

**U.S. Department of Labor**  
Occupational Safety and Health Administration  
138 River Road  
Suite 102, Shattuck Office Center  
Andover, MA 01810  
Phone: 978-837-4460 Fax: 978-837-4455



## Citation and Notification of Penalty

**To:**  
A S General Construction Inc.  
and its successors  
406 Pleasant Street  
Framingham, MA 01701

**Inspection Number:** 1081403  
**Inspection Date(s):** 07/30/2015 - 07/30/2015  
**Issuance Date:** 01/21/2016

**Inspection Site:**  
51 Pleasant Street  
Woburn, MA 01801

*The violation(s) described in this Citation 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.*

This Citation and Notification of Penalty (this Citation) describes violations of the Occupational Safety and Health Act of 1970. The penalty(ies) listed herein is (are) based on these violations. You must abate the violations referred to in this Citation by the dates listed and pay the penalties proposed, unless within 15 working days (excluding weekends and Federal holidays) from your receipt of this Citation and Notification of Penalty **you either call to schedule an informal conference (see paragraph below) or** you mail a notice of contest to the U.S. Department of Labor Area Office at the address shown above. Please refer to the enclosed booklet (OSHA 3000) which outlines your rights and responsibilities and which should be read in conjunction with this form. Issuance of this Citation 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 this Citation is affirmed by the Review Commission or a court.

**Posting** - The law requires that a copy of this Citation and Notification of Penalty be posted immediately in a prominent place at or near the location of the violation(s) cited herein, or, if it is not practicable because of the nature of the employer's operations, where it will be readily observable by all affected employees. This Citation must remain posted until the violation(s) cited herein has (have) been abated, or for 3 working days (excluding weekends and Federal holidays), whichever is longer.

**Informal Conference** - An informal conference is not required. However, if you wish to have such a conference you may request one with the Area Director during the 15 working day contest period. During such an informal conference you may present any evidence or views which you believe would support an adjustment to the citation(s) and/or penalty(ies).

If you are considering a request for an informal conference to discuss any issues related to this Citation and Notification of Penalty, you must take care to schedule it early enough to allow time to contest after the informal conference, should you decide to do so. Please keep in mind that a written letter of intent to contest must be submitted to the Area Director within 15 working days of your receipt of this Citation. The running of this contest period is not interrupted by an informal conference.

If you decide to request an informal conference, please complete, remove and post the Notice to Employees next to this Citation and Notification of Penalty as soon as the time, date, and place of the informal conference have been determined. Be sure to bring to the conference any and all supporting documentation of existing conditions as well as any abatement steps taken thus far. If conditions warrant, we can enter into an informal settlement agreement which amicably resolves this matter without litigation or contest.

**Right to Contest** – You have the right to contest this Citation and Notification of Penalty. You may contest all citation items or only individual items. You may also contest proposed penalties and/or abatement dates without contesting the underlying violations. **Unless you inform the Area Director in writing that you intend to contest the citation(s) and/or proposed penalty(ies) within 15 working days after receipt, the citation(s) and the proposed penalty(ies) will become a final order of the Occupational Safety and Health Review Commission and may not be reviewed by any court or agency.**

**Penalty Payment** – Penalties are due within 15 working days of receipt of this notification unless contested. (See the enclosed booklet and the additional information provided related to the Debt Collection Act of 1982.) Make your check or money order payable to “DOL-OSHA”. Please indicate the Inspection Number on the remittance. You can also make your payment electronically on [www.pay.gov](http://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 process the payments as if these restrictions or conditions do not exist.

**Notification of Corrective Action** – For each violation which you do not contest, you must provide ***abatement certification*** to the Area Director of the OSHA office issuing the citation and identified above. This abatement certification is to be provided by letter within 10 calendar days after each abatement date. Abatement certification includes the date and method of abatement. If the citation indicates that the violation was corrected during the inspection, no abatement certification is required for that item. The abatement certification letter must be posted at the location where the violation appeared and the corrective action took place or employees must otherwise be effectively informed about abatement activities. A sample abatement certification letter is enclosed with this Citation. In addition, where the citation indicates that ***abatement documentation*** is necessary, evidence of the purchase or repair of equipment, photographs or video, receipts, training records, etc., verifying that abatement has occurred is required to be provided to the Area Director.

