#### SETTLEMENT AGREEMENT

The Commissioner of Labor (hereinafter referred to as "Commissioner") and *John Glenn School Corporation*, (hereinafter referred to as "Employer") hereby agree as follows:

The Commissioner amends the Safety Order(s) and Notification(s) of Penalty, IOSHA Inspection No. 318090644 issued to the Employer on *February 22, 2018*, in the following manner.

#### SAFETY ORDER 01:

Item 1: Upheld; penalty reduced to \$0.00, abatement has been modified until May 22, 2018.

Item 2a & b: Upheld; penalty reduced to \$ 0.00, abatement has been modified until May 22, 2018.

Item 3: Upheld; penalty reduced to \$ 0.00.

Item 4: Upheld; penalty reduced to \$ 0.00.

Item 5: Upheld; penalty reduced to \$ 0.00.

Item 6a & b: Upheld; penalty reduced to \$ 0.00.

Item 7: Upheld; penalty reduced to \$ 0.00.

Item 8a, b, c & d: Upheld; penalty reduced to \$0.00, abatement has been modified until May 22, 2018.

Item 9: Upheld; penalty reduced to \$ 0.00.

Item 10: Upheld; penalty reduced to \$ 0.00.

Item 11: Upheld; penalty reduced to \$ 0.00.

#### In exchange, The Employer agrees:

- 1. Train all instructors(s) who have a safety responsible in a Construction CFR 1926, 30 hour OSHA safety course, within ninety (90) days of signed Settlement Agreement.
- 2. IDOL will provide Safety and Health programs for the employer to develop within ninety (90) days of signed Settlement Agreement.
- 3. The Employer shall provide an agenda and the class sign in sheet to IDOL upon completion of the course.

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

Except for the above specified amendments all other provisions of Safety Order Number 318090644 are retained intact.

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

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

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.

| John Gleny School Corporation  By: W. W. M. M. C. | COMMISSIONER OF LABOR  By: (1) (1) (1) |
|---|--|
| Title: Kult.  | Title:                                 |
| Date: 2-19-18   | Date: 7/9/18                           |

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

Phone: 317-232-1979 FAX: (317)233-3790



# certified mail # 70163010000102887781 1-30-18 ft

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

To:

John Glenn School Corporation 101 John Glenn Drive

Walkerton, IN 46574

**Inspection Number:** 318090644

**CSHO ID:** I6147

Optional Report No.: 01018

**Inspection Date(s):** 9/22/2017

Issuance Date:

9/22/2017 - 10/11/2017

1/30/2018

#### **Inspection Site:**

NW Corner of Walnut Crossing Drive and SR23 The violation(s) described in this Safety Order and

Walkerton, IN 46574

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 be   | een scheduled with IOSHA  | to discuss the safety  | order(s) issued on |  |
|---|---------------------------|------------------------|--------------------|--|
| 1/30/2018. The conference will  | be held at the IOSHA offi | ce 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:** 318090644

**Inspection Date(s):** 9/22/2017 - 10/11/2017

Issuance Date: 1/30/2018 CSHO ID: 16147 Optional Report No.: 01018

#### Safety Order and Notification of Penalty

Company Name: John Glenn School Corporation

Inspection Site: NW Corner of Walnut Crossing Drive and SR23, Walkerton, IN 46574

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

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

Jobsite at 100 Walnut Crossing Drive, Walkerton, IN 46574 - On September 22, 2017, the employer had not developed, implemented, or enforced an accident prevention safety & health program which included but is not limited to the following items:

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

Date By Which Violation Must Be Abated:

3/16/2018

**Proposed Penalty:** 

Occupational Safety and Health Administration

**Inspection Number:** 318090644

**Inspection Date(s):** 9/22/2017 - 10/11/2017

**Issuance Date:** 

1/30/2018

CSHO ID:

I6147

Optional Report No.: 01018

### Safety Order and Notification of Penalty

Company Name: John Glenn School Corporation

Inspection Site: NW Corner of Walnut Crossing Drive and SR23, Walkerton, IN 46574

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

#### Safety Order 01 Item 002a

Type of Violation: **Serious** 

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

Jobsite at 100 Walnut Crossing Drive, Walkerton, IN 46574 - On September 22, 2017 inspections of the jobsite, materials, and equipment was not performed by a competent person where employees were exposed to falls.

