

U.S. Department of Labor
Occupational Safety and Health Administration
201 Varick Street
Room 908
New York, NY 10014
Phone: 212-620-3200 Fax: 212-620-4121



Citation and Notification of Penalty

To:
W & L Group Construction Inc.
and its successors
34-28 Collins Place
Flushing, NY 11354

Inspection Number: 1119053
Inspection Date(s): 01/14/2016 - 01/15/2016
Issuance Date: 07/08/2016

Inspection Site:
223 Grand Street
New York, NY 10013

Attn: Meng Hua Wang

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 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. 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. 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. 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 07/08/2016. The conference will be held by telephone or at the OSHA office located at 201

Varick Street, Room 908, New York, NY 10014 on _____ at

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

CERTIFICATION OF CORRECTIVE ACTION WORKSHEET

Inspection Number: 1119053

Company Name: W & L Group Construction Inc.
Inspection Site: 223 Grand Street, New York, NY 10013
Issuance Date: 07/08/2016

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, 201 Varick Street, Room 908, New York, NY 10014**

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

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

Inspection Number: 1119053
Inspection Date(s): 01/14/2016 - 01/15/2016
Issuance Date: 07/08/2016



Citation and Notification of Penalty

Company Name: W & L Group Construction Inc.
Inspection Site: 223 Grand Street, New York, NY 10013

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

29 CFR 1926.150(c)(1)(i): Travel distance from any point of the protected area to the nearest fire extinguisher exceeded 100 feet and was not provided for each 3,000 square feet of the protected building area, or major fraction thereof:

a) 223 Grand Street, basement and entire building, on or about 1-14-16: Employees were working in a basement in the vicinity of compressed gas cylinders and combustible materials, without a fire extinguisher.

ABATEMENT CERTIFICATION MUST BE SUBMITTED FOR THIS ITEM

Date By Which Violation Must be Abated:
Proposed Penalty:

07/18/2016
\$3850.00

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: 1119053
Inspection Date(s): 01/14/2016 - 01/15/2016
Issuance Date: 07/08/2016



Citation and Notification of Penalty

Company Name: W & L Group Construction Inc.
Inspection Site: 223 Grand Street, New York, NY 10013

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

29 CFR 1926.300(b)(1): Power operated tool(s), designed to accommodate guards, were not equipped with such guards when in use:

a) 223 Grand Street, basement, on or about 1-14-16: Employees were using a portable, hand-held electric angle grinder that was not equipped with a protective guard.

ABATEMENT CERTIFICATION MUST BE SUBMITTED FOR THIS ITEM

Date By Which Violation Must be Abated:
Proposed Penalty:

07/18/2016
\$3080.00

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: 1119053
Inspection Date(s): 01/14/2016 - 01/15/2016
Issuance Date: 07/08/2016



Citation and Notification of Penalty

Company Name: W & L Group Construction Inc.
Inspection Site: 223 Grand Street, New York, NY 10013

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

29 CFR 1926.350(a)(9): Compressed gas cylinder(s) were not secured in an upright position:

a) 223 Grand Street, basement, on or about 1-14-16: Employees were working in an area immediately adjacent to three compressed gas cylinders that were not secured.

ABATEMENT CERTIFICATION MUST BE SUBMITTED FOR THIS ITEM

Date By Which Violation Must be Abated:
Proposed Penalty:

07/18/2016
\$3850.00

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: 1119053
Inspection Date(s): 01/14/2016 - 01/15/2016
Issuance Date: 07/08/2016



Citation and Notification of Penalty

Company Name: W & L Group Construction Inc.
Inspection Site: 223 Grand Street, New York, NY 10013

The alleged violations below have been grouped because they involve similar or related hazards that may increase the potential for injury or illness.

Citation 1 Item 4 a Type of Violation: **Serious**

29 CFR 1926.403(i)(2): Live parts of electric equipment operating at 50 volts or more were not guarded against accidental contact by cabinets or other forms of enclosures:

a) 223 Grand Street, first floor, north side, on or about 1-14-16: Employees were walking/working in an area immediately adjacent to an energized power panel that did not have a permanent cover on it and was missing circuit breakers.

ABATEMENT CERTIFICATION MUST BE SUBMITTED FOR THIS ITEM

Date By Which Violation Must be Abated:
Proposed Penalty:

07/18/2016
\$3850.00

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: 1119053
Inspection Date(s): 01/14/2016 - 01/15/2016
Issuance Date: 07/08/2016



Citation and Notification of Penalty

Company Name: W & L Group Construction Inc.
Inspection Site: 223 Grand Street, New York, NY 10013

Citation 1 Item 4 b Type of Violation: **Serious**

29 CFR 1926.405(b)(1): Unused openings in cabinets, boxes, and fittings were not effectively closed:

a) 223 Grand Street, first floor, north side, on or about 1-14-16: Employees were walking/working in an area immediately adjacent to an energized power panel that had openings from missing circuit breakers.