**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 U.S. Department of Labor Area Office at the address shown above.

**Employer Rights and Responsibilities** – The enclosed booklet (OSHA 3000) outlines additional employer rights and responsibilities and should be read in conjunction with this notification.

**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 U.S. Department of Labor Area Office at the address shown above and postmarked within 15 working days (excluding weekends and Federal holidays) of the receipt by the employer of this Citation and Notification of Penalty.

**Inspection Activity Data** – You should be aware that OSHA publishes information on its inspection and citation activity on the Internet under the provisions of the Electronic Freedom of Information Act. The information related to these alleged violations will be posted when our system indicates that you have received this citation. You are encouraged to review the information concerning your establishment at [www.osha.gov](http://www.osha.gov). If you have any dispute with the accuracy of the information displayed, please contact this office.



## NOTICE TO EMPLOYEES OF INFORMAL CONFERENCE

An informal conference has been scheduled with OSHA to discuss the citation(s) issued on 01/21/2016. The conference will be held by telephone or at the OSHA office located at 138 River Road, Suite 102, Shattuck Office Center, Andover, MA 01810 on \_\_\_\_\_ at \_\_\_\_\_.

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

**CERTIFICATION OF CORRECTIVE ACTION WORKSHEET**

**Inspection Number: 1081403**

Company Name: A S General Construction Inc.  
Inspection Site: 51 Pleasant Street, Woburn, MA 01801  
Issuance Date: 01/21/2016

List the specific method of correction for each item on this citation in this package that does not read "Corrected During Inspection" and return to: **U.S. Department of Labor – Occupational Safety and Health Administration, 138 River Road, Suite 102, Shattuck Office Center, Andover, MA 01810**

Citation Number \_\_\_\_\_ and Item Number \_\_\_\_\_ was corrected on \_\_\_\_\_  
By (Method of Abatement): \_\_\_\_\_

Citation Number \_\_\_\_\_ and Item Number \_\_\_\_\_ was corrected on \_\_\_\_\_  
By (Method of Abatement): \_\_\_\_\_

Citation Number \_\_\_\_\_ and Item Number \_\_\_\_\_ was corrected on \_\_\_\_\_  
By (Method of Abatement): \_\_\_\_\_

Citation Number \_\_\_\_\_ and Item Number \_\_\_\_\_ was corrected on \_\_\_\_\_  
By (Method of Abatement): \_\_\_\_\_

Citation Number \_\_\_\_\_ and Item Number \_\_\_\_\_ was corrected on \_\_\_\_\_  
By (Method of Abatement): \_\_\_\_\_

Citation Number \_\_\_\_\_ and Item Number \_\_\_\_\_ was corrected on \_\_\_\_\_  
By (Method of Abatement): \_\_\_\_\_

I certify that the information contained in this document is accurate and that the affected employees and their representatives have been informed of the abatement.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Typed or Printed Name

\_\_\_\_\_  
Title

**NOTE: 29 USC 666(g)** whoever knowingly makes any false statements, representation or certification in any application, record, plan or other documents filed or required to be maintained pursuant to the Act shall, upon conviction, be punished by a fine of not more than \$10,000 or by imprisonment of not more than 6 months or both.

**POSTING:** A copy of completed Corrective Action Worksheet should be posted for employee review



**Citation and Notification of Penalty**

**Company Name:** A S General Construction Inc.  
**Inspection Site:** 51 Pleasant Street, Woburn, MA 01801

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

29 CFR 1926.25(a): During the course of construction, alteration, or repairs, debris is not kept cleared from work areas, passageways, and stairs, in and around buildings or other structures:

This violation was most recently observed on 7/30/2015 at a worksite at 51 Pleasant Street, Woburn, MA, where debris was not kept clear from work areas, passageways, and stairs, in and around buildings or other structures, exposing employees to protruding nails, debris, and trash that was not removed from the work area.

