

**U.S. Department of Labor**  
Occupational Safety and Health Administration  
639 Granite Street  
4th Floor  
Braintree, MA 02184



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## Citation and Notification of Penalty

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**To:**  
Dollar Tree Stores, Inc., dba Dollar Tree  
and its successors  
500 VOLVO PKWY  
Chesapeake, VA 23320

**Inspection Number:** 1431460  
**Inspection Date(s):** 09/05/2019 - 09/10/2019  
**Issuance Date:** 02/25/2020

**Inspection Site:**  
1041 Commonwealth Avenue  
Boston, MA 02134

*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.*

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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 by calling 617-565-6924. 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 02/25/2020. The conference will be held by telephone or at the OSHA office located at 639 Granite Street, 4th Floor, Braintree, MA 02184 on \_\_\_\_\_ at

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

**CERTIFICATION OF CORRECTIVE ACTION WORKSHEET**

**Inspection Number: 1431460**

Company Name: Dollar Tree Stores, Inc., dba Dollar Tree  
Inspection Site: 1041 Commonwealth Avenue, Boston, MA 02134  
Issuance Date: 02/25/2020

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, 639 Granite Street, 4th Floor, Braintree, MA 02184**

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:** Dollar Tree Stores, Inc., dba Dollar Tree  
**Inspection Site:** 1041 Commonwealth Avenue, Boston, MA 02134

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

29 CFR 1910.37(a)(3): The employer does not ensure exit route(s) are kept free and unobstructed:

Location: Stock room:

On or about September 5, 2019, exit routes were not kept free and unobstructed in the following areas:

- a) Cartons/boxes of merchandise obstructed the exit route from the entranceway into the stock room to the exit doors.
- b) Cartons/boxes of merchandise obstructed the width of the exit route way of travel from the walk-in cooler and employee break area to the stock room exit.
- c) Cartons/boxes of merchandise obstructed the exit route way of travel from the cardboard baler area to the stock room exit.
- d) A portable, flexible, roller conveyor was placed directly in front of the stock room exit to the outside obstructing more than half the width of the door.

Dollar Tree Stores, Incorporated was previously cited for a violation of this occupational safety and health standard or its equivalent standard 29 CFR 1910.37(a)(3), which was contained in OSHA inspection number 1269761, citation number 1, item number 1 and was affirmed as a final order on September 9, 2018, with respect to a workplace located at 1155 S. Havana Street, Unit 23, Aurora, CO 80012.

The employer fails to ensure each exit route from working areas of the stock room are maintained at least 28" wide. To abate this violation, the employer must ensure objects such as U-boat type warehouse stock carts and cartons of merchandise are not placed, stacked or projecting into exit routes to ensure all employees would be able to evacuate safely during an emergency.

Date By Which Violation Must be Abated:  
Proposed Penalty:

Corrected During Inspection  
\$127223.00

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:** Dollar Tree Stores, Inc., dba Dollar Tree  
**Inspection Site:** 1041 Commonwealth Avenue, Boston, MA 02134

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

29 CFR 1910.176(b): The employer does not ensure material stored in tiers are stacked, blocked, interlocked or limited in height so that it is stable and secure against sliding and collapse:

Location: Stock room:

On or about September 5, 2019, cartons/boxes of merchandise above head height were not stacked securely to prevent sliding or falling exposing employees to collapse and struck-by hazards:

- (a) Cartons/boxes of merchandise that were piled up high and in an unstable manner, along left side of the aisleway that leads to the cardboard baler machine.
- (b) Cartons/boxes of merchandise that were piled up high and in an unstable manner, across the room from the cardboard baler machine.
- (c) Cartons/boxes of merchandise that were piled up at a height above reach, along the right side the aisleway that leads into the stock room from the store front.

Dollar Tree Stores, Inc. was previously cited for a repeat violation of this occupational safety and health standard or its equivalent standard 29 CFR 1910.176(b), which was contained in OSHA inspection number 1269761, citation number 1, item number 2a issued on June 14, 2018, and was affirmed as a final order on September 7, 2018, with respect to a workplace located at 1155 S. Havana Street, Unit 23, Aurora, CO 80012.

To abate this violation, the employer must ensure delivered cartons of merchandise being unloaded from the truck to the store's stock room are being stacked in a stable manner. The employer must ensure employees move merchandise from the stock room to retail shelving prior to the next delivery in order to maintain stacks of cartons at stable heights in lieu of piles, to prevent collapse and struck-by hazards.

Date By Which Violation Must be Abated:  
Proposed Penalty:

Corrected During Inspection  
\$127223.00

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:** Dollar Tree Stores, Inc., dba Dollar Tree  
**Inspection Site:** 1041 Commonwealth Avenue, Boston, MA 02134

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

29 CFR 1910.22(a)(1): The employer does not provide clean and sanitary conditions for all places of employment, passageways, storerooms, service rooms, and walking-working surfaces.

Location: Stock room and Store Front area.

