



Citation and Notification of Penalty

Company Name: Berlin Builders Inc.
Inspection Site: 453 Gaither Drive, Middletown, DE 19709

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

29 CFR 1926.451(e)(1): When scaffold platforms were 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 was not used:

a) Lot 453 Gaither Dr., Middletown, DE - On or about September 18, 2015, the employer failed to provide a ladder, ramp, walkway or other means of access, such as using direct access from a personnel hoist or similar surface, to a working platform approximately 20 feet above ground level.

Berlin Builders LLC, 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 number 1073851, citation number 1, item number 2 and was affirmed as a final order on December 14, 2015, with respect to a workplace located at 2050 Frankford Avenue, Philadelphia, PA.

Date By Which Violation Must be Abated:	Corrected During Inspection
Proposed Penalty:	\$26950.00



Citation and Notification of Penalty

Company Name: Berlin Builders Inc.

Inspection Site: 453 Gaither Drive, Middletown, DE 19709

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

29 CFR 1926.503(a)(1): The employer did not provide a training program for each employee potentially exposed to fall hazards to enable each employee to recognize the hazards of falling and the procedures to be followed in order to minimize these hazards:

a) Vicinity of 453 Gaither Dr., Middletown, DE - On or about September 18, 2015, the employer failed to provide training to each employee exposed to a fall hazard.

Berlin Builders was previously cited for a violation of this occupational safety and health standard or its equivalent standard 29 CFR 1926.503(a)(1), which was contained in OSHA inspection number 1107214, citation number 1, item number 2 and was affirmed as a final order on January 8, 2016, with respect to a workplace located at Lot 393, 394, 395 Ridgemont Drive, Middletown, DE.

Berlin Builders was previously cited for a violation of this occupational safety and health standard or its equivalent standard 29 CFR 1926.503(a)(1), which was contained in OSHA inspection number 1070291, citation number 1, item number 3 and was affirmed as a final order on August 10, 2015, with respect to a workplace located at 207 Pearl Street, Lakewood, NJ.

Pursuant to 29 CFR 1903.19, the employer must submit abatement certification and documentation, required within 10 days after abatement date. The certification shall include a statement that abatement is complete, the date and method of abatement, and state that employees and their representatives were informed of this abatement. Abatement documentation shall include documents demonstrating that abatement is complete, such as evidence of the purchase or repair of equipment, photographic or video evidence of abatement or other written documentation.

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: 1125483
Inspection Date(s): 09/18/2015 -
Issuance Date: 03/17/2016



Citation and Notification of Penalty

Company Name: Berlin Builders Inc.
Inspection Site: 453 Gaither Drive, Middletown, DE 19709

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated: 04/05/2016
Proposed Penalty: \$19250.00

A handwritten signature in black ink, appearing to read "Erin G. Patterson", written over a horizontal line.

Erin G. Patterson
Area Director

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: Berlin Builders, Inc.

Inspection Site: Lot 318, Gaither Drive, Middletown, DE 19709

Citation 1 Item 1 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.

a) Lot 318 Gaither Dr., Middletown, DE - On or about September 18, 2015, the employer failed to provide scaffold training to an employee working from a scaffold platform.

Pursuant to 29 CFR 1903.19, the employer must submit abatement certification, required within 10 days after abatement date. The certification shall include a statement that abatement is complete, date and method of abatement, and states employees and their representatives were informed of this abatement.

The employer shall have each employee who performs work while on a scaffold trained by a person qualified in the subject matter.

The training shall include the following areas, as applicable:

1. The nature of any electrical hazards, fall hazards and falling object hazards in the work area;
2. The correct procedures for dealing with electrical hazards and for erecting, maintaining, and disassembling the fall protection systems and falling object protection systems being used;
3. The proper use of the scaffold, and the proper handling of materials on the scaffold;
4. The maximum intended load and the load-carrying capacities of the scaffolds used; and any other pertinent requirements of this subpart.