To abate this violation, the employer must ensure that during the course of construction, alteration, or repairs, debris is kept cleared from work areas, passageways, and stairs, in and around buildings or other structures.

Date By Which Violation Must be Abated:  
Proposed Penalty:

Corrected During Inspection  
\$3960.00



**Citation and Notification of Penalty**

**Company Name:** A S General Construction Inc.  
**Inspection Site:** 51 Pleasant Street, Woburn, MA 01801

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**Citation 1 Item 2** Type of Violation: **Serious**

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

This violation was most recently observed on 7/30/2015 at a worksite at 51 Pleasant Street, Woburn, MA, where the employer allowed employees to work on scaffolds without adequate training by a person qualified in the subject matter.

To abate this violation, the employer must ensure that each employee be trained to recognize the hazards associated with the type of scaffold being used and to understand the procedures to control or minimize those hazards.

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated:	03/09/2016
Proposed Penalty:	\$4620.00



**Citation and Notification of Penalty**

**Company Name:** A S General Construction Inc.  
**Inspection Site:** 51 Pleasant Street, Woburn, MA 01801

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**Citation 1 Item 3** Type of Violation: **Serious**

29 CFR 1926.502(d)(15): The employer does not ensure anchorage points used for attachment of personal fall arrest equipment are independent of any anchorage point being used to support or suspend platforms and capable of supporting at least 5,000 pounds (22.2 kN) per employee.

This violation was most recently observed on 7/30/2015 at a jobsite located 51 Pleasant Street Woburn, MA, where anchorage points used for attachment of personal fall arrest equipment were not capable of supporting at least 5,000 pounds (22.2 kN) per employee, exposing employees to a fall hazard greater than 21-feet, 6-inches.

To abate this violation, the employer must ensure that anchorage points are properly installed and capable of supporting at least 5,000 pounds (22.2 kN) per employee, to protect each employee working 6 feet or more above a lower level from falling.

Date By Which Violation Must be Abated:  
Proposed Penalty:

Corrected During Inspection  
\$4620.00



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

**Inspection Number:** 1081403  
**Inspection Date(s):** 07/30/2015 - 07/30/2015  
**Issuance Date:** 01/21/2016



**Citation and Notification of Penalty**

**Company Name:** A S General Construction Inc.  
**Inspection Site:** 51 Pleasant Street, Woburn, MA 01801

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**Citation 1 Item 4** Type of Violation: **Serious**

29 CFR 1926.1051(a): The employer does not provide stairway(s) or ladder(s) at all personnel points of access where there is a break in elevation of 19 inches (48 cm) or more, or no ramp, runway, sloped embankment, or personnel hoist is provided:

This violation was most recently observed on 7/30/2015 at a worksite at 51 Pleasant Street, Woburn, MA, where proper access to a ladder jack scaffold was not provided, exposing employees to fall hazards of up to 21-feet, 6-inches.

To abate this violation, the employer must ensure that a separate ladder is provided to access the roof from the scaffold to protect employees from fall hazards.

**Date By Which Violation Must be Abated:**  
**Proposed Penalty:**

**Corrected During Inspection**  
**\$4620.00**

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



**Citation and Notification of Penalty**

**Company Name:** A S General Construction Inc.  
**Inspection Site:** 51 Pleasant Street, Woburn, MA 01801

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**Citation 1 Item 5** Type of Violation: **Serious**

29 CFR 1926.1053(b)(5)(i): The employer does not ensure that non-self-supporting ladder(s) are used at an angle such that the horizontal distance from the top support to the foot of the ladder is approximately one-quarter of the working length of the ladder.

