

## Wyoming Department of Workforce Services

Office of Workforce Standards and Compliance

OSHA Division

1510 E. Pershing Blvd.

Cheyenne, WY 82002

Phone: (307) 777-7786 Fax: (307) 777-3646



## Citations and Notification of Penalty

**To:**  
Reiman Corp  
P.O. Box 1007  
Cheyenne, WY 82003

**Inspection Number:** 1239647  
**Inspection Date(s):** 06/13/2017-06/13/2017  
**Issuance Date:** 07/20/2017

**Inspection Site:**  
4373 East Lincolnway  
Cheyenne, WY 82001

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 Wyoming Occupational Health and Safety Act. 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 dates (excluding weekends and holidays) from your receipt of this Citation and Notification of Penalty you mail a notice of contest to the OSHA Division, at the address shown above. Please refer to the enclosed booklet 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 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 holidays), whichever is longer. **The penalty dollar amounts need not be posted and may be marked out or covered up prior to posting.**

**Informal Conference** – An informal conference is not required. However, if you wish to have such a conference you may request one with the Administrator during the 15 working day contest period. During the 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 Administrator within 15 working days of your receipt of this Citation. The running of this contest period is not interrupted by an informal conference.

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 OSHA Division Deputy Administrator 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 Health and Safety 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.) Make you check or money order payable to the applicable County Treasurer. Please indicate the Inspection Number on the remittance.

**Notification of Corrective Action** – For violations which you do not contest, you should notify the OSHA Compliance Program Manager promptly by letter that you have taken appropriate corrective action within the time frame set forth on this Citation. Please inform us in writing of the abatement steps you have taken and of their dates, together with adequate supporting documentation, e.g., drawings or photographs of corrected conditions, purchase/work orders related to abatement actions, air sampling results, etc.

**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 OSHA Compliance Program Manager at the address shown above.

**Employer Rights and Responsibilities** – The enclosed booklet outlines 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 OSHA Compliance Program Manager at the address shown above and postmarked within 15 working days (excluding weekends and 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 you inspection will be available 30 calendar days after the Citation Issuance Date. You are encouraged to review the information concerning your establishment at <http://WWW.OSHA.GOV>. If you have any dispute with the accuracy of the information displayed, please contact this office.



**Citation and Notification of Penalty**

**Company Name:** Reiman Corp  
**Inspection Site:** 4373 East Lincolnway Cheyenne, WY 82001

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

27-11-105 (b)(vi)(A): \* To require the employer to be charged with the following duties; Each employer shall furnish to his employees, a place of employment and employment which are free from recognized hazards that are causing or that are likely to cause death or serious physical harm.

Employee was working from the forks of a CAT TL642C all-terrain forklift.

<b><u>Date by Which Violation Must Be Abated:</u></b>	<b><u>August 15, 2017</u></b>
<b><u>Proposed Penalty:</u></b>	<b><u>\$6815.00</u></b>

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

29 CFR 1926.501(b)(11): \*\*\* "Steep roofs." Each employee on a steep roof with unprotected sides and edges 6 feet (1.8 m) or more above lower levels shall be protected from falling by guardrail systems with toeboards, safety net systems, or personal fall arrest systems.

Employee on a steep roof with unprotected sides and edges 6 feet or more above lower levels was not protected from falling by guardrail systems with toeboards, safety net systems, or personal fall arrest systems.

Reiman Corp was previously cited for a violation of this occupational safety and health standard or its equivalent standard 1926.501(b)(1) which was contained in OSHA inspection number 314513888, citation number 1, item number 1 and was affirmed as a final order on 7/3/2014, with respect to a workplace located at 2400 West College Drive Cheyenne, WY 82007.

Reiman Corp was previously cited for a violation of this occupational safety and health standard or its equivalent standard 1926.501(b)(10) which was contained in OSHA inspection number 1005416, citation number 1, item number 1 and was affirmed as a final order on 3/10/2015, with respect to a workplace located at 7209 Commons Circle Cheyenne, WY 82009.

<b><u>Date by Which Violation Must Be Abated:</u></b>	<b><u>Corrected During Inspection</u></b>
<b><u>Proposed Penalty:</u></b>	<b><u>\$40086.00</u></b>



**Citation and Notification of Penalty**

**Company Name:** Reiman Corp  
**Inspection Site:** 4373 East Lincolnway Cheyenne, WY 82001

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

29 CFR 1910.178(l)(3)(i)(A):\*\* Training program content. Powered industrial truck operators shall receive initial training in the following topics, except in topics which the employer can demonstrate are not applicable to safe operation of the truck in the employer's workplace. Truck-related topics: Operating instructions, warnings, and precautions for the types of truck the operator will be authorized to operate;

Powered industrial truck operator was not adequately trained in the following topic: Operating instructions, warnings, and precautions for the types of truck the operator will be authorized to operate;

<b><u>Date by Which Violation Must Be Abated:</u></b>	<b><u>August 15, 2017</u></b>
<b><u>Proposed Penalty:</u></b>	<b><u>\$6815.00</u></b>

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

29 CFR 1910.178(l)(6): \*\* Certification. The employer shall certify that each operator has been trained and evaluated as required by this paragraph (l). The certification shall include the name of the operator, the date of the training, the date of the evaluation, and the identity of the person(s) performing the training or evaluation.

Certification. The employer did not certify that each operator has been trained and evaluated as required by this paragraph (l).

<b><u>Date by Which Violation Must Be Abated:</u></b>	<b><u>August 15, 2017</u></b>
<b><u>Proposed Penalty:</u></b>	<b><u>\$0.00</u></b>

**Citation 4 Item 1 Type of Violation: **Other-than-Serious****

29 CFR 1926.503(b)(1): \*\*\* The employer shall verify compliance with paragraph (a) of this section by preparing a written certification record. The written certification record shall contain the name or other identity of the employee trained, the date(s) of the training, and the signature of the person who conducted the training or the signature of the employer. If the employer relies on training conducted by another employer or completed prior to the effective date of this section, the certification record shall indicate the date the employer determined the prior training was adequate rather than the date of actual training.

The employer did not verify compliance with paragraph (a) of this section by preparing a written certification record.

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**Date by Which Violation Must Be Abated:**

**August 15, 2017**

**Proposed Penalty:**

**\$0.00**

\*Wy. Occ. Health & Safety Rules & Regulations (Generals)

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Christian M. Graham  
OSHA Compliance Program Manager



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**PENALTY SUMMARY**

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Citation 1 Item 1, Serious	\$6815.00
Citation 2 Item 1, Repeat-Serious	\$40086.00
Citation 3 Item 1a, Serious	\$6815.00
Citation 3 Item 1b, Serious	\$0.00
Citation 4 Item 1, Other-than-Serious	\$0.00
<b>TOTAL PROPOSED PENALTIES:</b>	<b>\$53716.00</b>

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