

Indiana Department of Labor

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



certified mail #917190 0005 2720 0062 7015 8-17-16 jto

Notification of Failure to Abate Alleged Violations

To:

Selected Furniture LLC
1001 West Culver Road
Knox, IN 46534

Original Inspection Number: 316955368
Original Inspection Date(s): 3/20/2013 -
Inspection Number: 318012788
Inspection Date(s): 01/25/2016 - 04/22/2016
Issuance Date: 8/17/2016

Inspection Site:

1001 West Culver Road
Knox, IN 46534

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

After the original inspection, a Safety Order(s) was issued to you in accordance with the provisions of the Occupational Safety and Health Act of 1970 (the Act), notifying you of certain violations of the Act and the dates by which they were to be abated. Based upon reinspection, it is alleged that you have failed to abate the violation(s) listed below within the time prescribed, and the following additional penalties are proposed. The additional penalty is computed by multiplying a daily penalty times the number of days the violation(s) remained unabated. You are to notify the Area Director in writing of the date and nature of the corrective action taken. If you do not abate the violation(s), further penalties may be proposed and other enforcement action to compel abatement may be taken under section 11(b) of the Act.

You are further notified that you must pay the ADDITIONAL PENALTY unless you inform the Area Director in writing that you intend to contest the Notification or the Additional Penalty within 15 working days (excluding weekends and State holidays) from your receipt of this notification. If you do not contest within 15 working days after receipt, the Notification and the additional penalties will become the final order of the Occupational Safety and Health Review Commission and may not be reviewed by any court or agency. Issuance of this Notification does not constitute a finding that a violation of the Act has occurred unless there is a failure to contest as provided for in the Act or, if contested, unless the Notification is affirmed by the Review Commission.

Notification of Corrective Action - For **each** violation which you do not contest, you are required by 29 CFR 1903.19 to submit an Abatement Certification to the Area Director of the IOSHA office issuing the

safety order and identification above. The certification **must** be sent by you within **10 calendar days** of the abatement date of the abatement date identification on the safety order. For **Knowing and Repeat** violations, documents (examples: photos, copies of recipes, training records, etc.) demonstrating that abatement is complete must accompany the certification. Where the safety order is classified as Serious and the safety orders states that abatement documentation is required, documents such as those described above are required to be submitted along with the abatement certificate. If the safety order indicates that the violation was corrected during the inspection, no abatement certification is required for that item.

For each safety order where you do contest the violation or the abatement date, your obligation to submit abatement certification and any documents is delayed until the contest and the 10-day period after the abatement date have expired. See 29CFR 1903.19 and the OSHA 3000 booklet for more information.

All abatement verification documents must contain the following information: 1) Your name and address; 2) the inspection number (found on the front page); 3) the safety order and safety order item number(s) to which the submission relates; 4) a statement that the information is accurate; 5) the signature of the employer or employer's authorized representative; 6) the date the hazard was corrected; 7) a brief statement of how the hazard was corrected; and 8) a statement that affected employees and their representatives have been informed of the abatement.

The law also requires a copy of all abatement verification documents, required by 29 CFR 1903.19 to be sent to IOSHA, also be posted at the location where the violation appeared and the corrective action took place.

Inspection Activity Data - you should be aware that IOSHA publishes information on its inspection and safety order activity on the Internet under the provisions of the Electronic Freedom of Information Act. The information related to your inspection will be available 7 calendar days after the Safety Order Issuance Date. You are encouraged to review the information concerning your establishment at WWW.OSHA.GOV. If you have any dispute with the accuracy of the information displayed, please contact this office.

Make your check or money order payable to "Indiana DOL/IOSHA". Please indicate the Inspection Number on the remittance.

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Indiana Occupational Safety and Health Administration

NOTICE TO EMPLOYEES OF INFORMAL CONFERENCE

An informal conference has been scheduled with IOSHA to discuss the Notification of Failure to Abate Alleged Violations issued on 6/11/2013. The conference will be held at the OSHA 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.

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		Issuance Date:	8/17/2016
		CSHO ID:	A9888
		Optional Report No.:	9-16

Company Name: Selected Furniture LLC
Inspection Site: 1001 West Culver Road, Knox, IN 46534

Safety Order 01 Item 002

29 CFR 1910.133(a)(1): Protective eye and face equipment was not required where there was a reasonable probability of injury that could be prevented by such equipment:

Facility wide - The production employees who were wearing prescription glasses were not required to wear safety glasses that fit over their prescription glasses and have not been provided safety glasses that incorporate the prescription into their lenses while performing duties such as, but not limited to cutting wood with table saws and using staple guns.