ABATEMENT CERTIFICATION MUST BE SUBMITTED FOR THIS ITEM

Date By Which Violation Must be Abated:

07/20/2016

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: 1119053
Inspection Date(s): 01/14/2016 - 01/15/2016
Issuance Date: 07/08/2016



Citation and Notification of Penalty

Company Name: W & L Group Construction Inc.
Inspection Site: 223 Grand Street, New York, NY 10013

The alleged violations below have been grouped because they involve similar or related hazards that may increase the potential for injury or illness.

Citation 1 Item 5 a Type of Violation: **Serious**

29 CFR 1926.451(b)(4): Each end of a platform, not cleated or otherwise restrained by hooks or equivalent means, did not extend over the centerline of its support at least 6 inches (15 cm):

a) 223 Grand Street, first floor, southeast corner, on or about 1-15-16: Employees were working on a scaffold platform while on planks that were extended 2-1/2 inches beyond their support, exposing the employees to a fall hazard of 7 feet 7 inches.

ABATEMENT CERTIFICATION MUST BE SUBMITTED FOR THIS ITEM

Date By Which Violation Must be Abated:
Proposed Penalty:

07/18/2016
\$3850.00

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: 1119053
Inspection Date(s): 01/14/2016 - 01/15/2016
Issuance Date: 07/08/2016



Citation and Notification of Penalty

Company Name: W & L Group Construction Inc.
Inspection Site: 223 Grand Street, New York, NY 10013

Citation 1 Item 5 b Type of Violation: **Serious**

29 CFR 1926.451(b)(5)(i): The end of a platform 10 feet or less in length, extended over its support more than 12 inches:

a) 223 Grand Street, first floor, southeast corner, on or about 1-15-16: Employees were working on a scaffold platform while on planks that were extended 32-1/2 inches beyond their support, exposing the employees to a fall hazard of 7 feet 7 inches.

ABATEMENT CERTIFICATION MUST BE SUBMITTED FOR THIS ITEM

Date By Which Violation Must be Abated:

07/18/2016

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: 1119053
Inspection Date(s): 01/14/2016 - 01/15/2016
Issuance Date: 07/08/2016



Citation and Notification of Penalty

Company Name: W & L Group Construction Inc.
Inspection Site: 223 Grand Street, New York, NY 10013

Citation 1 Item 6 Type of Violation: **Serious**

29 CFR 1926.501(b)(4)(i): Each employee on walking/working surfaces was not protected from falling through holes (including skylights), more than six feet (1.8 m) above lower levels, by personal fall arrest systems, covers, or guardrail systems erected around such holes:

a) 223 Grand Street, first floor, southeast corner, on or about 1-15-16: Employees were using a stairway that had a section removed from it, exposing the employees to a fall hazard of 17 feet 7 inches up to 20 feet 3 inches to the basement below.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:
Proposed Penalty:

07/18/2016
\$5390.00

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: 1119053
Inspection Date(s): 01/14/2016 - 01/15/2016
Issuance Date: 07/08/2016



Citation and Notification of Penalty

Company Name: W & L Group Construction Inc.
Inspection Site: 223 Grand Street, New York, NY 10013

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

29 CFR 1926.350(a)(10): Oxygen cylinders in storage were not separated from fuel-gas cylinder or combustible materials (especially oil or grease), a minimum distance of 20 feet or by a noncombustible barrier at least 5 feet high having a fire-resistance rating of at least one-half hour:

a) 223 Grand Street, basement, on or about 1-14-16: Employees were working in an area immediately adjacent to stored oxygen and acetylene cylinders that were not separated.

W&L GROUP CONSTRUCTION WAS PREVIOUSLY CITED FOR A VIOLATION OF THIS OR A SIMILAR OCCUPATIONAL SAFETY AND HEALTH STANDARD, 1926.350(a)(10), WHICH WAS CONTAINED IN OSHA INSPECTION NUMBER 644820, CITATION NUMBER 01, ITEM NUMBER 001, ISSUED ON 3-18-13, WITH RESPECT TO A WORKPLACE LOCATED AT 842 41st STREET, BROOKLYN, NY, 11232.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:
Proposed Penalty:

07/18/2016
\$7700.00

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: W & L Group Construction Inc.
Inspection Site: 223 Grand Street, New York, NY 10013

