



U.S. DEPARTMENT OF LABOR
OCCUPATIONAL SAFETY AND HEALTH ADMINISTRATION

In the Matter of: **Trueblue Inc. dba PeopleReady**
OSHA Inspection No(s): **1229944**

INFORMAL SETTLEMENT AGREEMENT

The undersigned Employer and the undersigned representative of the Occupational Safety and Health Administration (OSHA), in settlement of the above citation(s) and penalties which were issued on 11/01/2017, hereby agree as follows:

1. The Employer agrees to correct the violations, cited citations or as amended below.
2. The Employer agrees to pay the proposed penalties, if any, as issued with the above referenced citations, or, if amended by this agreement, as amended below. It is further agreed that payment of the amended penalty will be made within 15 days of the signing of this agreement. Default on this agreement will cause modifications to be considered null and void, and the penalty due will revert to the original amount of \$12,675.00, along with any accrued interest, delinquent and administrative fees.
3. The Employer and OSHA agree that the following citations and penalties (if any) are not being amended by this agreement:
 - None
4. OSHA agrees that the following citations and penalties are being amended as shown:
 - Citation 1 Item 1, the penalty is \$12,675.00. The citation shall be amended to read as follows:

OSH ACT of 1970 Section (5)(a)(1): The employer did not furnish employment and a place of employment which was free from recognized hazards that were causing or likely to cause death or serious physical harm to employees in that employees were exposed to struck-by and crushing hazards from vehicles driven throughout the auto auction premises.

(a) Location - 400 Charter Way, Billerica, MA:

On or about 5/3/17, the employer failed to protect employees from struck-by and crushing hazards from vehicles while working throughout the entire auction premises. Employees exposed to these hazards include but are not limited to employees performing the following duties: traffic control, lot attendants, drivers, security and maintenance.

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The method or methods to feasibly correct or abate the hazards include, but are not limited to, the following elements:

Ensure PeopleReady employees are protected by a written auction traffic control program which addresses at a minimum the following elements:

Engineering Controls

- 1. Ensure that PeopleReady employees observe the designated posted vehicle speed limits throughout the auction premises.*
- 2. Ensure each PeopleReady employee directing auction traffic and each employee driving any vehicle related to the auction process are provided and wear high visibility vests in all vehicle traffic areas on the auction premises.*

Administrative Controls

- 1. Ensure that the host employer's written auction safety policy is distributed/communicated to all employees provided to the host employer prior to the employee being assigned.*
- 2. Post auto auction safety rules, and guidelines pertaining to safe auction operations.*
- 3. Ensure PeopleReady auction drivers obey speed limits and safe travel distances between vehicles throughout the auction premises.*
- 4. Develop a monitoring plan to ensure all PeopleReady employees adhere to all safety rules, traffic control signals and auction safety protocols such as clearing auction lanes prior to signaling vehicles to proceed to the next stopping point.*
- 5. Develop a progressive disciplinary action plan for PeopleReady employees to address non-compliance with safety policy and rules.*
- 6. Ensure all PeopleReady employees attend host employer's safety meetings prior to each auction day, with mandatory attendance for all auction employees to review auction safety protocol, and driver safety procedures.*
- 7. Ensure all PeopleReady auction drivers maintain a safe distance when stopping behind a vehicle in front of them, for preventing injuries caused by collisions and caught in between hazards.*
- 8. Prohibit the opening of vehicle doors, hoods, trunks and enclosed spaces during the auction.*
- 9. Ensure host employer's management conducts inspections throughout the auction premises during times when their employees are present. Ensure that the inspections document deficiencies or near miss incidents and takes appropriate corrective actions. Evaluate all reports on an annual basis and ensure that all deficiencies have been addressed and communicated to all employees.*

Training Certification

- 1. Ensure all PeopleReady employees provided to the host employer, demonstrate proficient knowledge of the auction safety rules, protocol and driver safety procedures.*
- 2. Certify that all PeopleReady employees have been trained regarding the auction traffic control plans, safety policy, and driver safety program prior to assignment.*
- 3. Provide training at a minimum annually. Retrain whenever deficiencies or noncompliance with safety program are found.*

