

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

Inspection Number: 1088539
Inspection Date(s): 08/27/2015 - 08/27/2015
Issuance Date: 02/17/2016



Citation and Notification of Penalty

Company Name: Ezzo Construction, LLC
Inspection Site: 9501 Abby Glen Drive, Jacksonville, FL 32099

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

29 CFR 1926.1053(b)(1): Where portable ladders were used for access to an upper landing surface and the ladder's length allows, the ladder side rails did not extend at least 3 feet (.9 m) above the upper landing surface being accessed:

- a. On or about August 27, 2015, on the west side of the house located on Lot #31, the ladder used to access the roof did not extend 3 feet above the landing, exposing employees to a 9 feet fall hazard.

Date By Which Violation Must be Abated:
Proposed Penalty:

Corrected During Inspection
\$3,850.00

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: Ezzo Construction, LLC
Inspection Site: 9501 Abby Glen Drive, Jacksonville, FL 32099

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

29 CFR 1926.501(b)(13): Each employee engaged in residential construction activities 6 feet (1.8 m) or more above lower levels were not protected by guardrail systems, safety net system, or personal fall arrest system:

- a. The employer fails to assure effective protection against falls as required by the standard, as demonstrated on August 27, 2015 on the house located on Lot #31, when employees are installing OSB board roof sheathing on the 5:12 pitch roof of a two-story residential house at 9501 Abby Glen Drive, Jacksonville, Florida without fall protection and are exposed to fall hazards of 18-foot.
- b. The employer fails to assure effective protection against falls as required by the standard, as demonstrated on August 27, 2015 on the house located on Lot #31, when employees are installing OSB board roof sheathing on the 3:12 pitch roof of a two-story residential house at 9501 Abby Glen Drive, Jacksonville, Florida without fall protection and are exposed to fall hazards of 9-foot.

EZZO Construction, LLC was previously cited for a violation of this occupational safety and health standard or its equivalent standard 29 CFR 1926.501(b)(13); which was contained in OSHA inspection number 982360, citation number 1, item number 1 and was affirmed as a final order on 9/05/2014, with respect to a workplace located at 14950 Venosa Circle, Jacksonville, Florida.

To abate this violation, the employer must ensure that all employees wear appropriate fall protection or install a guardrail or safety net system when an employee works above 6 feet off the surface.

Pursuant to 29 CFR 1903.19, the employer must submit documents describing the steps it is taking to ensure compliance, including and explanation of how these steps protect its employees from fall hazards.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:
Proposed Penalty:

03/14/2016
\$10,780.00

A handwritten signature in black ink, appearing to read "Brian J. Sturtecky", written over a horizontal line.

Brian J. Sturtecky
Area Director

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: Ezzo Construction, LLC
Inspection Site: 9501 Abby Glen Drive, Jacksonville, FL 32099
Issuance Date: 02/17/2016

Summary of Penalties for Inspection Number	1088539
Citation 1, Serious	\$3,850.00
Citation 2, Repeat	\$10,780.00
TOTAL PROPOSED PENALTIES	\$14,630.00

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

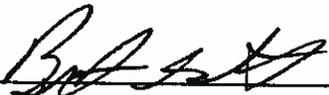
original check, but will keep a copy of it. If the EFT cannot be completed because of insufficient funds or closed account, the bank will attempt to make the transfer up to 2 times.

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.

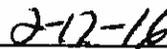
Delinquent Charges: A debt is considered delinquent if it has not been paid within one month (30 calendar days) of the penalty due date or if a satisfactory payment arrangement has not been made. If the debt remains delinquent for more than 90 calendar days, a delinquent charge of six percent (6%) per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