This violation was most recently observed on 7/30/2015 at a jobsite located 51 Pleasant Street Woburn, MA, where the horizontal distance from the top support to the foot of the ladder was less than one-quarter of the working length of the ladder, exposing employees accessing and working from the ladders and ladders of the ladder jack scaffold to fall hazards greater than 21 feet, 6-inches for the following instances;

Instance 1: Back Eastside corner of house ladder jack scaffold - 32-foot Werner aluminum extension ladder was setup at a horizontal distance of 12' 4", Instance 2: Middle Eastside of house ladder jack scaffold - 32-foot Werner aluminum extension ladder was setup at a horizontal distance of 9' 10", Instance 3: Front Eastside corner of house ladder jack scaffold - 32-foot Werner aluminum extension ladder was setup at a horizontal distance of 7' 6".

To abate this violation, the employer must ensure that the ladders horizontal distance from the top support to the foot of the ladder is approximately one-quarter of the working length of the ladder, to protect each employee accessing the ladders from fall hazards.

Date By Which Violation Must be Abated:  
Proposed Penalty:

Corrected During Inspection  
\$4620.00



**Citation and Notification of Penalty**

**Company Name:** A S General Construction Inc.  
**Inspection Site:** 51 Pleasant Street, Woburn, MA 01801

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**Citation 1 Item 6** Type of Violation: **Serious**

29 CFR 1926.1053(b)(6): The employer does not ensure that unsecured ladder(s) are used on surfaces that are stable and level.

This violation was most recently observed on 7/30/2015 at a jobsite located 51 Pleasant Street Woburn, MA, where the ladders were not set up on stable and level surfaces, exposing employees accessing and working from the ladders and ladders of the ladder jack scaffold to fall hazards greater than 21 feet, 6-inches, for the following instances;

Instance 1: Westside of house ladder jack scaffold - 32-foot Werner aluminum extension ladder's right foot of ladder was placed on a paving stone,

Instance 2 and 3: Westside of house ladder jack scaffold - Two 16-foot Werner aluminum extension ladders feet were placed in the first floor roof gutter.

To abate this violation, the employer must ensure that the ladders are setup on stable and level surfaces to protect each employee accessing the ladders from fall hazards.

Date By Which Violation Must be Abated:  
Proposed Penalty:

Corrected During Inspection  
\$4620.00



**Citation and Notification of Penalty**

**Company Name:** A S General Construction Inc.  
**Inspection Site:** 51 Pleasant Street, Woburn, MA 01801

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**Citation 1 Item 7** Type of Violation: **Serious**

29 CFR 1926.1053(b)(16): The employer does not immediately mark 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, in a manner that readily identifies them as defective, or tag with them "Do Not Use" or similar language, nor does the employer withdraw from service until repaired.

This violation was most recently observed on 7/30/2015 at a jobsite located 51 Pleasant Street Woburn, MA, where ladders with damaged and defective parts were not withdrawn from service, exposing employees accessing and working from the ladders and ladders of the ladder jack scaffold to fall hazards of up to 21 feet, 6-inches, for the following instances;

Instance 1: Werner 32-foot ladder with two bent rungs.

Instance 2: Werner 24-foot ladder with the first rung broken, 7th rung bent, and the ladder's side rail broken and damaged.

To abate this violation, the employer must ensure that ladders with damage and defective parts are withdrawn from service until repaired.

Date By Which Violation Must be Abated:  
Proposed Penalty:

Corrected During Inspection  
\$4620.00

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

**Inspection Number:** 1081403  
**Inspection Date(s):** 07/30/2015 - 07/30/2015  
**Issuance Date:** 01/21/2016



**Citation and Notification of Penalty**

**Company Name:** A S General Construction Inc.  
**Inspection Site:** 51 Pleasant Street, Woburn, MA 01801

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**Citation 2 Item 1** Type of Violation: **Willful**

29 CFR 1926.451(g)(1): Employees on scaffolds more than 10 feet (3.1 m) above a lower level are not protected from falling to that lower level by fall protection.

