

U.S. Department of Labor
Occupational Safety and Health Administration
200 N. High Street
Room 620
Columbus, OH 43215



Citation and Notification of Penalty

To:
Alejandro Vazquez Gallegos
2356 Vendom Drive
Columbus, OH 43219

Inspection Number: 1447752
Inspection Date(s): 11/26/2019 - 11/26/2019
Issuance Date: 04/02/2020

Inspection Site:
Lot 12
321 Whitepine Way
Galena, OH 43021

7019 0700 0000 9035 7305

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 by calling 614-469-5582. 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 04/02/2020. The conference will be held by telephone or at the OSHA office located at 200 N. High Street, Room 620, Columbus, OH 43215 on _____ at _____.

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

CERTIFICATION OF CORRECTIVE ACTION WORKSHEET

Inspection Number: 1447752

Company Name: Alejandro Vazquez Gallegos
Inspection Site: Lot 12, 321 Whitepine Way, Galena, OH 43021
Issuance Date: 04/02/2020

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, 200 N. High Street, Room 620, Columbus, OH 43215**

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: 1447752
Inspection Date(s): 11/26/2019 - 11/26/2019
Issuance Date: 04/02/2020



Citation and Notification of Penalty

Company Name: Alejandro Vazquez Gallegos
Inspection Site: Lot 12, 321 Whitepine Way, Galena, OH 43021

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

29 CFR 1926.102(a)(1): The employer shall ensure that each affected employee uses appropriate eye or face protection when exposed to eye or face hazards from flying particles, molten metal, liquid chemicals, acids or caustic liquids, chemical gases or vapors, or potentially injurious light radiation.

a. On or about November 26, 2019 on the jobsite located at 321 White Pine Way, Galena, Ohio 43021, where an employee used a pneumatic nail gun to secure roof sheathing to a residential structure, the employee's eyes were not protected from flying objects by the use of appropriate eye protection.

Date By Which Violation Must be Abated:
Proposed Penalty:

04/14/2020
\$6362.00

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: Alejandro Vazquez Gallegos
Inspection Site: Lot 12, 321 Whitepine Way, Galena, OH 43021

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

29 CFR 1926.501(b)(13): "Residential construction." Each employee engaged in residential construction activities 6 feet (1.8 m) or more above lower levels shall be protected by guardrail systems, safety net system, or personal fall arrest system unless another provision in paragraph (b) of this section provides for an alternative fall protection measure.

The employer does not protect each employee from the hazard of falling by the use of fall protection systems.

a. This most recently occurred on November 26, 2019 on the job site located at 321 White Pine Way, Galena, Ohio 43021. The employer failed to ensure that three employees who were performing framing work from the roof of a new build residential home were protected from fall hazards while sheathing the roof, thereby exposing them to an approximate fall hazard of 12 feet.

Alejandro Vazquez Gallegos was previously cited for a violation of this Occupational Safety and Health standard or its equivalent standard 29 CFR 1926.501(b)(13), which was contained in OSHA inspection number 1397321, citation number 2, item number 1 and was affirmed as a final order on August 20, 2019, with respect to a workplace located at Lot 73, 2635 Clemton Park West, Blacklick, Ohio.

Alejandro Vazquez Gallegos was previously cited for a violation of this Occupational Safety and Health standard or its equivalent standard 29 CFR 1926.501(b)(13), which was contained in OSHA inspection number 1324337, citation number 2, item number 1 and was affirmed as a final order on July 24, 2018, with respect to a workplace located at 4351 McAlister Park Drive, Westerville, Ohio.

Alejandro Vazquez Gallegos was previously cited for a violation of this Occupational Safety and Health standard or its equivalent standard 29 CFR 1926.501(b)(13), which was contained in OSHA inspection number 1280829, citation number 1, item number 1 and was affirmed as a final order on March 28, 2018, with respect to a workplace located at 712 Eagle Walk Road, Delaware, Ohio.

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: Alejandro Vazquez Gallegos
Inspection Site: Lot 12, 321 Whitepine Way, Galena, OH 43021

Alex Vasquez Gallegos was previously cited for a violation of this Occupational Safety and Health standard or its equivalent standard 29 CFR 1926.501(b)(13), which was contained in OSHA inspection number 1260271, citation number 1, item number 1 and was affirmed as a final order on December 12, 2017, with respect to a workplace located at 435 Fawn Road, Delaware, Ohio.

