

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

Inspection Number: 987259  
Inspection Date(s): 07/11/2014 - 07/14/2014  
Issuance Date: 01/02/2015



**Citation and Notification of Penalty**

**Company Name:** Jean Beauthier DBA All Custom Masonry  
**Inspection Site:** 15 Cottage St, Easthampton, MA 01027

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

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:

a) The employer does not protect its employees from the fall hazards inherent in performing construction work. This was most recently observed on or about July 11, 2014 at a worksite located at 15 Cottage St., Easthampton, MA in that several employees were observed walking on a partially planked section of a tubular steel scaffold system more than 25 feet above the ground below. To abate this violation, the employer must provide sufficient equipment to fully plank the scaffolds used by its employees. The employer must train its employees in proper scaffold erection procedures and enforce those procedures when its employees are exposed to falls in excess of 10 feet while engaged in construction activities from a scaffold system.

Specific abatement documentation that this violation has been corrected must be provided within 10 days of the abatement in accordance with 29 CFR 1903.19(d)(1).

Date By Which Violation Must be Abated:  
Proposed Penalty:

Corrected During Inspection  
\$2800.00

See pages 1 through 4 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.

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

29 CFR 1926.451(g)(1): Each employee on a scaffold more than 10 feet (3.1 m) above a lower level was not protected from falling to that lower level:

a) The employer does not protect its employees from the fall hazards inherent in performing construction work. This was most recently observed on or about July 11, 2014 at a worksite located at 15 Cottage St., Easthampton, MA in that several employees were working on a tubular steel scaffold system more than 25 feet above ground below without being protected from falling to that lower level.

To abate this violation, the employer must provide fall protection equipment to its employees, train them in its proper usage and enforce that usage when its employees are exposed to falls in excess of 6 feet while engaged in construction activities.

Specific abatement documentation that this violation has been corrected must be provided within 10 days of the abatement in accordance with 29 CFR 1903.19(d)(1).

Date By Which Violation Must be Abated:  
Proposed Penalty:

Corrected During Inspection  
\$2800.00

A handwritten signature in black ink, appearing to read "Mary E Hoye", written over a horizontal line.

**Mary E Hoye**  
Area Director

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  
1441 Main Street  
Room 550  
Springfield, MA 01103  
Phone: 413-785-0123 Fax: 413-785-0136



## INVOICE / DEBT COLLECTION NOTICE

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**Company Name:** Jean Beauthier DBA All Custom Masonry  
**Inspection Site:** 15 Cottage St, Easthampton, MA 01027  
**Issuance Date:** 01/02/2015

<b>Summary of Penalties for Inspection Number</b>	<b>987259</b>
<b>Citation 1, Serious</b>	<b>\$5600.00</b>
<b>TOTAL PROPOSED PENALTIES</b>	<b>\$5600.00</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 \$50,000 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.

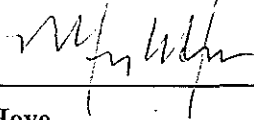
If a personal check is issued, it will be converted into an electronic fund transfer (EFT). This means that our bank will copy your check and use the account information on it to electronically debit your account for the amount of the check. The debit from your account will then usually occur within 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.



Mary E Hoye  
Area Director

12/31/14  
Date