This violation was most recently observed on 7/30/2015 at a worksite at 51 Pleasant Street Woburn, MA, where fall arrest systems were not provided while working from a ladder jack scaffold, exposing employees to fall hazards of up to 21 feet, 6-inches.

To abate this violation, the employer must ensure that a fall protection system is in place to protect each employee from falls while working from scaffolds 10 feet or higher.

Date By Which Violation Must be Abated:	Corrected During Inspection
Proposed Penalty:	\$46200.00

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

**Inspection Number:** 1081403  
**Inspection Date(s):** 07/30/2015 - 07/30/2015  
**Issuance Date:** 01/21/2016



**Citation and Notification of Penalty**

**Company Name:** A S General Construction Inc.  
**Inspection Site:** 51 Pleasant Street, Woburn, MA 01801

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**Citation 2 Item 2** Type of Violation: **Willful**

29 CFR 1926.501(b)(13): Each employee(s) engaged in residential construction activities 6 feet (1.8 m) or more above lower levels are not protected by guardrail systems, safety net system, or personal fall arrest system, nor are employee(s) provided with an alternative fall protection measure under another provision of paragraph 1926.501 (b).

This violation was most recently observed on 7/30/2015 at a worksite at 51 Pleasant Street Woburn, MA, where fall arrest systems were not provided, exposing employees working from a 10-pitch roof to a fall hazard greater than 21-feet, 6-inches.

To abate this violation, the employer must ensure that a fall protection system is in place to protect each employee working 6 feet or more above a lower level from falling.

Date By Which Violation Must be Abated:  
Proposed Penalty:

Corrected During Inspection  
\$46200.00

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



**Citation and Notification of Penalty**

**Company Name:** A S General Construction Inc.  
**Inspection Site:** 51 Pleasant Street, Woburn, MA 01801

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**Citation 3 Item 1** Type of Violation: **Repeat**

29 CFR 1926.100(a): Employees working in areas where there is a possible danger of head injury from impact, or falling or flying objects, or from electrical shock and burns, are not protected by protective helmets:

This violation was most recently observed on 7/30/2015 at a worksite at 51 Pleasant Street, Woburn, MA, where protective helmets were not provided to employees working below other employees performing roofing activities above, exposing those employees working below to overhead struck-by hazards. A S General Construction Inc. has been previously cited for this practice, as described below.

A S General Construction Inc. was previously cited for a violation of this occupational safety and health standard or its equivalent standard 1926.100 (a) which was contained in OSHA inspection 1046935, citation 1, item 1 and was affirmed as a final order on June 5, 2015, with respect to a workplace located at 62 Ryan Farm Road Windham, NH.

To abate this violation, the employer must ensure that each employee exposed to overhead struck-by hazards wears a protective helmet.

Date By Which Violation Must be Abated:  
Proposed Penalty:

Corrected During Inspection  
\$9240.00



**Citation and Notification of Penalty**

**Company Name:** A S General Construction Inc.  
**Inspection Site:** 51 Pleasant Street, Woburn, MA 01801

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**Citation 3 Item 2** Type of Violation: **Repeat**

29 CFR 1926.102(a)(1): Eye and face protective equipment are not used when machines or operations presented potential eye or face injury from physical, chemical, or radiation agents.

This violation was most recently observed on 7/30/2015 at a worksite at 51 Pleasant Street, Woburn, MA, where eye and face protection are not provided to employees using pneumatic nail guns, exposing employees to eye injuries. A S General Construction Inc. has been previously cited for this practice, as described below.

A S General Construction Inc. was previously cited for a violation of this occupational safety and health standard or its equivalent standard 1926.102 (a)(1) which was contained in OSHA inspection 1046935, citation 1, item 2 and was affirmed as a final order on June 5, 2015, with respect to a workplace located at 62 Ryan Farm Road Windham, NH.