Alejandro Gallegos was previously cited for a violation of this Occupational Safety and Health standard or its equivalent standard 29 CFR 1926.501(b)(13), which was contained in OSHA inspection number 1003379, citation number 1, item number 2 and was affirmed as a final order on January 7, 2015 with respect to a workplace located at 32 Mandolin Court, Etna, Ohio.

Pursuant to 29 CFR 1903.19, the employer must submit documents describing the steps it is taking to ensure compliance, including a description of how these steps protect its employees from the fall hazards.

Require and enforce the use of fall protection at or above elevations of six feet in accordance with 29 CFR 1926.501-503 (Subpart M).

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated: 04/14/2020
Proposed Penalty: \$89058.00

A handwritten signature in blue ink, appearing to read "Larry M. Johnson", written over a horizontal line.

Larry M. Johnson
Area Director

U.S. Department of Labor
Occupational Safety and Health Administration
200 N. High Street
Room 620
Columbus, OH 43215



INVOICE / DEBT COLLECTION NOTICE

Company Name: Alejandro Vazquez Gallegos
Inspection Site: Lot 12, 321 Whitepine Way, Galena, OH 43021
Issuance Date: 04/02/2020

Summary of Penalties for Inspection Number	1447752
Citation 1, Serious	\$6362.00
Citation 2, Willful	\$89058.00
TOTAL PROPOSED PENALTIES	\$95420.00

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.

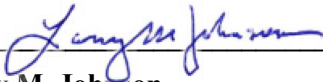
If a personal check is issued, it will be converted into an electronic fund transfer (EFT). This means that our bank will copy your check and use the account information on it to electronically debit your account for the amount of the check. The debit from your account will then usually occur within 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 two percent (2%). 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.



Larry M. Johnson

Area Director

04/2/2020

Date

U.S. Department of Labor
Occupational Safety and Health Administration
200 N. High Street
Room 620
Columbus, OH 43215



Citation and Notification of Penalty

To:
Alejandro Vazquez Gallegos
2356 Vendome Drive
Columbus, OH 43219

Inspection Number: 1442749
Inspection Date(s): 11/05/2019 - 11/05/2019
Issuance Date: 04/02/2020

Inspection Site:
12519 Preservation Way
Pickerington, OH 43147

7019 0700 0000 9035 7305

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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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 04/02/2020. The conference will be held by telephone or at the OSHA office located at 200 N. High Street, Room 620, Columbus, OH 43215 on _____ at _____.

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

CERTIFICATION OF CORRECTIVE ACTION WORKSHEET

Inspection Number: 1442749

Company Name: Alejandro Vazquez Gallegos
Inspection Site: 12519 Preservation Way, Pickerington, OH 43147
Issuance Date: 04/02/2020

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, 200 N. High Street, Room 620, Columbus, OH 43215**

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: Alejandro Vazquez Gallegos
Inspection Site: 12519 Preservation Way, Pickerington, OH 43147

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

29 CFR 1926.503(a)(1): The employer shall provide a training program for each employee who might be exposed to fall hazards. The program shall enable each employee to recognize the hazards of falling and shall train each employee in the procedures to be followed in order to minimize these hazards.

a. On or about November 5, 2019 on the job site located at 12519 Preservation Way, Pickerington, OH 43147, the employer did not ensure that employees had been adequately trained on recognizing fall hazards, selecting acceptable fall protection systems, inspection and the safe use of fall protection systems and the fall protection standards contained 1926 Subpart M.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	04/14/2020
Proposed Penalty:	\$8906.00



Citation and Notification of Penalty

Company Name: Alejandro Vazquez Gallegos
Inspection Site: 12519 Preservation Way, Pickerington, OH 43147

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 2 a Type of Violation: **Serious**

29 CFR 1926.1053(b)(4): Ladders shall be used only for the purpose for which they were designed.

a. On or about November 5, 2019 on the job site located at 12519 Preservation Way, Pickerington, OH 43147, employees were exposed to a fall hazard while using a portable self-supporting A-frame ladder in a closed leaned position and climbing from the top step to access the second story floor joists.

