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Occupational Safety and Health Administration

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Inspection Detail

Case Status: CLOSED

Inspection: 1093157.015 – U.S. Postal Service

Inspection Information - Office: Jacksonville

Inspection Nr: 1093157.015

Report ID: 0419700

Date Opened: 09/16/2015

Site Address:

U.S. Postal Service
5200 Lillian Hwy
Pensacola, FL 32506

Union Status: Union

SIC:

NAICS: 491110/Postal Service

Mailing Address:

P.O. Box 40005, Jacksonville, FL 32203

Inspection Type: Complaint

Safety/Health: Health

Scope: Partial

Close Conference: 11/09/2015

Advanced Notice: N

Emphasis:

Ownership: Private

Case Closed: 09/12/2016

Related Activity

Type	Activity Nr	Safety	Health
Complaint	1017341	Yes	Yes

Case Status: CLOSED

Violation Summary

Violations/Penalties	Serious	Willful	Repeat	Other	Unclass	Total
Initial Violations			1	1		2
Current Violations	1			1		2
Initial Penalty	\$0	\$0	\$70,000	\$1,100	\$0	\$71,100
Current Penalty	\$7,000	\$0	\$0	\$500	\$0	\$7,500
FTA Penalty	\$0	\$0	\$0	\$0	\$0	\$0

Violation Items

#	Citation ID	Citation Type	Standard Cited	Issuance Date	Abatement Due Date	Current Penalty	Initial Penalty	FTA Penalty	Contest	Latest Event
1.	01001	Serious	5A0001	02/18/2016	06/29/2016	\$7,000	\$70,000	\$0	03/14/2016	F - Formal Settler
2.	02001	Other	19040035 B02	02/18/2016	03/03/2016	\$500	\$1,100	\$0	03/14/2016	F - Formal Settler

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U.S. DEPARTMENT OF LABOR

Occupational Safety and Health
Administration
200 Constitution Ave NW
Washington, DC 20210
☎ 1-800-321-OSHA
1-800-321-6742
www.osha.gov

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Citation and Notification of Penalty

Company Name: U.S. POSTAL SERVICE
Inspection Site: 5200 Lillian Hwy, Pensacola, FL 32506

Citation 1 Item 1 Type of Violation: **Repeat**

OSH ACT of 1970 Section (5)(a)(1): The employer did not furnish employment and a place of employment which were free from recognized hazards that were causing or likely to cause death or serious physical harm to employees in that employees were exposed to excessive heat while delivering the U.S. mail. Such exposure(s) may lead to serious and life-threatening heat-related illnesses such as heat stroke or heat exhaustion:

a) On or about September 17, 2015, at job sites located on mail routes in Pensacola, Florida, employees were exposed to the hazards of heat stress, heat exhaustion and heat stroke during mail delivery when exposed to a heat index inside the vehicle which exceeded 100 degrees F.

Feasible and acceptable methods to abate this hazard include, but are not limited to:

Ensure affected personnel working in the field have adequate amounts of cool (50 degrees to 60 degrees F), potable water and electrolyte replacements (specific recommendation should be made by medical consultation) along their route and not just back at the station. And require affected personnel to drink them frequently.

Develop and implement a process for identifying appropriate rest locations where letter carriers have adequate facilities for climate-controlled air or shade during the route.

Develop and implement a system to alert letter carriers to the heat index anticipated for the day and identify each precaution they should take to reduce the risk of heat-related illness.

Develop and implement a system to check and monitor letter carriers in the field when the National Weather Service heat advisories are in effect or when the heat index exceeds or is expected to exceed 91 degrees.

Establish work rules that instruct employees to report to management heat stress symptoms and seek assistance and evaluation when experiencing them.



Citation and Notification of Penalty

Company Name: U.S. POSTAL SERVICE
Inspection Site: 5200 Lillian Hwy, Pensacola, FL 32506

Conduct in-person evaluations of employees complaining of heat-related illness symptoms, and arrange for medical attention or other assistance as necessary. This may include providing first aid to the employee.

Train managers, supervisors, and employees in the measures to take to prevent heat-related illnesses, how to recognize in themselves and others the signs and symptoms of heat-related illnesses, and the procedures to follow when they or others are experiencing heat-related illnesses or emergencies, and the actions that should be taken in those situations, including first aid. Such training should be conducted annually in advance of the hot weather season and throughout the season when excessive heat is predicted. Ensure all trained personnel confirm their receipt and understanding of the training and that training records are maintained.