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

29 CFR 1926.404(b)(1)(ii): On a construction site, where an assured equipment grounding program was not utilized, all 120-volt, single-phase, 15 and 20 ampere receptacle outlets which were not a part of the permanent wiring of the building or structure and which are in use by employees did not have approved ground fault circuit interrupters for personal protection:

- a) 223 Grand Street, first floor, north side, panel area, on or about 1-14-16: Employees were operating various tools powered through receptacles that were not protected by a ground fault circuit interrupter (GFCI).
- b) 223 Grand Street, first floor, north exterior wall, scaffold area, on or about 1-14-16: Employees were operating various tools powered through receptacles that were not protected by a ground fault circuit interrupter (GFCI).

W&L GROUP CONSTRUCTION WAS PREVIOUSLY CITED FOR A VIOLATION OF THIS OR A SIMILAR OCCUPATIONAL SAFETY AND HEALTH STANDARD, 1926.404(b)(1)(i), WHICH WAS CONTAINED IN OSHA INSPECTION NUMBER 644820, CITATION NUMBER 01, ITEM NUMBER 002, ISSUED ON 3-18-13, WITH RESPECT TO A WORKPLACE LOCATED AT 842 41st STREET, BROOKLYN, NY, 11232.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:
Proposed Penalty:

07/18/2016
\$7700.00



Citation and Notification of Penalty

Company Name: W & L Group Construction Inc.
Inspection Site: 223 Grand Street, New York, NY 10013

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

29 CFR 1926.404(f)(6): The path to ground from circuits, equipment, or enclosures was not permanent and continuous:

- a) 223 Grand Street, first floor, north side, panel box area, on or about 1-14-16: Employees were operating various tools powered through a quad receptacle box, without a continuous path to ground due to improper wiring.
- b) 223 Grand Street, first floor, north side, panel box area, on or about 1-14-16: Employees were operating various tools powered through an extension cord that did not have a continuous path to ground due to a missing ground pin.
- c) 223 Grand Street, first floor, north exterior wall, scaffold area, on or about 1-14-16: Employees were operating various tools powered through an extension cord that did not have a continuous path to ground due to a missing ground pin.

W&L GROUP CONSTRUCTION WAS PREVIOUSLY CITED FOR A VIOLATION OF THIS OR A SIMILAR OCCUPATIONAL SAFETY AND HEALTH STANDARD, 1926.404(f)(6), WHICH WAS CONTAINED IN OSHA INSPECTION NUMBER 644820, CITATION NUMBER 01, ITEM NUMBER 003, ISSUED ON 3-18-13, WITH RESPECT TO A WORKPLACE LOCATED AT 842 41st STREET, BROOKLYN, NY, 11232.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:
Proposed Penalty:

07/18/2016
\$7700.00

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: 1119053
Inspection Date(s): 01/14/2016 - 01/15/2016
Issuance Date: 07/08/2016



Citation and Notification of Penalty

Company Name: W & L Group Construction Inc.
Inspection Site: 223 Grand Street, New York, NY 10013

Citation 2 Item 4 Type of Violation: **Repeat**

29 CFR 1926.405(g)(2)(iv): Flexible cords were not connected to devices and fittings so that strain relief is provided to prevent pull from being directly transmitted to joints or terminal screws:

a) 223 Grand Street, first floor, north side, panel box area, on or about 1-14-16: Employees were operating various tools powered through an extension cord that had its outer insulation not properly clamped to provide strain relief.

W&L GROUP CONSTRUCTION WAS PREVIOUSLY CITED FOR A VIOLATION OF THIS OR A SIMILAR OCCUPATIONAL SAFETY AND HEALTH STANDARD, 1926.405(g)(2)(iv), WHICH WAS CONTAINED IN OSHA INSPECTION NUMBER 644820, CITATION NUMBER 01, ITEM NUMBER 004, ISSUED ON 3-18-13, WITH RESPECT TO A WORKPLACE LOCATED AT 842 41st STREET, BROOKLYN, NY, 11232.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:
Proposed Penalty:

07/18/2016
\$6160.00

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: 1119053
Inspection Date(s): 01/14/2016 - 01/15/2016
Issuance Date: 07/08/2016



Citation and Notification of Penalty

Company Name: W & L Group Construction Inc.
Inspection Site: 223 Grand Street, New York, NY 10013

Citation 2 Item 5 Type of Violation: **Repeat**

29 CFR 1926.451(b)(1): Each platform on all working levels of scaffolds was not fully planked or decked between the front uprights and the guardrail supports as specified in paragraphs 1926.451(b)(1)(i)-(ii):

a) 223 Grand Street, first floor, southeast corner, on or about 1-15-16: Employees were working on a scaffold platform that was not fully planked, exposing the employees to a fall hazard of 11 feet 3 inches.