FAILURE TO ABATE

On January 25, 2016, a follow-up inspection determined that production employees were not wearing safety glasses when they wore prescription glasses. For a period of thirty (30) or more days, including (30) days from July 8, 2013, the employer failed to provide personal protective equipment as required by the terms of the Safety Order and Notification of Penalty issued In Re Inspection of Selected Furniture and its Successors, Inspection No. 316955426, part of the citations issued to the employer on June 28, 2013, and the Final Order resulting therefrom.

FAILURE TO ABATE Safety Order 01 Item 002, INSPECTION NO. 316955368, ISSUED ON June 11, 2013.

Additional Penalty: **\$45,000.00**

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Company Name: Selected Furniture LLC

Inspection Site: 1001 West Culver Road, Knox, IN 46534

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 003a

29 CFR 1910.1200(e)(1): The employer did not develop, implement, and/or maintain at the workplace a written hazard communication program which describes how the criteria specified in 29 CFR 1910.1200(f), (g), and (h) will be met:

Facility wide - The production employees were using chemicals such as, but not limited to: Sayerlack Innovation Wood Solutions product TU0020/00 and SC41 Series coatings, acetone, and Wilsonart International 951 glue.

FAILURE TO ABATE

On January 25, 2016, a follow-up inspection determined that production employees were not provided a hazard communication program. For a period of thirty (30) or more days, including (30) days from July 8, 2013, the employer failed to develop a hazard communication program as required by the terms of the Safety Order and Notification of Penalty issued In Re Inspection of Selected Furniture and its Successors, Inspection No. 316955368, part of the citations issued to the employer on June 28, 2013, and the Final Order resulting therefrom.

FAILURE TO ABATE Safety Order 01 Item 003a, INSPECTION NO. 316955368, ISSUED ON June 11, 2013.

Additional Penalty:

\$27,000.00

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Safety Order 01 Item 003c

29 CFR 1910.1200(h)(1): Employees were not provided effective information and training on hazardous chemicals in their work area at the time of their initial assignment and whenever a new hazard that the employees had not been previously trained about was introduced into their work area:

Facility wide - Employees were not provided effective information or training when using chemicals such as, but not limited to, Sayerlack Innovation Wood Solutions product TU0020/00 and SC41 Series coatings, acetone, and Wilsonart International 951 glue.

FAILURE TO ABATE

On January 25, 2016, a follow-up inspection determined that production employees were using polyurethane basecoat transparent without training on the hazardous chemical. For a period of thirty (30) or more days, including (30) days from July 8, 2013, the employer failed to provide employees effective training as required by the terms of the Safety Order and Notification of Penalty issued In Re Inspection of Selected Furniture and its Successors, Inspection No. 316955368, part of the citations issued to the employer on June 28, 2013, and the Final Order resulting therefrom.

FAILURE TO ABATE Safety Order 01 Item 003c, INSPECTION NO. 316955368, ISSUED ON June 11, 2013.

Additional Penalty: \$27,000.00

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Company Name: Selected Furniture LLC

Inspection Site: 1001 West Culver Road, Knox, IN 46534

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 001a

29 CFR 1910.213(c)(1): Circular handfed ripsaw(s) were not guarded by an automatically adjusting hood which completely enclosed that portion of the saw above the table and above the material being cut:

a) Booths/laminate Department - A Powermatic, model 66, serial 886626, 440 volt hand-fed ripsaw was being used by employees to cut material to size by both cross cutting and ripping.

FAILURE TO ABATE

On January 25, 2016, a follow-up inspection determined that guarding was not in place for the Powermatic, model 66 circular hand-fed ripsaw blade. For a period of thirty (30) or more days, including (30) days from July 6, 2013, the employer failed to provide guarding as required by the terms of the Safety Order and Notification of Penalty issued In Re Inspection of Selected Furniture and its Successors, Inspection No. 316955426, part of the citations issued to the employer on June 28, 2013, and the Final Order resulting therefrom.

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Company Name: Selected Furniture LLC
Inspection Site: 1001 West Culver Road, Knox, IN 46534

b) Booths/laminate Department - A Jet Equipment & Tools, 14"/16" Tilting Arbor Tablesaw, Model CTAS-1476LFR, Stock No. 708432 hand-fed ripsaw was being used by employees to cut material to size by both cutting and ripping.