The U.S. Postal Service was previously cited for a violation of OSH ACT of 1970 Section (5)(a)(1), which was contained in OSHA inspection number 917092, citation number 1, item number 1 and was affirmed as a final order on 04/30/2014, with respect to a workplace located at 20 Forest Street, Medford, MA 02155.

The U.S. Postal Service was previously cited for a violation of the OSH ACT of 1970 Section (5)(a)(1), which was contained in OSHA inspection number 538158, citation number 1, item number 1 and was affirmed as a final order on 10/24/2014, with respect to a workplace located at 3525 South Cottage Avenue, Independence, MO 64055.

See information included in the Alleged Violation Description.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	06/29/2016
Proposed Penalty:	\$70000.00

U.S. Department of Labor
Occupational Safety and Health Administration

Inspection Number: 1093157
Inspection Date(s): 09/16/2015 - 11/09/2015
Issuance Date: 02/18/2016



Citation and Notification of Penalty

Company Name: U.S. POSTAL SERVICE
Inspection Site: 5200 Lillian Hwy, Pensacola, FL 32506

Citation 2 Item 1 Type of Violation: **Other-than-Serious**

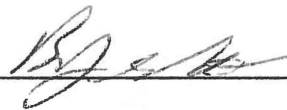
29 CFR 1904.35(b)(2): The employer did not give their employees, former employees, their personal representatives and their authorized employee representatives the OSHA injury and illness records:

a) On or about August 19, 2015, an authorized representative from the National Association of Letter Carriers requested copies of OSHA 300 logs or equivalents from USPS Myrtle Grove Pensacola Station and was not provided copies within 7 calendar days as required.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:
Proposed Penalty:

03/03/2016
\$1100.00



Brian J. Sturtecky
Area Director

See pages 1 through 4 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.

U.S. Department of Labor
Occupational Safety and Health Administration
1851 Executive Center Drive
Suite 227
Jacksonville, FL 32207
Phone: 904-232-2895 Fax: 904-232-1294



INVOICE / DEBT COLLECTION NOTICE

Company Name: U.S. POSTAL SERVICE
Inspection Site: 5200 Lillian Hwy, Pensacola, FL 32506
Issuance Date: 02/18/2016

Summary of Penalties for Inspection Number	1093157
Citation 1, Repeat	\$70000.00
Citation 2, Other-than-Serious	\$1100.00
TOTAL PROPOSED PENALTIES	\$71100.00

To avoid additional charges, please remit payment promptly to this Area Office for the total amount of the uncontested penalties summarized above. Make your check or money order payable to: "DOL-OSHA". Please indicate OSHA's Inspection Number (indicated above) on the remittance. You can also make your payment electronically on www.pay.gov. On the left side of the pay.gov homepage, you will see an option to Search Public Forms. Type "OSHA" and click Go. From the results, click on **OSHA Penalty Payment Form**. The direct link is <https://www.pay.gov/paygov/forms/formInstance.html?agencyFormId=53090334>. You will be required to enter your inspection number when making the payment. Payments can be made by credit card or Automated Clearing House (ACH) using your banking information. Payments of \$25,000 or more require a Transaction ID, and also must be paid using ACH. If you require a Transaction ID, please contact the OSHA Debt Collection Team at (202) 693-2170.

OSHA does not agree to any restrictions or conditions or endorsements put on any check, money order, or electronic payment for less than the full amount due, and will cash the check or money order as if these restrictions or conditions do not exist.

If a personal check is issued, it will be converted into an electronic fund transfer (EFT). This means that our bank will copy your check and use the account information on it to electronically debit your account for the amount of the check. The debit from your account will then usually occur within 24 hours and will be shown on your regular account statement. You will not receive your original check back. The bank will destroy your original check, but will keep a copy of it. If the EFT cannot be completed because of insufficient funds or closed

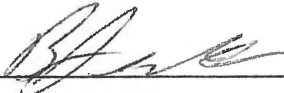
account, the bank will attempt to make the transfer up to 2 times.

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 one percent (1%). 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 Citation 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.



Brian J. Sturtecky

Area Director



Date

U.S. Department of Labor

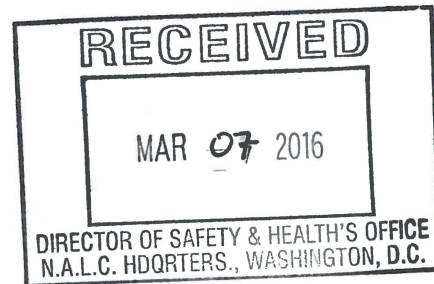
Occupational Safety and Health Administration
1851 Executive Center Drive, Suite 227
Jacksonville, Florida 32207-2350
Telephone: 904-232-2895
Facsimile: 904-232-1294



Reply to the Attention of: Area Director

March 3, 2016

Phillip Kipper
Michael Herring
NALC, Local 321
3817 NORTH S ST
PENSACOLA, FL 32505



Dear Mr. Phillip Kipper and Michael Herring:

Enclosed for your information are copies of the letter and citation(s) that we have sent to the employer as a result of our recent inspection.

