



**Citation and Notification of Penalty**

**Company Name:** United States Postal Service  
**Inspection Site:** 1355 Old Courthouse Square, Martinsburg, WV 25404

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

OSH ACT of 1970 Section (5)(a)(1): The employer did not furnish employment and a place of employment which were free from recognized hazards that were causing or likely to cause death or serious physical harm to employees in that employees were exposed to recognized hazards related to working outside during periods of excessive heat:

a.) On August 13, 2016, at job sites located on mail routes in Martinsburg, West Virginia, with an afternoon heat index of 103 degrees Fahrenheit, the employer exposed employees to the recognized hazard of excessive heat during mail delivery. Beginning at approximately 11:30a.m., a rural letter carrier began delivering mail from an enclosed Postal Service truck (LLV) without air conditioning and in the direct heat. At approximately 1:30p.m. the employee began feeling the symptoms of heat stress. The employee was hospitalized and diagnosed with heat related illness.

The United States Postal Service, was previously cited for a willful violation of this occupational safety and health standard or its equivalent standard OSH ACT of 1970 Section (5)(a)(1), which was contained in OSHA inspection number 538158, Citation 01, Item number 001 and was affirmed as a final order on 10/24/14, with respect to a workplace located at job sites on mail routes in Independence, Missouri.

Among other methods, feasible and acceptable means of hazard abatement include:

- (i) Providing a climate-controlled environment or vehicle where heat-affected employees may take their breaks and/or recover when signs and symptoms of heat-related illnesses are recognized.
- (ii) Acclimatizing employees returning to work after an extended absence to working in the heat or beginning a new route.
- (iii) training supervisors and other employees in the proper response to employees reporting heat induced illness symptoms, which includes stopping work, getting to a cool place, and providing help, evaluation and medical assistance,

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:** United States Postal Service

**Inspection Site:** 1355 Old Courthouse Square, Martinsburg, WV 25404

- 
- (iv) requiring trained supervisors to go into the field and conduct in-person evaluations of employees complaining of heat induced symptoms, arranging for medical attention or other assistance as necessary,
- (v) establishing work rules and practices that encourage employees to seek assistance and evaluation when experiencing heat stress symptoms, and;
- (vi) establishing a heat stress management program which incorporates guidelines from the ACGIH's threshold limit values and biological exposure indices and/or National Institute for Occupational Safety and Health (NIOSH) document, "Working in Hot Environments;" such a program should be tailored to the particulars of the employer's work, and may include, the following:
1. Provide adequate amounts of cool (50 degrees to 60 degrees F), potable water and electrolyte replacements (specific recommendation should be made by medical consultation) in the work area and require employees to drink frequently, e.g. one cup every 20 minutes.
  - 2.) Provide a work/rest regimen.
  - 3.) Training employees about the effect of heat-related illness, how to report and recognize heat-related illness symptoms and how to prevent heat-related illnesses.
  - 4.) Including a heat acclimatization program for new employees or employees returning to work from absences of three or more days.
  - 5.) Providing a cool, climate-controlled area where heat-affected employees may take their breaks and/or recover when signs and symptoms of heat-related illnesses are recognized.
  - 6.) Providing shaded areas where heat-affected employees may take their breaks and/or recover on worksites that don't have access to climate-controlled areas.
  - 7.) Providing specific procedures to be followed for heat-related emergency situations and procedures for first aid to be administered immediately to employees displaying symptoms of heat-related illness.

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:** 1175431  
**Inspection Date(s):** 08/17/2016 - 12/15/2016  
**Issuance Date:** 01/19/2017



**Citation and Notification of Penalty**


**Company Name:** United States Postal Service  
**Inspection Site:** 1355 Old Courthouse Square, Martinsburg, WV 25404

---

- 8.) Using dermal patches for monitoring core temperatures to better identify when workers need to be removed from the work area.
- 9.) Allowing employees to modify their work schedules in the summer months to begin an hour to two hours earlier, and end their shift one to two hours earlier.
- 10.) Monitoring the National Weather heat advisories or alerts and physically checking on carriers in the field during heat advisories or alerts.

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated: 03/08/2017  
Proposed Penalty: \$69713.00

  
\_\_\_\_\_  
**Prentice Cline**  
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  
405 Capitol Street  
Suite 407  
Charleston, WV 25301  
Phone: 304-347-5937 Fax: 304-347-5275



## INVOICE / DEBT COLLECTION NOTICE

---

**Company Name:** United States Postal Service  
**Inspection Site:** 1355 Old Courthouse Square, Martinsburg, WV 25404  
**Issuance Date:** 01/19/2017

<b>Summary of Penalties for Inspection Number</b>	<b>1175431</b>
<b>Citation 1, Repeat</b>	<b>\$69713.00</b>
<b>TOTAL PROPOSED PENALTIES</b>	<b>\$69713.00</b>

---

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.

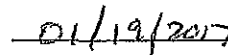
**Interest:** Interest charges will be assessed at an annual rate determined by the Secretary of the Treasury on all penalty debt amounts not paid within one month (30 calendar days) of the date on which the debt amount becomes due and payable (penalty due date). The current interest rate is one percent (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.



Prentice Cline  
Area Director



Date