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: 1093222
Inspection Date(s): 09/18/2015 - 09/18/2015
Issuance Date: 03/17/2016



Citation and Notification of Penalty

Company Name: Berlin Builders, Inc.
Inspection Site: Lot 318, Gaither Drive, Middletown, DE 19709

The employer shall 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. The training shall include:

The nature of scaffold hazards. The correct procedures for erecting, disassembling, moving, operating, repairing, inspecting, and maintaining the type of scaffold in question. The design criteria, maximum intended load-carrying capacity and intended use of the scaffold.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	04/05/2016
Proposed Penalty:	\$5500.00

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: Berlin Builders, Inc.
Inspection Site: Lot 318, Gaither Drive, Middletown, DE 19709

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

29 CFR 1926.451(e)(1): When scaffold platforms were 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 was not used:

a) Lot 318 Gaither Dr., Middletown, DE - On or about September 18, 2015, the employer failed to provide a ladder, ramp, walkway or other means of access, such as using direct access from a personnel hoist or similar surface, to a working platform approximately 11 feet above ground level.

Berlin Builders, LLC 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 number 1073851, citation number 1, item number 2 and was affirmed as a final order on December 14, 2015, with respect to a workplace located at 2050 Frankford Ave., Philadelphia, PA.

Pursuant to 29 CFR 1903.19, the employer must submit abatement certification and documentation, required within 10 days after abatement date. The certification shall include a statement that abatement is complete, the date and method of abatement, and state that employees and their representatives were informed of this abatement. Abatement documentation shall include documents demonstrating that abatement is complete, such as evidence of the purchase or repair of equipment, photographic or video evidence of abatement or other written documentation.

Date By Which Violation Must be Abated: Corrected During Inspection
Proposed Penalty: \$26950.00

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: Berlin Builders, Inc.
Inspection Site: Lot 318, Gaither Drive, Middletown, DE 19709

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

29 CFR 1926.451(g)(1)(vii): Each employee on a scaffold, not otherwise specified in paragraphs (g)(1)(i) through (g)(1)(vi) of this section, more than 10 feet (3.1 m) above lower level was not protected from falls by the use of personal fall arrest systems or guardrail systems meeting the requirements of paragraph (g)(4) of this section:

a) Lot 318 Gaither Dr., Middletown, DE- On or about September 18, 2015, the employer failed to provide an adequate fall protection while an employee was working from a platform exposed to a fall hazard of approximately 11 feet above ground level.

Berlin Builders, LLC was previously cited for a violation of this occupational safety and health standard or its equivalent standard 29CFR1926.451(g)(1)(vii), which was contained in OSHA inspection number 1073851, citation number 1, item number 4 and was affirmed as a final order on December 14, 2015, with respect to a workplace located at 2050 Frankford Ave., Philadelphia, PA.

Date By Which Violation Must be Abated:
Proposed Penalty:

Corrected During Inspection
\$53900.00



Citation and Notification of Penalty

Company Name: Berlin Builders, Inc.
Inspection Site: Lot 318, Gaither Drive, Middletown, DE 19709

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

29 CFR 1926.503(a)(1): The employer did not provide a training program for each employee potentially exposed to fall hazards to enable each employee to recognize the hazards of falling and the procedures to be followed in order to minimize these hazards:

a) Lot 318 Gaither Dr., Middletown, DE - On or about September 18, 2015, the employer failed to provide training to each employee exposed to a fall hazard.

Berlin Builders was previously cited for a violation of this occupational safety and health standard or its equivalent standard 29 CFR 1926.503(a)(1), which was contained in OSHA inspection number 1107214, citation number 1, item number 2 and was affirmed as a final order on January 8, 2016, with respect to a workplace located at Lot 393, 394, 395 Ridgemont Drive, Middletown, DE.

Berlin Builders was previously cited for a violation of this occupational safety and health standard or its equivalent standard 29 CFR 1926.503(a)(1), which was contained in OSHA inspection number 1070291, citation number 1, item number 3 and was affirmed as a final order on August 10, 2015, with respect to a workplace located at 207 Pearl St., Lakewood, NJ.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:
Proposed Penalty:

04/05/2016
\$19250.00

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Erin G. Patterson
Area Director