Please contact this office if you have any questions.

Sincerely,

Brian M. Sturtecky
FOR Brian M. Sturtecky
Area Director

Enclosures

cc: NALC Director of Safety and Health Manuel L. Peralta Jr.
100 Indiana Ave. NW | Washington, DC 20001

**Este documento es muy importante. Si ud. No habla inglés,
busque un traductor o llame al (904) 232-2895.**

U.S. Department of Labor Occupational Safety and Health Administration
1851 Executive Center Drive Suite 227
Jacksonville, FL 32207
Phone: (904) 232-2895 Fax: (904) 232-1294



February 18, 2016

Dear Sydney Dobrow,

On 09/16/2015, an OSHA compliance officer met with you or your representative as part of an inspection at 5200 Lillian Hwy Pensacola, FL 32506. This letter includes the citations for the violations that were found (see summary below). Please choose one of the three options from the box to the right and complete the associated steps found on the following page **within 15 working days**. Please call us if you have any questions about the enclosed citation and/or penalties; we are here to help you choose the best option to resolve your citation as quickly as possible.

Sincerely,

Brian J. Sturtecky, Area Director

Your Citation Summary
U.S. POSTAL SERVICE
Inspection Number: 1093157

Total Amount Due: \$71100.00
**Payment Due Date: 15 working days
after receipt of
this letter**

You must correct each violation by the date listed in the Citation and Notification of Penalty. Please see the violations and the correction deadline for each violation starting on page 6.

Total Number of Violations : 2
Your First Correction Deadline is:
3/3/2016

**Step 1 – Choose a Response
Option and
Act within 15 working days**

Respond now before you lose the ability to discuss potential adjustments to penalty amounts and/or due dates. Please choose one option below and complete the steps on the next page.

Option #1 – Discuss with OSHA

I would like to discuss the citation with an OSHA representative. This may lead to changes in the penalty amount, due date or correction deadlines (if appropriate).

Option #2 – Correct and Pay

I agree with the citation, penalties, and correction deadlines, and do not contest.

Option #3 – Contest the Citation

I do not agree with the citation, penalties, and/or correction deadlines, and would like to contest.

Questions or Concerns?

If you have any questions or concerns regarding the citation, penalties, and/or correction deadlines, please call us at (904) 232-2895.

Step 2 – Complete One Option Checklist

Please post a copy of the citation at or near the place where each violation occurred, even if you plan to contest. You can use the checklist to the right to help plan your next steps. Please do not send in your checklist.

Option #1 – Discuss with OSHA

I will complete by:



1. Call: Brian J. Sturtecky, Area Director, at (904) 232-2895 as soon as possible to schedule a meeting with an OSHA representative that must occur **within 15 working days** of receiving this citation. Bring supporting documentation of existing conditions and corrections done thus far. If necessary, you can still contest the citation after this meeting. ****This meeting does NOT extend your 15 working day deadline to contest the citation.****

 ___ / ___

2. Fill in and post the attached "Notice to Employees OSHA Informal Conference" after scheduling meeting.

 ___ / ___

Option #2 – Correct Violations and Pay Penalty

I will complete by:



1. Correct violations, then complete and mail the attached "Certification of Corrective Action Worksheet" along with the appropriate evidence of repair (e.g. photos, purchase orders, etc.) to the OSHA office listed on the first page, **postmarked within 10 calendar days after each violation's correction deadline and include any required evidence. If these documents are transmitted by means other than mailing, the date the Agency received the documents is the date of submission.**

 ___ / ___

2. Pay the **Total Penalty** by using one of the following methods:
****Include your Inspection Number (see first page) on the payment.****

 ___ / ___

Pay Online: Search "OSHA" on www.pay.gov and complete the "OSHA Penalty Payment Form." Pay by debit, credit or Automated Clearing House (ACH) **within 15 working days**. Penalties over \$25,000 must be paid by ACH and require a Transaction ID (Call 202-693-2170 to obtain one).

Pay by Check: Mail check or money order payable to "DOL-OSHA" for the Total Penalty to the OSHA office listed on the first page **within 15 working days**.

Option #3 – Contest the Citation

I will complete by:



Mail a letter of intent to legally contest to the OSHA office listed on the first page, postmarked within **15 working days**.

 ___ / ___