



Citation and Notification of Penalty

Company Name: U. S. POSTAL SERVICE
Inspection Site: 35th & Deleware, Independence, MO 64055

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

Section 5(a)(1) of the Occupational Safety & Health Act of 1970: 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 July 24, 2012, at job sites located on mail routes in Independence, Missouri, with the afternoon temperature in excess of 100 degrees F and the job sites under an excessive heat warning from the National Weather Service, the employer exposed employees to the recognized hazard of excessive heat during mail delivery. This included a letter carrier who had just returned to work after a five week absence and was not acclimated to the heat. Beginning at approximately 7:30 a.m., that employee worked in the heat walking a mail route outside delivering mail from an enclosed vehicle without air-conditioning. At approximately, 12:15 p.m., the employee reported to his supervisor symptoms of heat induced illness. At approximately 2:50 p.m., the employee collapsed while walking a mail route. At that time, the temperature was 102 degrees F, the humidity was 28%, and the heat index was 104 degrees F. The employee's core body temperature on arriving at the hospital was 108.7 degrees F, and he died as a result of his exposure to excessive heat. This included another letter carrier who reported symptoms of heat induced illness that day but was required to finish his route.

b) On July 23, 2012, at job sites located on mail routes in Independence, Missouri, with the afternoon temperature in excess of 100 degrees F and the job sites under an excessive heat warning from the National Weather Service, the employer exposed employees to the recognized hazard of excessive heat during mail delivery. This included a letter carrier who had just returned to work after a five week absence and who was not acclimated to the heat. Beginning at approximately 7:30 a.m., the returning employee worked in the heat walking a mail route outside delivering mail from an enclosed vehicle without air-conditioning. At around 12:00 noon, the employee called his supervisor and reported symptoms of heat induced illness and asked to go home; the employer required the employee to continue working in the excessive heat. That afternoon, the temperature was 104 degrees F, the humidity was 24%, and the heat index was 105 degrees F. The next day the employee returned to work in the same conditions and collapsed at approximately 2:50 p.m. while walking a mail route. The employee's core body temperature on arriving at the hospital was 108.7 degrees F, and he died as a result of his exposure to excessive heat. This included another letter carrier who called into his

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supervisor around 2:00 p.m. on July 23 and reported feeling ill because of the heat. He was pressured to continue working and was finally relieved at around 5:00 p.m. After his shift he reported to the hospital emergency room and was admitted with heat induced illness.

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

- (i) acclimatizing employees returning to work after an extended absence to working in the heat;
- (ii) 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,
- (iii) 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;
- (iv) establishing work rules and practices that encourage employees to seek assistance and evaluation when experiencing heat stress symptoms; and,
- (v) establishing a heat stress management program which incorporates guidelines from the ACGIH's threshold limit values and biological exposure indices and/or the 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. Providing 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.

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8. Using dermal patches for monitoring core temperature 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 certification is required for this violation (using the CERTIFICATION OF CORRECTIVE ACTION WORKSHEET), and in addition, documentation demonstrating that abatement is complete must be included with your certification. This documentation may include, but is not limited to, evidence of the purchase or repair of the equipment, photographic or video evidence of abatement, or other wirtten records.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated: 01/04/2013
Proposed Penalty: \$70000.00

A handwritten signature in cursive script that reads "Barbara Theriot".

Barbara Theriot
Area Director

U.S. Department of Labor
Occupational Safety and Health Administration
2300 Main Street
Suite 168
Kansas City, MO 64108
Phone: 816-483-9531 Fax: 816-483-9724



INVOICE / DEBT COLLECTION NOTICE

Company Name: U. S. POSTAL SERVICE
Inspection Site: 35th & Deleware, Independence, MO 64055
Issuance Date: 12/12/2012

Summary of Penalties for Inspection Number	538158
Citation 1, Willful	\$70000.00
TOTAL PROPOSED PENALTIES	\$70000.00

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.

OSHA does not agree to any restrictions or conditions or endorsements put on any check or money order 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.

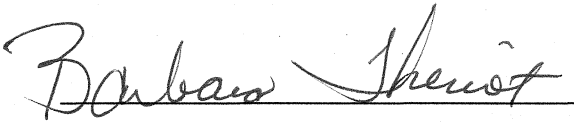
Pursuant to the Debt Collection Act of 1982 (Public Law 97-365) and regulations of the U.S. Department of Labor (29 CFR Part 20), the Occupational Safety and Health Administration is required to assess interest, delinquent charges, and administrative costs for the collection of delinquent penalty debts 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.

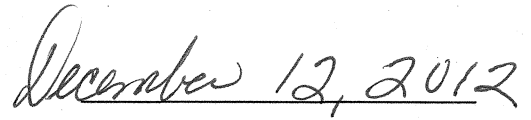
Delinquent Charges: A debt is considered delinquent if it has not been paid within one month (30 calendar days) of the penalty due date or if a satisfactory payment arrangement has not been made. If the debt remains delinquent for more than 90 calendar days, a delinquent charge of six percent (6%) per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



Barbara Theriot

Area Director



Date