Date By Which Violation Must be Abated:	04/14/2020
Proposed Penalty:	\$7634.00



Citation and Notification of Penalty

Company Name: Alejandro Vazquez Gallegos
Inspection Site: 12519 Preservation Way, Pickerington, OH 43147

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

29 CFR 1926.1060(a)(1): The employer shall ensure that each employee has been trained by a competent person in:

29 CFR 1926.1060(a)(1)(iii): The proper construction, use, placement, and care in handling of all stairways and ladders;

a. On or about November 5, 2019 on the job site located at 12519 Preservation Way, Pickerington, OH 43147, employees were exposed to a fall hazard while using a portable A-frame step ladder to access the second story of the residential structure. The employees were not trained on the proper use and placement of all ladders in use on-site.

Date By Which Violation Must be Abated:

04/14/2020



Citation and Notification of Penalty

Company Name: Alejandro Vazquez Gallegos
Inspection Site: 12519 Preservation Way, Pickerington, OH 43147

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

29 CFR 1926.501(b)(13): "Residential construction." Each employee engaged in residential construction activities 6 feet (1.8 m) or more above lower levels shall be protected by guardrail systems, safety net system, or personal fall arrest system unless another provision in paragraph (b) of this section provides for an alternative fall protection measure.

The employer does not protect each employee from the hazard of falling by the use of fall protection systems.

This most recently occurred on November 5, 2019 on the job site located at 12519 Preservation Way, Pickerington, Ohio 43147. The employer failed to ensure that two employees who were performing framing work from the second floor of a new build residential home were protected from fall hazards while sheathing the second floor, thereby exposing them to fall hazards approximately 20 feet.

Alejandro Vazquez Gallegos was previously cited for a violation of this Occupational Safety and Health standard or its equivalent standard 29 CFR 1926.501(b)(13), which was contained in OSHA inspection number 1397321, citation number 2, item number 1 and was affirmed as a final order on August 20, 2019, with respect to a workplace located at Lot 73, 2635 Clemton Park West, Blacklick, Ohio.

Alejandro Vazquez Gallegos was previously cited for a violation of this Occupational Safety and Health standard or its equivalent standard 29 CFR 1926.501(b)(13), which was contained in OSHA inspection number 1324337, citation number 2, item number 1 and was affirmed as a final order on July 24, 2018, with respect to a workplace located at 4351 McAlister Park Drive, Westerville, Ohio.

Alejandro Vazquez Gallegos was previously cited for a violation of this Occupational Safety and Health standard or its equivalent standard 29 CFR 1926.501(b)(13), which was contained in OSHA inspection number 1280829, citation number 1, item number 1 and was affirmed as a final order on March 28, 2018, with respect to a workplace located at 712 Eagle Walk Road, Delaware, Ohio.

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: Alejandro Vazquez Gallegos
Inspection Site: 12519 Preservation Way, Pickerington, OH 43147

Alex Vasquez Gallegos was previously cited for a violation of this Occupational Safety and Health standard or its equivalent standard 29 CFR 1926.501(b)(13), which was contained in OSHA inspection number 1260271, citation number 1, item number 1 and was affirmed as a final order on December 12, 2017, with respect to a workplace located at 435 Fawn Road, Delaware, Ohio.

Alejandro Gallegos was previously cited for a violation of this Occupational Safety and Health standard or its equivalent standard 29 CFR 1926.501(b)(13), which was contained in OSHA inspection number 1003379, citation number 1, item number 2 and was affirmed as a final order on January 7, 2015 with respect to a workplace located at 32 Mandolin Court, Etna, Ohio.

Pursuant to 29 CFR 1903.19, the employer must submit documents describing the steps it is taking to ensure compliance, including a description of how these steps protect its employees from the fall hazards.

Require and enforce the use of fall protection at or above elevations of six feet in accordance with 29 CFR 1926.501-503 (Subpart M).