W&L GROUP CONSTRUCTION WAS PREVIOUSLY CITED FOR A VIOLATION OF THIS OR A SIMILAR OCCUPATIONAL SAFETY AND HEALTH STANDARD, 1926.451(b)(1), WHICH WAS CONTAINED IN OSHA INSPECTION NUMBER 963837, CITATION NUMBER 01, ITEM NUMBER 001, ISSUED ON 4-1-14, WITH RESPECT TO A WORKPLACE LOCATED AT 457 39th STREET, BROOKLYN, NY, 11232.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:
Proposed Penalty:

07/18/2016
\$10780.00

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: W & L Group Construction Inc.
Inspection Site: 223 Grand Street, New York, NY 10013

Citation 2 Item 6 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. Cross braces were used as a means of access:

a) 223 Grand Street, first floor, southeast corner, on or about 1-15-16: Employees were using cross braces for scaffold access, exposing employees to a fall hazard of up to 11 feet 3 inches.

W&L GROUP CONSTRUCTION WAS PREVIOUSLY CITED FOR A VIOLATION OF THIS OR A SIMILAR OCCUPATIONAL SAFETY AND HEALTH STANDARD, 1926.451(e)(1), WHICH WAS CONTAINED IN OSHA INSPECTION NUMBER 963837, CITATION NUMBER 01, ITEM NUMBER 002, ISSUED ON 4-1-14, WITH RESPECT TO A WORKPLACE LOCATED AT 457 39th STREET, BROOKLYN, NY, 11232.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:
Proposed Penalty:

07/18/2016
\$7700.00



Citation and Notification of Penalty

Company Name: W & L Group Construction Inc.
Inspection Site: 223 Grand Street, New York, NY 10013

Citation 2 Item 7 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) 223 Grand Street, first floor, southeast corner, on or about 1-15-16: Employees were working on a scaffold platform without fall protection, exposing the employee to a fall hazard of 11 feet 3 inches.

W&L GROUP CONSTRUCTION WAS PREVIOUSLY CITED FOR A VIOLATION OF THIS OR A SIMILAR OCCUPATIONAL SAFETY AND HEALTH STANDARD, 1926.451(g)(1)(vii), WHICH WAS CONTAINED IN OSHA INSPECTION NUMBER 963837, CITATION NUMBER 01, ITEM NUMBER 003, ISSUED ON 4-1-14, WITH RESPECT TO A WORKPLACE LOCATED AT 457 39th STREET, BROOKLYN, NY, 11232.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:

07/18/2016

Proposed Penalty:

\$10780.00



Citation and Notification of Penalty

Company Name: W & L Group Construction Inc.
Inspection Site: 223 Grand Street, New York, NY 10013

Citation 2 Item 8 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) 223 Grand Street, on or about 1-15-16: Employees were not trained to recognize and minimize fall hazards while working at the site.

W&L GROUP CONSTRUCTION WAS PREVIOUSLY CITED FOR A VIOLATION OF THIS OR A SIMILAR OCCUPATIONAL SAFETY AND HEALTH STANDARD, 1926.503(a)(1), WHICH WAS CONTAINED IN OSHA INSPECTION NUMBER 963837, CITATION NUMBER 01, ITEM NUMBER 004b, ISSUED ON 4-1-14, WITH RESPECT TO A WORKPLACE LOCATED AT 457 39th STREET, BROOKLYN, NY, 11232.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:
Proposed Penalty:

07/18/2016
\$10780.00



Kay Gee
Area Director

U.S. Department of Labor
Occupational Safety and Health Administration
201 Varick Street
Room 908
New York, NY 10014
Phone: 212-620-3200 Fax: 212-620-4121



INVOICE / DEBT COLLECTION NOTICE

Company Name: W & L Group Construction Inc.
Inspection Site: 223 Grand Street, New York, NY 10013
Issuance Date: 07/08/2016

Summary of Penalties for Inspection Number	1119053
Citation 1, Serious	\$23870.00
Citation 2, Repeat	\$69300.00
TOTAL PROPOSED PENALTIES	\$93170.00

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.

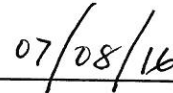
Delinquent Charges: A debt is considered delinquent if it has not been paid within one month (30 calendar days) of the penalty due date or if a satisfactory payment arrangement has not been made. If the debt remains delinquent for more than 90 calendar days, a delinquent charge of six percent (6%) per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



Kay Gee

Area Director



Date