Develop and implement a safe driving program for all PeopleReady auction drivers specific to each area within the auto auction premises, which includes at a minimum, the following guidelines:

- 1. Certify that all PeopleReady auction drivers demonstrate safe driver skills and demonstrate knowledge of host employer's safe driver procedures and pedestrian precautions before assignment.***
- 2. Periodically re-evaluate all PeopleReady auction drivers to ensure that they remain qualified to operate and are physically capable of operating each vehicle safely.***
- 3. Ensure all PeopleReady auction drivers are wearing the appropriate high visibility clothing for when accessing vehicles in parking lots.***
- 4. Ensure PeopleReady auction drivers wear stable footwear to safely operate vehicle foot control pedals.***
- 5. Prior to operation, ensure all PeopleReady auction drivers visually inspect each vehicle for safety defects such as, driver visibility hazards, or other obvious defects which would affect the safe operation of the vehicle.***
- 6. Instruct PeopleReady auction drivers to remove the keys from the ignition of unsafe or defective vehicles, and notify a supervisor.***
- 7. Ensure PeopleReady auction drivers are trained to follow speed limits in each posted area and trained to maintain safe travel distances between vehicles throughout the auction premises.***
- 8. Ensure PeopleReady auction drivers are aware of blind spots within the premises which may conceal pedestrians and other auction employees from view.***
- 9. Provide retraining in the safe driver program and/or auction safety protocol, when deficiencies or non-compliance to safety policy is found.***
- 10. Implement a written disciplinary action plan to address unsafe driving practices, or violation of the auction safety rules and protocols.***

- The total penalty is \$12,675.00.

5. The Employer, by signing this Informal Settlement Agreement, hereby waives its rights to contest the citations and penalties, as amended in paragraph 4 of this agreement.

6. Each party hereby agrees to bear its own fees and other expenses incurred by such parties in connection with any stage of this proceeding.

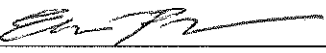
7. The Employer agrees to immediately post a copy of this Settlement Agreement in a prominent place at or near the location of the conditions referred to in paragraph 4 above. This Settlement Agreement must remain posted until the violations cited have been corrected, or for 3 working days (excluding weekends and Federal Holidays), whichever is longer.

8. The Employer agrees to continue to comply with the applicable provisions of the Occupational Safety and Health Act of 1970, and the applicable safety and health standards promulgated pursuant to the Act.

9. The Employer agrees to provide proof of abatement to this office within thirty days of the signing of this agreement.

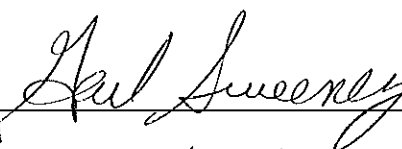
10. The Employer agrees to withdraw the Notice of Contest dated November 27, 2017 and agrees to the terms contained within provision #5 of this Informal Settlement Agreement.

For the Employer:



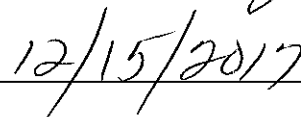
Elaine Pascua, Senior Corporate Counsel
TrueBlue, Inc.

For OSHA:



Date Signed: December 5, 2017

Date Signed:



Notice To Employees

The law gives you or your representative the opportunity to object to any abatement date set for a violation if you believe the date to be unreasonable. Any contest to the abatement dates of the citations amended in paragraph 4 of this Settlement Agreement must be mailed to the U.S. Dept. of Labor--OSHA, Boston North Area Office, Shattuck Office Center, and 138 River Road, Suite 102, Andover, MA 01810 within 15 working days (excluding weekends and Federal Holidays) of the receipt by the Employer of this Settlement Agreement. You or your representative also has the right to object to any of the abatement dates set for violations referred to in paragraph 3, provided that the objection is mailed to the office shown above within the 15-working day period established by the original citation.