

Iowa OSHA

150 Des Moines Street
Des Moines, IA 50309
Phone: (515) 242-5870
Fax: (515) 281-7995
www.iowaosha.gov
osha@iwd.iowa.gov

Citation and Notification of Penalty

To:

O'Neal Manufacturing Services
and its successors
7100 Chancellor Drive
Cedar Falls, IA 50613

Inspection Number: 1370220
Case File Number: 10136
CSHO: G6516
Inspection Date(s): 01/08/2019-01/08/2019
Issuance Date: 02/11/2019

Inspection Site:

7100 Chancellor Drive
Cedar Falls, IA 50613

This Citation and Notification of Penalty (Citation) alleges violations of the Iowa Occupational Safety and Health Act and proposes penalties. Fifteen working days after you receive this Citation, the allegations and proposed penalties will become final unless you reach a settlement agreement with Iowa OSHA or contest the Citation. After 15 working days have passed, there will be no further chance to challenge these allegations and penalties.

Each violation described in this Citation is alleged to have occurred on or about the days the inspection was made unless another date is noted.

Contest. You may contest in writing all or part of the Citation. You may file a notice of contest yourself or hire an attorney to help you at your own expense.

Notice to employees. A copy of the Citation must be posted immediately in a prominent place near the location where each violation occurred. If posting near the site of each violation is not feasible, the Citation must be posted where it will be easily seen by all affected employees. The Citation must remain posted until the violation is corrected or for 3 working days, whichever is longer.

Payment. In the absence of a contest or settlement agreement, the penalties must be paid within 15 working days. Make your check or money order payable to "Iowa OSHA" and note the inspection number on it. Iowa OSHA does not agree to any restriction, condition, or endorsement put on any check or money order, and will cash the check or money order as if the restriction, condition or endorsement does not exist.

Working days. Working days are Monday through Friday excluding State and Federal holidays.

Hazard correction. In the absence of a contest or settlement agreement, each violation must be corrected by the date set in the Citation. You are required to provide documentation of abatement to your employees and to Iowa OSHA. The enclosed form and booklet will help you with this process.

Employee right to contest. An employee or employee representative may contest an abatement date set in the Citation. The contest must be mailed to Iowa OSHA within 15 working days of the employer's receipt of this Citation.

Whistleblower protection. An employer may not retaliate against an employee for cooperating with an OSHA inspector, filing an OSHA complaint, or exercising other rights under the OSHA law. An employee may file a complaint within 30 days after retaliation occurred.

Guide to Iowa OSHA Citations. *The Guide to Iowa OSHA Citations* covers topics related to this Citation in more detail. Please review it carefully.

Informal conference. You may request an informal conference or meeting to discuss any part of this Citation. Frequently, citations are settled at informal conferences. Call the number above right away if you wish to schedule an informal conference because after 15 working days an informal settlement agreement is not possible. If you schedule an informal conference you must complete the form on page 3 and post it where affected employees can see it.

NOTICE OF INFORMAL CONFERENCE

An informal conference has been scheduled with Iowa OSHA to discuss the citation(s) issued on 02/11/2019. Employees and/or representatives of employees have a right to attend an informal conference.

Employer: Check and complete one of the following*

The informal conference will be held at Iowa OSHA,

The informal conference will be held at Iowa OSHA:

150 Des Moines Street

Des Moines, IA 50309 on _____ at _____.

The informal conference will be held by phone. To participate call:

*This must be completed and posted by the employer *only* if an informal conference is scheduled.

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Inspection Site: 7100 Chancellor Drive Cedar Falls, IA 50613

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

IAC 875 - Chapter 10

1910.212(a)(3)(ii): Point(s) of operation of machinery were not guarded to prevent employee(s) from having any part of their body in the danger zone(s) during operating cycle(s):

(a) 7100 Chancellor Drive Cedar Falls, Iowa 50613 - Employer did not ensure that the press brake was adequately guarded to protect employees from accidental contact with the point of operation on press brake #7 s/n: 52442. There was no guard between the operator and the point of operation of the machine. On or about 10/29/2019, an employee's finger was in the point of operation of this press brake when the machine cycled and amputated the employee's right index finger tip. A light guard was added to this press brake after the incident. This condition exposed employees to caught in hazard and was noted on or about 1/8/2018.

(b) 7100 Chancellor Drive Cedar Falls, Iowa 50613 - Employer did not ensure that the press brake was adequately guarded to protect employees from accidental contact with the point of operation on press brake #4 s/n: 50565. There is no guard between the operator and the point of operation of the machine. Employees use this machine for daily production. This condition exposed employees to caught in hazard and was observed on or about 1/8/2018.

(c) 7100 Chancellor Drive Cedar Falls, Iowa 50613 - Employer did not ensure that the press brake was adequately guarded to protect employees from accidental contact with the point of operation on press brake #8 s/n: 53213. There is no guard between the operator and the point of operation of the machine. Employees use this machine for daily production. This condition exposed employees to caught in hazard and was observed on or about 1/8/2018.

(d) 7100 Chancellor Drive Cedar Falls, Iowa 50613 - Employer did not ensure that the press brake was adequately guarded to protect employees from accidental contact with the point of operation on press brake #9 s/n: 54011. There is no guard between the operator and the point of operation of the machine. Employees use this machine for daily production. This condition exposed employees to caught in hazard and was observed on or about 1/8/2018.

(e) 7100 Chancellor Drive Cedar Falls, Iowa 50613 - Employer did not ensure that the press brake was adequately guarded to protect employees from accidental contact with the point of operation on press brake #5 s/n: 52006. There is no guard between the operator and the point of operation of the

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machine. Employees use this machine for daily production. This condition exposed employees to caught in hazard and was observed on or about 1/8/2018.

(f) 7100 Chancellor Drive Cedar Falls, Iowa 50613 - Employer did not ensure that the press brake was adequately guarded to protect employees from accidental contact with the point of operation on press brake #6 s/n: 52740. There is no guard between the operator and the point of operation of the machine. Employees use this machine for daily production. This condition exposed employees to caught in hazard and was observed on or about 1/8/2018.

O'neal Manufacturing dba Iowa Laser Technology was previously cited for a violation of this occupational safety and health standard or its equivalent standard 1910.212(a)(3)(ii), which was contained in OSHA inspection number 1336720, citation number 1, item number 4b and was affirmed as a final order on 10/1/2018, with respect to a workplace located at 7100 Chancellor Drive Cedar Falls, Iowa 50613.

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|---|------------------------------|
| <u>Date by Which Violation Must Be Abated:</u> | <u>March 18, 2019</u> |
| <u>Proposed Penalty:</u> | <u>\$64670.00</u> |

Luther Peddy
Iowa OSHA Administrator

Iowa OSHA

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Des Moines, IA 50309
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PENALTY SUMMARY

Company Name: O'Neal Manufacturing Services
Inspection Site: 7100 Chancellor Drive Cedar Falls, IA 50613
Issuance Date: 02/11/2019

Penalty Summary of Inspection Number: 1370220

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|-----------------------------------|-------------------|
| Citation 1 Item 1, Repeat-Serious | \$64670.00 |
| TOTAL PENALTIES: | \$64670.00 |

Make check or money order payable to "IOWA OSHA." Please indicate the inspection number and DBA, if company name is different, on the remittance.