To abate this violation, the employer must ensure that each employee wears eye protection, to protect each employee from eye injury.

Date By Which Violation Must be Abated:	Corrected During Inspection
Proposed Penalty:	\$9240.00





**Citation and Notification of Penalty**

**Company Name:** A S General Construction Inc.  
**Inspection Site:** 51 Pleasant Street, Woburn, MA 01801

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**Citation 3 Item 3** Type of Violation: **Repeat**

29 CFR 1926.451(b)(5)(i): The employer does not ensure that each end of a platform 10 feet or less in length shall not extend over its support more than 12 inches (30 cm) unless the platform is designed and installed so that the cantilevered portion of the platform is able to support employees and/or materials without tipping, or has guardrails which block employee access to the cantilevered end.

This violation was most recently observed on 7/30/2015 at a worksite at 51 Pleasant Street, Woburn, MA, where each end of the platform 10 feet or less in length extended over its support more than 12 inches, exposing employees to fall hazards of 21-feet, 6-inches. A S General Construction Inc. has been previously cited for this practice, as described below.

A S General Construction Inc. was previously cited for a violation of this occupational safety and health standard or its equivalent standard 1926.451(e)(1) which was contained in OSHA inspection 1046935, citation 1, item 2b and was affirmed as a final order on June 5, 2015, with respect to a workplace located at 62 Ryan Farm Road Windham, NH.

To abate this violation, the employer must ensure that each end of a platform 10 feet or less in length does not extend over its support more than 12 inches, to protect each employee working 6 feet or more above a lower level from falling.

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated:	01/27/2016
Proposed Penalty:	\$9240.00



**Citation and Notification of Penalty**

**Company Name:** A S General Construction Inc.  
**Inspection Site:** 51 Pleasant Street, Woburn, MA 01801

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**Citation 3 Item 4** Type of Violation: **Repeat**

29 CFR 1926.451(e)(1): The employer does not ensure when scaffold platforms are more than 2 feet (0.6 m) above or below a point of access, portable ladders, hook-on ladders, attachable ladders, stair towers (scaffold stairways/towers), stairway-type ladders (such as ladder stands), ramps, walkways, integral prefabricated scaffold access, or direct access from other scaffold, structure, personnel hoist, or similar surface are used.

This violation was most recently observed on 7/30/2015 at a worksite at 51 Pleasant Street, Woburn, MA, where the employer failed to ensure proper access to a ladder jack scaffold, exposing employees to fall hazards of greater than 21-feet, 6-inches. A S General Construction Inc. has been previously cited for this practice, as described below.

A S General Construction Inc. was previously cited for a violation of this occupational safety and health standard or its equivalent standard 1926.451 (e)(1) which was contained in OSHA inspection 1046935, citation 1, item 3 and was affirmed as a final order on June 5, 2015, with respect to a workplace located at 62 Ryan Farm Road Windham, NH.

To abate this violation, the employer must provide proper access to scaffold systems by means of another ladder not being used as part of the scaffold to protect each employee from fall hazards

Date By Which Violation Must be Abated:	Corrected During Inspection
Proposed Penalty:	\$9240.00



**Citation and Notification of Penalty**

**Company Name:** A S General Construction Inc.  
**Inspection Site:** 51 Pleasant Street, Woburn, MA 01801

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**Citation 3 Item 5** Type of Violation: **Repeat**

29 CFR 1926.451(f)(3): The employer does not ensure that scaffolds and scaffold components are inspected for visible defects by a competent person before each work shift, and after any occurrence which could affect a scaffold's structural integrity.

This violation was most recently observed on 7/30/2015 at a worksite at 51 Pleasant Street, Woburn, MA, where a roof jack scaffold platform plank was split from the end on or about 3 to 4 feet down the length of the board, exposing employees to fall hazards of greater than 21-feet, 6-inches. A S General Construction Inc. has been previously cited for this practice, as described below.