Date By Which Violation Must Be Abated:

3/16/2018

**Proposed Penalty:** 

Occupational Safety and Health Administration

**Inspection Number:** 318090644

**Inspection Date(s):** 

9/22/2017 - 10/11/2017

**Issuance Date:** 

1/30/2018

CSHO ID:

I6147

Optional Report No.: 01018

## Safety Order and Notification of Penalty

Company Name: John Glenn School Corporation

Inspection Site:

NW Corner of Walnut Crossing Drive and SR23, Walkerton, IN 46574

#### Safety Order 01 Item 002b

Type of Violation: **Serious** 

29 CFR 1926.1053(b)(15): The ladder was not inspected by a competent person for visible defects on a periodic basis and/or after an occurrence that could have affected their safe use:

Jobsite at 100 Walnut Crossing Drive, Walkerton, IN 46574 - On September 22, 2017 the competent person did not inspect the eight foot high Werner fiberglass step ladder which has visibale defects of holes, bends and stressed aluminum ladder rungs on a periodic basis or after an occurrence that could affect the safe use.

Date By Which Violation Must Be Abated:

3/16/2018

**Proposed Penalty:** 

Occupational Safety and Health Administration

**Inspection Number:** 318090644

**Inspection Date(s):** 9/22/2017 - 10/11/2017

Issuance Date:

1/30/2018

CSHO ID:

I6147

Optional Report No.: 01018

#### Safety Order and Notification of Penalty

Company Name: John Glenn School Corporation

Inspection Site: NW Corner of Walnut Crossing Drive and SR23, Walkerton, IN 46574

#### Safety Order 01 Item 003

Type of Violation: Serious

29 CFR 1926.20(b)(3): The use of any machinery, tool, material, or equipment was not in compliance with the applicable requirements of this part:

Jobsite at 100 Walnut Crossing Drive, Walkerton, IN 46574 - On September 22, 2017 I observed the Werner eight foot long step ladder was not used according to manufacturer recommendations in that the step ladder is missing and/or has illegible label was not tagged out of service or rendered inoperable.

Date By Which Violation Must Be Abated:

Proposed Penalty:

**Corrected During Inspection** 

Occupational Safety and Health Administration

**Inspection Number:** 318090644

**Inspection Date(s):** 

9/22/2017 - 10/11/2017

**Issuance Date:** 

1/30/2018

CSHO ID:

I6147

Optional Report No.: 01018

## Safety Order and Notification of Penalty

Company Name: John Glenn School Corporation

**Inspection Site:** NW Corner of Walnut Crossing Drive and SR23, Walkerton, IN 46574

#### Safety Order 01 Item 004

Type of Violation: **Serious** 

29 CFR 1926.451(a)(1): Each scaffold component was not capable of supporting, without failure, its own weight and at least 4 times the maximum intended load applied or transmitted to it.:

Jobsite at 100 Walnut Crossing Drive, Walkerton, IN 46574 - On September 22, 2017 CSHO observed the 7 foot long by 5 foot wide welded tubular frame type scaffold, with platforms at 3 feet 8 inch high and 8 feet levels, had platforms on the bracing and was not capable of supporting, without failure, it's weight and at least 4 times the maximum intended load.

Date By Which Violation Must Be Abated:

**Corrected During Inspection** 

**Proposed Penalty:** 

\$4,500.00

Occupational Safety and Health Administration

**Inspection Number:** 318090644

**Inspection Date(s):** 

9/22/2017 - 10/11/2017

**Issuance Date:** 

1/30/2018

CSHO ID:

I6147

Optional Report No.: 01018

## Safety Order and Notification of Penalty

Company Name: John Glenn School Corporation

NW Corner of Walnut Crossing Drive and SR23, Walkerton, IN 46574 **Inspection Site:** 

#### Safety Order 01 Item 005

Type of Violation: **Serious** 

29 CFR 1926.451(c)(2): The legs of supported scaffolds were not set on plain or adjustable bases:

Jobsite at 100 Walnut Crossing Drive, Walkerton, IN 46574 - On September 22, 2017 I observed the legs of the supported scaffold, that was 5 feet wide, 7 feet long and 10 feet high, were set on nominal 2 x 4's / 2 x 6's and not plain or adjustable base plates.