FAILURE TO ABATE

On January 25, 2016, a follow-up inspection determined that guarding was not in place for the Jet Equipment & Tools Tilting Arbor Tablesaw circular hand-fed ripsaw blade. For a period of thirty (30) or more days, including (30) days from July 6, 2013, the employer failed to provide guarding as required by the terms of the Safety Order and Notification of Penalty issued In Re Inspection of Selected Furniture and its Successors, Inspection No. 316955426, part of the citations issued to the employer on June 28, 2013, and the Final Order resulting therefrom.

FAILURE TO ABATE Safety Order 01 Item 001a, INSPECTION NO. 316955368, ISSUED ON June 11, 2013.

Additional Penalty: **\$45,000.00**

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Company Name: Selected Furniture LLC

Inspection Site: 1001 West Culver Road, Knox, IN 46534

Safety Order 01 Item 001b

29 CFR 1910.213(c)(2): Hand-fed circular ripsaw(s) were not furnished with a spreader to prevent material from squeezing the saw or being thrown back on the operator:

a) Booths/laminate Department - A Powermatic, model 66, serial 886626, 440 volt hand-fed ripsaw was being used by employees to cut material to size by both cross cutting and ripping.

FAILURE TO ABATE

On January 25, 2016, a follow-up inspection determined that a spreader was not in place for the Powermatic, model 66 circular hand-fed ripsaw blade. For a period of thirty (30) or more days, including (30) days from July 6, 2013, the employer failed to install a spreader as required by the terms of the Safety Order and Notification of Penalty issued In Re Inspection of Selected Furniture and its Successors, Inspection No. 316955426, part of the citations issued to the employer on June 28, 2013, and the Final Order resulting therefrom.

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Company Name: Selected Furniture LLC
Inspection Site: 1001 West Culver Road, Knox, IN 46534

b) Booths/laminate Department - A Jet Equipment & Tools, 14"/16" Tilting Arbor Tablesaw, Model CTAS-1476LFR, Stock No. 708432 hand-fed ripsaw was being used by employees to cut material to size by both cutting and ripping.

FAILURE TO ABATE

On January 25, 2016, a follow-up inspection determined that spreader was not in place for the Jet Equipment & Tools Tilting Arbor Tablesaw circular hand-fed ripsaw blade. For a period of thirty (30) or more days, including (30) days from July 6, 2013, the employer failed to install a spreader as required by the terms of the Safety Order and Notification of Penalty issued In Re Inspection of Selected Furniture and its Successors, Inspection No. 316955426, part of the citations issued to the employer on June 28, 2013, and the Final Order resulting therefrom.

FAILURE TO ABATE Safety Order 01 Item 001b, INSPECTION NO. 316955368, ISSUED ON June 11, 2013.

Additional Penalty: **\$45,000.00**

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Company Name: Selected Furniture LLC

Inspection Site: 1001 West Culver Road, Knox, IN 46534

Safety Order 01 Item 001c

29 CFR 1910.213(c)(3): Hand-fed ripsaw(s) did not have non kickback fingers or dogs so located as to oppose the thrust or tendency of the saw to pick up the material or to throw it back toward the operator:

a) Booths/laminate Department - A Powermatic, model 66, serial 886626, 440 volt hand-fed ripsaw was being used by employees to cut material to size by both cross cutting and ripping.

FAILURE TO ABATE

On January 25, 2016, a follow-up inspection determined that non kickback fingers or dogs were not in place for the Powermatic, model 66 circular hand-fed ripsaw blade. For a period of thirty (30) or more days, including (30) days from July 6, 2013, the employer failed to install non kickback fingers or dogs as required by the terms of the Safety Order and Notification of Penalty issued In Re Inspection of Selected Furniture and its Successors, Inspection No. 316955426, part of the citations issued to the employer on June 28, 2013, and the Final Order resulting therefrom.

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Inspection Site: 1001 West Culver Road, Knox, IN 46534

b) Booths/laminate Department - A Jet Equipment & Tools, 14"/16" Tilting Arbor Tablesaw, Model CTAS-1476LFR, Stock No. 708432 hand-fed rip saw was being used by employees to cut material to size by both cutting and ripping.