A S General Construction Inc. was previously cited for a violation of this occupational safety and health standard or its equivalent standard 1926.451(f)(3) which was contained in OSHA inspection 1046935, citation 1, item 4 and was affirmed as a final order on June 5, 2015, with respect to a workplace located at 62 Ryan Farm Road Windham, NH.

To abate this violation, the employer must ensure that scaffolds and scaffold components are inspected before each work shift, and after any occurrence which could affect a scaffold's structural integrity to protect each employee from fall hazards.

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated:	01/27/2016
Proposed Penalty:	\$9240.00



**Citation and Notification of Penalty**

**Company Name:** A S General Construction Inc.  
**Inspection Site:** 51 Pleasant Street, Woburn, MA 01801

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**Citation 3 Item 6** Type of Violation: **Repeat**

29 CFR 1926.452(k)(1): The employer does not ensure that ladder jack scaffold platforms do not exceed a height of 20 feet (6.1 m)

This violation was most recently observed on 7/30/2015 at a jobsite located 51 Pleasant Street Woburn, MA, where the ladder jack scaffold exceeded a height of 20 feet (6.1 m), exposing employees to fall hazards of up to 21-feet, 6-inches. A S General Construction Inc. has been previously cited for this practice, as described below.

A S General Construction Inc. was previously cited for a violation of this occupational safety and health standard or its equivalent standard 1926.452 (k)(1) which was contained in OSHA inspection 315142026, citation 1, item 3a and was affirmed as a final order on October 13, 2011, with respect to a workplace located at 91 Harvard Street Dedham, MA 02026.

To abate this violation, the employer must ensure that scaffold platforms do not exceed more than 20-feet in height, to protect each employee from fall hazards.

Date By Which Violation Must be Abated:  
Proposed Penalty:

Corrected During Inspection  
\$9240.00



**Citation and Notification of Penalty**

**Company Name:** A S General Construction Inc.  
**Inspection Site:** 51 Pleasant Street, Woburn, MA 01801

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**Citation 3 Item 7** Type of Violation: **Repeat**

29 CFR 1926.452(k)(5): The employer does not ensure that scaffold platforms are not be bridged one to another.

This violation was most recently observed on 7/30/2015 at a jobsite located 51 Pleasant Street Woburn, MA, where the ladder jack scaffold was bridged one to another, exposing employees to fall hazards of up to 21-feet, 6-inches. A S General Construction Inc. has been previously cited for this practice, as described below.

A S General Construction Inc. was previously cited for a violation of this occupational safety and health standard or its equivalent standard 1926.452 (k)(5) which was contained in OSHA inspection 315142026, citation 1, item 3b and was affirmed as a final order on October 13, 2011, with respect to a workplace located at 91 Harvard Street Dedham, MA 02026.

To abate this violation, the employer must ensure that scaffold platforms are not bridged one to another, to protect each employee from fall hazards.

Date By Which Violation Must be Abated:  
Proposed Penalty:

Corrected During Inspection  
\$9240.00

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**Anthony Covello**  
Area Director

**U.S. Department of Labor**  
Occupational Safety and Health Administration  
138 River Road  
Suite 102, Shattuck Office Center  
Andover, MA 01810  
Phone: 978-837-4460 Fax: 978-837-4455



## INVOICE / DEBT COLLECTION NOTICE

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**Company Name:** A S General Construction Inc.  
**Inspection Site:** 51 Pleasant Street, Woburn, MA 01801  
**Issuance Date:** 01/21/2016

<b>Summary of Penalties for Inspection Number</b>	<b>1081403</b>
<b>Citation 1, Serious</b>	<b>\$31680.00</b>
<b>Citation 2, Willful</b>	<b>\$92400.00</b>
<b>Citation 3, Repeat</b>	<b>\$64680.00</b>
<b>TOTAL PROPOSED PENALTIES</b>	<b>\$188760.00</b>

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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](http://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.

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**Anthony Covello**

Area Director

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Date