**Date By Which Violation Must Be Abated:** 

**Corrected During Inspection** 

**Proposed Penalty:** \$4,500.00

Occupational Safety and Health Administration

Inspection Number: 318090644

**Inspection Date(s):** 9/22/2017 - 10/11/2017

Issuance Date: 1/30/2018 CSHO ID: 16147 Optional Report No.: 01018

#### Safety Order and Notification of Penalty

Company Name: John Glenn School Corporation

**Inspection Site:** NW Corner of Walnut Crossing Drive and SR23, Walkerton, IN 46574

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

## Safety Order 01 Item 006a Type of Violation: Serious

29 CFR 1926.451(c)(2)(i): On supported scaffolds, the footing or anchorage for scaffolds was not level:

Jobsite at 100 Walnut Crossing Drive, Walkerton, IN 46574 - On September 22, 2017 I observed the welded frame scaffold that was 5 feet wide, 7 feet long and 11 feet high, and its footing or anchorage was not level and was not capable of carrying the intended load without settling or displacement.

Date By Which Violation Must Be Abated:

**Corrected During Inspection** 

\$4,500.00

**Proposed Penalty:** 

Occupational Safety and Health Administration

Inspection Number: 318090644

**Inspection Date(s):** 

9/22/2017 - 10/11/2017

**Issuance Date:** 

1/30/2018

CSHO ID:

I6147

Optional Report No.: 01018

### Safety Order and Notification of Penalty

Company Name: John Glenn School Corporation

Inspection Site: NW Corner of Walnut Crossing Drive and SR23, Walkerton, IN 46574

#### Safety Order 01 Item 006b

Type of Violation: **Serious** 

29 CFR 1926.451(c)(2)(ii): On supported scaffolds, unstable objects were not prevented from being used to support the scaffolds or platform units:

Jobsite at 100 Walnut Crossing Drive, Walkerton, IN 46574 - On September 22, 2017 CSHO observed the welded frame scaffold that was five feet wide, seven feet long and ten feet high, was set on unstable objects of wood 2x4 and 2x6 pieces.

**Date By Which Violation Must Be Abated:** 

**Corrected During Inspection** 

**Proposed Penalty:** \$0.00

Occupational Safety and Health Administration

**Inspection Number:** 318090644

Inspection Date(s):

9/22/2017 - 10/11/2017

**Issuance Date:** 

1/30/2018

CSHO ID:

I6147

Optional Report No.: 01018

## Safety Order and Notification of Penalty

Company Name: John Glenn School Corporation

**Inspection Site:** NW Corner of Walnut Crossing Drive and SR23, Walkerton, IN 46574

#### Safety Order 01 Item 007

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:

Jobsite at 100 Walnut Crossing Drive, Walkerton, IN 46574 - On September 22, 2017 students engaged in scaffold activities, were not trained, directed or supervised by a qualified competent person.

Date By Which Violation Must Be Abated:

**Corrected During Inspection** \$4,500.00

**Proposed Penalty:** 

Occupational Safety and Health Administration

**Inspection Number:** 318090644

**Inspection Date(s):** 9/22/2017 - 10/11/2017

**Issuance Date:** 1/30/2018 **CSHO ID:** 16147

Optional Report No.: 01018

## Safety Order and Notification of Penalty

Company Name: John Glenn School Corporation

**Inspection Site:** NW Corner of Walnut Crossing Drive and SR23, Walkerton, IN 46574

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

#### Safety Order 01 Item 008a

Type of Violation: **Serious** 

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

Jobsite at 100 Walnut Crossing Drive, Walkerton, IN 46574 - On September 22, 2017 students engaged in performing work, while on a scaffold, had not been trained by a qualified person.

**Date By Which Violation Must Be Abated:** 

3/16/2018

**Proposed Penalty:** 

Occupational Safety and Health Administration

**Inspection Number:** 318090644

Inspection Date(s):

9/22/2017 - 10/11/2017

Issuance Date:

1/30/2018

CSHO ID:

I6147

Optional Report No.: 01018

#### Safety Order and Notification of Penalty

Company Name: John Glenn School Corporation

Inspection Site: NW Corner of Walnut Crossing Drive and SR23, Walkerton, IN 46574

#### Safety Order 01 Item 008b

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 hazards associated with the work in question.

Jobsite at 100 Walnut Crossing Drive, Walkerton, IN 46574 - On September 22, 2017 employees engaged in erecting the scaffold had not been trained by a competent person.

Date By Which Violation Must Be Abated:

3/16/2018

**Proposed Penalty:** 

Occupational Safety and Health Administration

**Inspection Number:** 318090644

**Inspection Date(s):** 9/22/2017 - 10/11/2017

**Issuance Date:** 1/30/2018 **CSHO ID:** 16147

**Optional Report No.:** 01018

## Safety Order and Notification of Penalty

Company Name: John Glenn School Corporation

Inspection Site: NW Corner of Walnut Crossing Drive and SR23, Walkerton, IN 46574

#### Safety Order 01 Item 008c

Type of Violation: **Serious** 

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

Jobsite at 100 Walnut Crossing Drive, Walkerton, IN 46574 - On September 22, 2017 employees exposed to fall hazards were not provided with a fall training program.

