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A Compliance Check Newsletter

OSHA Proposes Penalties to Ohio Company

The U.S. Labor Department's Occupational Safety and Health Administration (OSHA) has issued citations and proposed penalties totaling \$179,700 to Allen County Recyclers Inc., doing business as Allen County Pallet Company, following an investigation into alleged workplace health and safety violations at its Lima, Ohio, facility.

The company was cited for two alleged willful violations for failing to lockout equipment before performing maintenance activities and failure to provide adequate machine guarding. A repeat violation was also issued for failing to provide adequate guarding on woodworking equipment. Serious violations addressed deficiencies with forklift operations, housekeeping, materials storage, and electrical cabinet maintenance.

OSHA also conducted a separate health inspection, which resulted in a serious citation for failing to inform workers of the need and purpose of audiometric testing. A willful citation was issued for failing to perform audiometric testing.

Allen County Pallet was last inspected in June 2003 following an accident where a worker was seriously injured after having been caught in unguarded machinery.

OSHA Proposes \$540,000 in Penalties for Ohio Auto Parts Manufacturer

An Ohio automotive parts manufacturer who failed to protect and train workers about hazards associated with mechanical power presses is facing proposed fines of \$540,000. The fines follow an accident in which an employee lost three fingers and suffered extensive upper body injuries, the Department of Labor's Occupational Safety and Health Administration (OSHA) announced today.

Plastech Exterior Systems Inc., an automotive stamping manufacturer in Newton Falls, Ohio, was cited for 16 safety and health violations, including seven alleged willful violations, for failure to secure in place the two-hand control stations of mechanical power presses.

"Management knew that workers operating mechanical power presses were exposed to serious hazards and yet they failed to take the action they knew was needed to eliminate those hazards," said John Henshaw, assistant secretary of labor for occupational safety and health. "Even after a worker suffered serious injuries, another employee was allowed to work on the very same machine-again without any efforts to abate the hazards-and that's unacceptable."

The citations are the result of an OSHA investigation that began April 8, in response to a complaint that an employee had suffered an amputation injury to his hand and serious injury to his arm while operating a mechanical power press. The investigation found the amputation happened on March 17.

OSHA assessed Plastech \$490,000 in penalties for the seven willful citations. The company was also issued for five serious citations with penalties totaling \$15,000, two repeat citations with a penalty of \$35,000, and two other-than-serious citations with no monetary penalty. Plastech has 15 working days to contest the citations and proposed penalties before the independent Occupational Safety and Health Review Commission

The Focus

U-Haul of Western N.Y. Faces \$73,200 in OSHA Fines Following Inspection At Tonawanda, N.Y., Rental Facility

U-Haul of Western New York faces \$73,200 in fines from the U.S. Labor Department's Occupational Safety and Health Administration (OSHA) for failing to adequately protect employees working with hazardous chemicals at its Tonawanda, N.Y., truck rental and leasing facility.

The 2843 Kenmore Ave. facility was cited for eight alleged repeat and serious violations of the Occupational Safety and Health Act following an OSHA inspection begun June 30 in response to employee complaints. Employees work with a variety of hazardous chemicals, including cleansers, antifreeze, paints and germicides, during truck maintenance and cleaning and while refilling propane tanks.

OSHA's inspection found that the company had not adequately informed employees of the hazards associated with these chemicals. Specifically, U-Haul failed to implement a hazard communication program; lacked material safety data sheets for chemicals; failed to train employees in chemical hazards; and did not label containers with chemicals' identities and hazard warnings. In addition, the company failed to maintain an illness and injury log and did not record all worker injuries.

"Hazard communication means informing and training employees about hazardous chemicals in their workplace, the dangers associated with them and steps to take if a worker is exposed," said Art Dube, OSHA's Buffalo area director. "This information, which is critical to preventing worker injuries and illnesses, was lacking at this workplace."

OSHA had cited U-Haul in April for similar hazards at a Littleton, Colo., facility. As a result, these latest citations are classified as repeat and \$70,200 in fines are proposed for them. OSHA issues a repeat citation when an employer has been previously been cited for a substantially similar hazard and the citations have become final.

OSHA Fines Batavia, N.Y., Commercial Laundry \$140,850 for Not Protecting Workers against Blood-borne Hazards

A Batavia, N.Y. commercial laundry faces \$140,850 in proposed penalties from the U.S. Labor Department's Occupational Safety and Health Administration (OSHA) for allegedly failing to protect workers against exposure to blood-borne pathogens from soiled laundry, discarded sharp objects and contaminated working surfaces.

Angelica Textile Service Inc., which launders and supplies linen and uniforms for the health care industry, was cited for 20 alleged willful and serious violations of workplace health standards following an OSHA inspection prompted by employee complaints.

OSHA's inspection found that the company failed to properly disinfect surfaces contaminated with blood or other potentially infectious materials and failed to develop and implement a schedule for disinfecting such areas. A willful citation, carrying a \$63,000 fine, was issued for these items. OSHA defines a willful violation as one committed with an intentional disregard for, or plain indifference to, the OSH Act and regulations.

The company was fined an additional \$77,850 for 19 serious citations, including an incomplete and outdated exposure control plan; not implementing controls to minimize employees' exposures to sharp objects; failing to supply protective aprons and ensure contaminated aprons were properly cleaned; improper disposal of contaminated sharps; failing to regularly inspect and decontaminate laundry hampers used to transport contaminated laundry; not providing the Hepatitis B vaccine to workers in a timely manner; inadequate post-exposure follow-up; not maintaining a log of sharps injuries; and inadequate employee training on blood-borne hazards.

Other cited conditions included laundry, feces and other waste on walking surfaces; exit routes obstructed by laundry and hampers; and electrical hazards. OSHA issues a serious citation when death or serious physical harm can result to an employee from a hazard about which the employer knew or should have known.