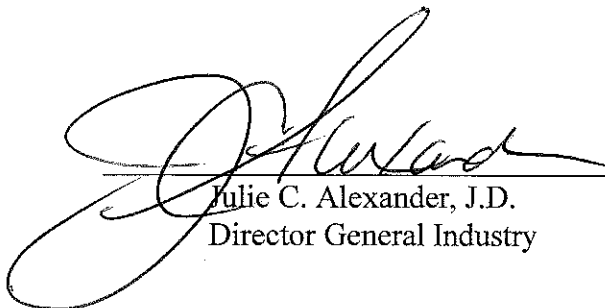
FAILURE TO ABATE

On January 25, 2016, a follow-up inspection determined that non kickback finger or dogs were not in place for the Jet Equipment & Tools Tilting Arbor Tablesaw circular hand-fed rip saw blade. For a period of thirty (30) or more days, including (30) days from July 6, 2013, the employer failed to install non kickback fingers or dogs as required by the terms of the Safety Order and Notification of Penalty issued In Re Inspection of Selected Furniture and its Successors, Inspection No. 316955426, part of the citations issued to the employer on June 28, 2013, and the Final Order resulting therefrom.

FAILURE TO ABATE Safety Order 01 Item 001c, INSPECTION NO. 316955368, ISSUED ON June 11, 2013.

Additional Penalty:

\$45,000.00


Julie C. Alexander, J.D.
Director General Industry

Indiana Department of Labor

Indiana Occupational Safety and Health Administration
402 West Washington St - Room W195
Indianapolis, IN 46204
Phone: (317)232-2691 FAX: (317)233-3790



INVOICE/ DEBT COLLECTION NOTICE

Company Name: Selected Furniture LLC
Inspection Site: 1001 West Culver Road, Knox, IN 46534
Issuance Date: 8/17/16
Opt. Insp. Nr: 9-16

Summary of Penalties for Inspection Number: 316955368
Followup Inspection Number: 318012788

Safety Order 1, Serious = \$234,000.00
TOTAL ADDITIONAL PROPOSED PENALTIES = \$234,000.00

To avoid additional charges, please remit payment promptly to this Office for the total amount of the uncontested penalties summarized above. Make your check or money order payable to: "Indiana DOL/IOSHA". Please indicate IOSHA's Inspection Number (indicated above) on the remittance.

OSHA 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.

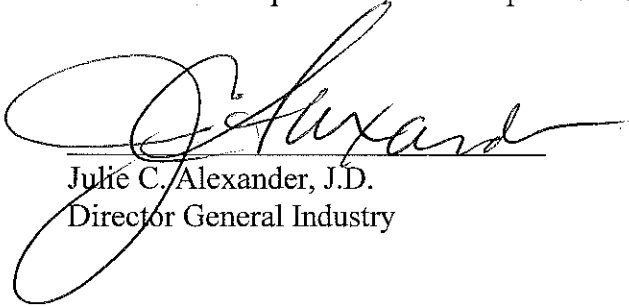
Pursuant to the Debt Collection Act of 1982 (Public Law 97-365) and regulations of the U.S. Department of Labor (29 CFR Part 20), the Occupational Safety and Health Administration is required to assess interest, delinquent charges, and administrative costs for the collection of delinquent penalty debts for violations of the Occupational Safety and Health Act.

Interest. Interest charges will be assessed at an annual rate determined by the Secretary of the Treasury on all penalty debt amounts not paid within one month (30 calendar days) of the date on which the debt amount becomes due and payable (penalty due date). The current interest rate is 5%. Interest will accrue from the date on which the penalty amounts (as proposed or adjusted) become a final order of the Occupational Safety and Health Review Commission (that is, 15 working days from your receipt of the Safety Order and Notification of Penalty), unless you file a notice of contest. Interest charges will be

waived if the full amount owed is paid within 30 calendar days of the final order.

Delinquent Charges. A debt is considered delinquent if it has not been paid within one month (30 calendar days) of the penalty due date or if a satisfactory payment arrangement has not been made. If the debt remains delinquent for more than 90 calendar days, a delinquent charge of six percent (6%) per annum will be assessed accruing from the date that the debt became delinquent.

Administrative Costs. Agencies of the Department of Labor are required to assess additional charges for the recovery of delinquent debts. These additional charges are administrative costs incurred by the Agency in its attempt to collect an unpaid debt. Administrative costs will be assessed for demand letters sent in an attempt to collect the unpaid debt.



Julie C. Alexander, J.D.
Director General Industry

8/17/16
Date