**Date By Which Violation Must Be Abated:** 

3/16/2018

**Proposed Penalty:** 

Occupational Safety and Health Administration

**Inspection Number:** 318090644

Inspection Date(s): 9/22/2017 - 10/11/2017

**Issuance Date:** 

1/30/2018

CSHO ID:

16147

Optional Report No.: 01018

## Safety Order and Notification of Penalty

Company Name: John Glenn School Corporation

**Inspection Site:** NW Corner of Walnut Crossing Drive and SR23, Walkerton, IN 46574

#### Safety Order 01 Item 008d

Type of Violation: Serious

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

Jobsite at 100 Walnut Crossing Drive, Walkerton, IN 46574 - On September 22, 2017 the employer did not provide such a program and train each employee in the use of and hazards related to ladders.

Date By Which Violation Must Be Abated:

3/16/2018

**Proposed Penalty:** 

Occupational Safety and Health Administration

**Inspection Number:** 318090644

**Inspection Date(s):** 9/22/2017 - 10/11/2017

**Issuance Date:** 1/30/2018 **CSHO ID:** 16147

Optional Report No.: 01018

## Safety Order and Notification of Penalty

Company Name: John Glenn School Corporation

**Inspection Site:** NW Corner of Walnut Crossing Drive and SR23, Walkerton, IN 46574

#### Safety Order 01 Item 009

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 systems, or personal fall arrest systems:

Jobsite at 100 Walnut Crossing Drive, Walkerton, IN 46574 - On September 22, 2017 I observed an instructor and three students engaged in placing dormer roof trusses and OSB sheathing at a height of 10 feet 6 inches above the lower level, were not protected from falls.

Date By Which Violation Must Be Abated:

**Corrected During Inspection** 

**Proposed Penalty:** 

\$4,500.00

Occupational Safety and Health Administration

Inspection Number: 318090644

**Inspection Date(s):** 9/22/2017 - 10/11/2017

**Issuance Date:** 1/30/2018 **CSHO ID:** 16147

Optional Report No.: 01018

## Safety Order and Notification of Penalty

Company Name: John Glenn School Corporation

Inspection Site: NW Corner of Walnut Crossing Drive and SR23, Walkerton, IN 46574

#### Safety Order 01 Item 010

Type of Violation: Serious

29 CFR 1926.1053(b)(4): Ladder(s) were used for purposes other than the purpose for which they were designed:

Jobsite at 100 Walnut Crossing Drive, Walkerton, IN 46574 - On September 22, 2017, I observed the 8 foot high Werner fiberglass step ladder was not folded out and was leaning against a scaffold, and students were using it to gain access to and from the roof to the lower level of soil.

Date By Which Violation Must Be Abated: Proposed Penalty:

**Corrected During Inspection** 

Occupational Safety and Health Administration

**Inspection Number:** 318090644

**Inspection Date(s):** 9/22/2017 - 10/11/2017

**Issuance Date:** 1/30/2018 **CSHO ID:** 16147

Optional Report No.: 01018

#### Safety Order and Notification of Penalty

Company Name: John Glenn School Corporation

Inspection Site: NW Corner of Walnut Crossing Drive and SR23, Walkerton, IN 46574

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

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

Jobsite at 100 Walnut Crossing Drive, Walkerton, IN 46574 - On September 22, 2017, I observed the 8 foot long Werner step ladder had structural defects of holes and indentations on the aluminum steps and it had not been identified as defective, tagged do not use, or removed from service.

Date By Which Violation Must Be Abated: Proposed Penalty:

**Corrected During Inspection** 

\$1.350.00

Jerry/W. Lander

Director of Construction Safety

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

Phone: (317)232-1979 FAX: (317)233-3790



#### INVOICE/DEBT COLLECTION NOTICE

Company Name:

John Glenn School Corporation

**Inspection Site:** 

NW Corner of Walnut Crossing Drive and SR23, Walkerton, IN 46574

**Issuance Date:** 

1/30/2018

Summary of Penalties for Inspection Number: 318090644

Safety Order 1, Serious

= \$30,600.00

TOTAL PENALTIES

= \$30,600.00

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 copyrof this work sheet should be posted at the worksite with the safety order(s).

Jerry W. Kander

Director of Construction Safety

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Date