07/22/2024 - 08/28/2024  
Issuance Date: 01/13/2025



### **Safety Order and Notification of Penalty**

**Company Name:** Flexco Products, Inc.  
**Inspection Site:** 2415 Bryant St., Elkhart, IN 46516

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#### **Safety Order 2 Item 1**      Type of Violation: **Knowing-Serious**

29 CFR 1910.212(a)(1): Machine guarding was not provided to protect operator(s) and other employees from hazard(s) created by:

2415 Bryant St Elkhart IN, 46516 - On July 22, 2024, during industrial activity, machine guarding was not adequate as to protect employee from contacting moving parts on the level/de-leveler roller model 289 (SN 8194).

Flexco products Inc. was previously cited for a violation of this occupational safety and health standard or its equivalent standard 29 CFR 1910.212(a)(1), which was contained in OSHA inspection number 1748056, citation number 1, item number 1 and was affirmed as a final order on 6/11/2024, with respect to a workplace located at 2415 Bryant St Elkhart IN, 46516.

#### **ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated:

February 14, 2025

Proposed Penalty:

\$63,000.00

**Indiana Department of Labor**  
Occupational Safety and Health Administration

Inspection Number: 1763724  
CSHO ID: R2783  
Optional Report No.: 2024-31  
Inspection Date(s): 07/22/2024 - 08/28/2024  
Issuance Date: 01/13/2025



### **Safety Order and Notification of Penalty**

**Company Name:** Flexco Products, Inc.  
**Inspection Site:** 2415 Bryant St., Elkhart, IN 46516

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

29 CFR 1904.4(a): Basic requirement. Each employer required by this Part to keep records of fatalities, injuries, and illnesses must record each fatality, injury and illness that:

2415 Bryant St Elkhart IN, 46516 - Flexco Products Inc - On July 22nd, 2024, Employer failed to record an amputation that took place on an employee.

#### **ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated:  
Proposed Penalty:

Corrected During Inspection  
\$900.00

A handwritten signature of Jeremy Galloway in black ink.

Jeremy Galloway  
IOSHA Director

**Indiana Department of Labor**  
Occupational Safety and Health Administration



## INVOICE/DEBT COLLECTION NOTICE

**Company Name:** Flexco Products, Inc.  
**Inspection Site:** 2415 Bryant St., Elkhart, IN 46516  
**Issuance Date:** 01/13/2025

**Summary of Penalties for Inspection Number:** 1763724

Safety Order 1 Item 1, Serious	\$6,300.00
Safety Order 1 Item 2, Serious	\$6,300.00
Safety Order 1 Item 3, Serious	\$5,400.00
Safety Order 1 Item 4, Serious	\$5,400.00
Safety Order 1 Item 5, Serious	\$6,300.00
Safety Order 1 Item 6, Serious	\$6,300.00
Safety Order 2 Item 1, Knowing-Serious	\$63,000.00
Safety Order 3 Item 1, Non Serious	\$900.00

**TOTAL PROPOSED PENALTIES:** **\$99,900.00**

Penalties are due within fifteen (15) working days of receipt of this notification unless requested. 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://payinggov.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 worksheet has been provided to assist in providing the required abatement information. A completed copy of this worksheet should be posted at the worksite with safety orders.

  
\_\_\_\_\_  
Jeremy Galloway  
IOSHA Director

1/13/2025  
\_\_\_\_\_  
Date



STATE OF INDIANA  
OFFICE OF ADMINISTRATIVE LAW PROCEEDINGS

Administrative Cause No.: DOL-2502-000659

Underlying/State Agency Action No.: Inspection Number 1763724

**Commissioner of Labor,  
Complainant,**

**v.**

**Flexco Products, Inc.,  
Respondent.**

Issued: October 8, 2025

**NOTICE OF AGREEMENT OF THE PARTIES  
AND ORDER VACATING DEADLINES**

On September 30, 2025, the above-captioned Parties filed their Agreed Order with the Office of Administrative Law Proceedings ("OALP") that proposes a settlement and modified Safety Order. The undersigned ALJ has reviewed the Agreed Entry and finds that there is no evidence of fraud, coercion, duress, or any other reason not to grant the Agreed Entry. The Agreed Entry is hereby accepted and granted as resolution of this matter.

This agreed entry constitutes a final, enforceable OSHA Safety Order(s) and penalties for the purposes of the Indiana Occupational Health and Safety Act and represents final resolution of this administrative matter. The ALJ ORDERS the matter DISMISSED and that all hearings and deadlines in this matter are VACATED.

Any party aggrieved by this decision may seek Judicial Review in a civil court with jurisdiction within thirty (30) calendar days from the receipt of this written decision as provided by Ind. Code § 4-21.5-5-5. For provisions on how to compute days see Ind. Code § 4-21.5-3-2.

SO ORDERED: October 8, 2025

/s/ Andrew R. Bernlohr  
Hon. Andrew R. Bernlohr  
Administrative Law Judge

**Distributed to Parties:**

Flexco Products, Inc. – Respondent, served by counsel, by email, at  
[dleazenby@warrickandboyn.com](mailto:dleazenby@warrickandboyn.com)

Commissioner of Labor – Complainant, served by Counsel, by E-Mail at [JoHardman@dol.IN.gov](mailto:JoHardman@dol.IN.gov)  
and [brcullers@dol.in.gov](mailto:brcullers@dol.in.gov)