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	04/14/2020
Proposed Penalty:	\$89058.00

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: Alejandro Vazquez Gallegos
Inspection Site: 12519 Preservation Way, Pickerington, OH 43147

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

29 CFR 1926.20(b)(1): It shall be the responsibility of the employer to initiate and maintain such programs as may be necessary to comply with this part.

The employer does not ensure an effective safety and health program was in place to protect employees from hazards while performing framing work.

This most recently occurred on November 5, 2019 on the jobsite located at 12519 Preservation Way, Pickerington, Ohio 43147. The employer did not maintain a safety and health program to ensure hazards were identified and corrected onsite while performing framing work. Hazards included, but were not limited to, fall hazards of up to 20 feet, fall protection use and requirements, unsafe use of ladders, no training on ladders.

Alejandro Vazquez Gallegos was previously cited for a violation of this Occupational Safety and Health standard or its equivalent standard 29 CFR 1926.20(b)(1), which was contained in OSHA inspection number 1397321, citation number 1, item number 1 and was affirmed as a final order on August 20, 2019, with respect to a workplace located at Lot 73, 2635 Clemton Park West, Blacklick, Ohio.

Pursuant to 29 CFR 1903.19, the employer must submit documents describing the steps it is taking to ensure compliance, including a description of how these steps protect its employees from the fall hazards.

Develop and maintain an effective safety and health program as required by with 29 CFR 1926.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	04/14/2020
Proposed Penalty:	\$17812.00

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: Alejandro Vazquez Gallegos
Inspection Site: 12519 Preservation Way, Pickerington, OH 43147

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

29 CFR 1926.1053(b)(1): When portable ladders are used for access to an upper landing surface, the ladder side rails shall extend at least 3 feet (.9 m) above the upper landing surface to which the ladder is used to gain access; or, when such an extension is not possible because of the ladder's length, then the ladder shall be secured at its top to a rigid support that will not deflect, and a grasping device, such as a grab rail, shall be provided to assist employees in mounting and dismounting the ladder. In no case shall the extension be such that ladder deflection under a load would, by itself, cause the ladder to slip off its support.

The employer does not ensure that portable ladders are selected and used to provide a safe means of access to upper landings.

This most recently occurred on November 5, 2019 on the jobsite located at 12519 Preservation Way, Pickerington, OH 43147. The employer did not ensure that employees using a portable A-frame ladder to access the second story of the residential structure were provided with a ladder that extended at least three-feet above the second level landing surface of the residential structure.

Alejandro Vazquez Gallegos was previously cited for a violation of this Occupational Safety and Health standard or its equivalent standard 29 CFR 1926.1053(b)(1), which was contained in OSHA inspection number 1324337, citation number 1, item number 1 and was affirmed as a final order on July 24, 2018, with respect to a workplace located at 4351 McAlister Park Drive, Westerville, Ohio.

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

Inspection Number: 1442749
Inspection Date(s): 11/05/2019 - 11/05/2019
Issuance Date: 04/02/2020



Citation and Notification of Penalty

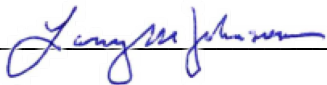
Company Name: Alejandro Vazquez Gallegos
Inspection Site: 12519 Preservation Way, Pickerington, OH 43147

Pursuant to 29 CFR 1903.19, the employer must submit documents describing the steps it is taking to ensure compliance, including a description of how these steps protect its employees from the fall hazards.

Require and enforce the safe use of portable ladders in accordance with 29 CFR 1926.1053 (Subpart X).

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated: 04/14/2020
Proposed Penalty: \$17812.00


Larry M. Johnson
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
200 N. High Street
Room 620
Columbus, OH 43215



INVOICE / DEBT COLLECTION NOTICE

Company Name: Alejandro Vazquez Gallegos
Inspection Site: 12519 Preservation Way, Pickerington, OH 43147
Issuance Date: 04/02/2020

Summary of Penalties for Inspection Number	1442749
Citation 1, Serious	\$16540.00
Citation 2, Willful	\$89058.00
Citation 3, Repeat	\$35624.00
TOTAL PROPOSED PENALTIES	\$141222.00

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 two percent (2%). 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.



Larry M. Johnson

Area Director

04/2/2020

Date