On or about September 5, 2019, trash that had accumulated over time was not disposed of in a timely manner creating unsanitary conditions:

- a) Employee break room trash barrel was full and trash was left under the computer training station in the stock room.
- b) The trash barrel in the rest room was overflowing with trash.
- c) A full barrel of trash was not emptied, at an unattended cashiers station.

Dollar Tree Stores, Incorporated was previously cited for a violation of this occupational safety and health standard or its equivalent standard 29 CFR 1910.22(a)(1), which was contained in OSHA inspection number 1055319, citation number 1, item number 1 and was affirmed as a final order on September 29, 2015, with respect to a workplace located at 894 Sunrise Highway in Bay Shore, NY 11706.

To abate this violation, the employer must ensure that contents in trash barrels and waste debris that is dropped on the floor are disposed of on a timely or routine basis, to prevent unsanitary conditions.

Date By Which Violation Must be Abated:  
Proposed Penalty:

Corrected During Inspection  
\$57252.00



**Citation and Notification of Penalty**

**Company Name:** Dollar Tree Stores, Inc., dba Dollar Tree  
**Inspection Site:** 1041 Commonwealth Avenue, Boston, MA 02134

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

29 CFR 1910.176(c): The employer does not ensure storage areas are kept free from accumulation of materials that constituted hazards from tripping, fire, explosion or pest harborage:

Location: Stock room:

On September 5, 2019, cartons and boxes stored in excess created fire hazards due to the amount of flammable and combustible materials stored.

- a) In the aisle leading from the cardboard baler.
- b) Along the back wall and in "household chemicals area" of the stock room.

The Dollar Tree Stores, Incorporated was previously cited for a violation of this occupational safety and health standard or its equivalent standard 29 CFR 1910.176(c), which was contained in OSHA inspection number 1269761, citation number 1, item number 2b and was affirmed as a final order on September 7, 2018, with respect to a workplace located at 1155 S. Havana Street, Unit 23, Aurora, CO 80012.

To abate this violation, the employer must ensure cardboard cartons of merchandise are not overstocked, and empty broken down cardboard cartons are not stored in excess.

Date By Which Violation Must be Abated:  
Proposed Penalty:

Corrected During Inspection  
\$127226.00



**Citation and Notification of Penalty**

**Company Name:** Dollar Tree Stores, Inc., dba Dollar Tree  
**Inspection Site:** 1041 Commonwealth Avenue, Boston, MA 02134

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

29 CFR 1910.303(g)(1): The employer does not ensure that sufficient access and working space was not provided and maintained about all electric equipment to permit ready and safe operation and maintenance of such equipment.

Location: Store Front; Electrical Panel closet:

On or about September 5, both the access to the electrical closet and the working space directly in front of electrical panels was not being maintained.

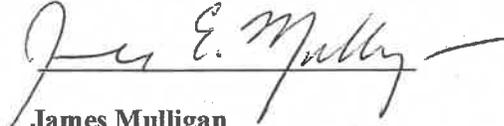
Dollar Tree Stores, Inc. was previously cited for a repeat violation of this occupational safety and health standard or its equivalent standard 29 CFR 1910.303(g)(1), which was contained in OSHA inspection number 967705, citation number 2, item number 4 issued on October 14, 2014, and was affirmed as a final order on January 28, 2016, with respect to a workplace located at 8028 Denton Highway, Watauga, TX 76148.

The employer fails to ensure access to and working space about all electric equipment is unobstructed and free from stored merchandise cartons and other objects. To abate this violation, the employer must ensure objects such as U-boat warehouse stock carts and cartons of merchandise are not placed in the aisle way to the electrical closet, nor in front of panels.

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated:  
Proposed Penalty:

03/04/2020  
\$84821.00

  
**James Mulligan**  
Area Director

**U.S. Department of Labor**  
Occupational Safety and Health Administration  
639 Granite Street  
4th Floor  
Braintree, MA 02184



## INVOICE / DEBT COLLECTION NOTICE

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**Company Name:** Dollar Tree Stores, Inc., dba Dollar Tree  
**Inspection Site:** 1041 Commonwealth Avenue, Boston, MA 02134  
**Issuance Date:** 02/25/2020

<b>Summary of Penalties for Inspection Number</b>	<b>1431460</b>
<b>Citation 1, Willful</b>	<b>\$254446.00</b>
<b>Citation 2, Repeat</b>	<b>\$269299.00</b>
<b>TOTAL PROPOSED PENALTIES</b>	<b>\$523745.00</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

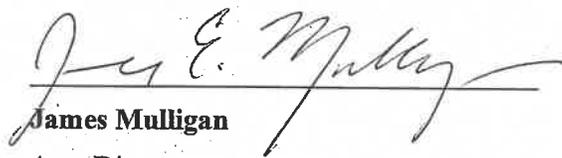
account, the bank will attempt to make the transfer up to 2 times.

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.

  
\_\_\_\_\_  
**James Mulligan**  
Area Director

2/25/20  
\_\_\_\_\_  
Date