

U.S. Department of Labor
Occupational Safety and Health Administration
1000 South Pine Island Road
Suite 100
Fort Lauderdale, FL 33324



Citation and Notification of Penalty

To:
ASSURA WINDOWS AND DOORS, LLC
and its successors
1543 N POWERLINE ROAD
Pompano Beach, FL 33069

Inspection Number: 1440067
Inspection Date(s): 10/24/2019 - 10/24/2019
Issuance Date: 03/23/2020

Inspection Site:
1543 N POWERLINE ROAD
Pompano Beach, FL 33069

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 954-424-0242. 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.

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



NOTICE TO EMPLOYEES OF INFORMAL CONFERENCE

An informal conference has been scheduled with OSHA to discuss the citation(s) issued on 03/23/2020. The conference will be held by telephone or at the OSHA office located at 1000 South Pine Island Road, Suite 100, Fort Lauderdale, FL 33324 on _____ at _____.

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

CERTIFICATION OF CORRECTIVE ACTION WORKSHEET

Inspection Number: 1440067

Company Name: ASSURA WINDOWS AND DOORS, LLC
Inspection Site: 1543 N POWERLINE ROAD, Pompano Beach, FL 33069
Issuance Date: 03/23/2020

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, 1000 South Pine Island Road, Suite 100, Fort Lauderdale, FL 33324**

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: ASSURA WINDOWS AND DOORS, LLC
Inspection Site: 1543 N POWERLINE ROAD, Pompano Beach, FL 33069

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 1 a Type of Violation: **Serious**

29 CFR 1910.95(c)(1): The employer did not administer a continuing, effective hearing conservation program as described in 29 CFR 1910.9(c) through (o) whenever employee noise exposures equal or exceed an 8-hour time-weighted average sound level of 85 decibels measured on the A scale, or equivalently a dose of fifty percent:

Instances:

- a) On or about October 30, 2019 at 1543 N. Powerline Rd Pompano Beach FL 33069 two (2) inch line saw area, an employee operating a cutting saw was exposed to a noise level of 91.3 dBA, which exceeds the 85.0 dBA action level during the 8-hr representative sampling period.
- b) On or about October 30, 2019 at 1543 N. Powerline Rd Pompano Beach FL 33069 three (3) inch line saw area, an employee operating a cutting saw was exposed to a noise level of 90.3 dBA, which exceeds the 85.0 dBA action level during the 8-hr representative sampling period.
- c) On or about October 30, 2019 at 1543 N. Powerline Rd Pompano Beach FL 33069 doors department, an employee operating a router, saw and drill press was exposed to a noise level of 89.5 dBA, which exceeds the 85.0 dBA during the 8-hr representative sampling period.
- d) On or about October 30, 2019 at 1543 N. Powerline Rd Pompano Beach FL 33069 three (3) inch glazing area, an employee operating a cutting saw was exposed to a noise level of 87.0 dBA, which exceeds the 85.0 dBA during the 8-hr representative sampling period.

Date By Which Violation Must be Abated:

Corrected During Inspection

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: 1440067
Inspection Date(s): 10/24/2019 - 10/24/2019
Issuance Date: 03/23/2020



Citation and Notification of Penalty

Company Name: ASSURA WINDOWS AND DOORS, LLC
Inspection Site: 1543 N POWERLINE ROAD, Pompano Beach, FL 33069

Proposed Penalty:

\$6747.00

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: ASSURA WINDOWS AND DOORS, LLC
Inspection Site: 1543 N POWERLINE ROAD, Pompano Beach, FL 33069

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

29 CFR 1910.95(g)(1): The employer did not establish and maintain an audiometric testing program as provided by 29 CFR 1910.95(g) by making audiometric testing available to all employees whose exposures equal or exceed an 8-hour time-weighted average of 85 decibels:

Instances:

- a) On or about October 30, 2019 at 1543 N. Powerline Rd Pompano Beach FL 33069 two (2) inch line saw area, an employee operating a cutting saw was exposed to a noise level of 91.3 dBA, which exceeds the 85.0 dBA action level during the 8-hr representative sampling period. The employer failed to provide the employee with a baseline audiogram within six months of an employee's first exposure above the action level and subsequent annual audiograms.
- b) On or about October 30, 2019 at 1543 N. Powerline Rd Pompano Beach FL 33069 three (3) inch line saw area, an employee operating a cutting saw was exposed to a noise level of 90.3 dBA, which exceeds the 85.0 dBA action level during the 8-hr representative sampling period. The employer failed to provide the employee with a baseline audiogram within six months of an employee's first exposure above the action level and subsequent annual audiograms.
- c) On or about October 30, 2019 at 1543 N. Powerline Rd Pompano Beach FL 33069 doors department, an employee operating a router, saw and drill press was exposed to a noise level of 89.5 dBA, which exceeds the 85.0 dBA action level during the 8-hr representative sampling period. The employer failed to provide the employee with a baseline audiogram within six months of an employee's first exposure above the action level and subsequent annual audiograms.
- d) On or about October 30, 2019 at 1543 N. Powerline Rd Pompano Beach FL 33069 three (3) inch glazing area, an employee operating a cutting saw was exposed to a noise level of 87.0 dBA, which exceeds the 85.0 dBA action level during the 8-hr representative sampling period. The employer failed to provide the employee with a baseline audiogram within six months of an employee's first exposure above the action level and subsequent annual audiograms.

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Citation and Notification of Penalty

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Inspection Site: 1543 N POWERLINE ROAD, Pompano Beach, FL 33069

Date By Which Violation Must be Abated:

Corrected During Inspection

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Citation and Notification of Penalty

Company Name: ASSURA WINDOWS AND DOORS, LLC
Inspection Site: 1543 N POWERLINE ROAD, Pompano Beach, FL 33069

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

29 CFR 1910.95(k)(1): The employer did not train each employee who is exposed to noise at or above an 8-hour time-weighted average of 85 decibels in accordance with the requirements of 29 CFR 1910.95(k):

On or about October 30, 2019 at 1543 N. Powerline Rd Pompano Beach FL 33069 facility, the employer failed to provide the employees exposed to noise above the 85.0 dBA action level with training on the effects of noise on hearing and the remaining requirements of this standard.

Date By Which Violation Must be Abated:

Corrected During Inspection

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

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Citation and Notification of Penalty

Company Name: ASSURA WINDOWS AND DOORS, LLC
Inspection Site: 1543 N POWERLINE ROAD, Pompano Beach, FL 33069

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 1910.106(e)(2)(iv)(c): Category 1 or 2 flammable liquids, or Category 3 flammable liquids with a flashpoint below 100 °F (37.8 °C), were used where there were open flames or other sources of ignition within the possible path of vapor travel.

On or about October 24, 2019 at 1543 N. Powerline Rd Pompano Beach FL 33069 welding area, a flammable chemical such as Acryl-R acrylic self-leveling sealant was dispensed in the immediate area next to welding activities, exposing employees to a fire hazard.

Date By Which Violation Must be Abated:
Proposed Penalty:

Corrected During Inspection
\$4048.00

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

Inspection Number: 1440067
Inspection Date(s): 10/24/2019 - 10/24/2019
Issuance Date: 03/23/2020



Citation and Notification of Penalty

Company Name: ASSURA WINDOWS AND DOORS, LLC
Inspection Site: 1543 N POWERLINE ROAD, Pompano Beach, FL 33069

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

29 CFR 1910.106(e)(6)(i): Adequate precautions were not taken to prevent the ignition of flammable vapors from sources such as open flames; lightning; smoking; cutting and welding; hot surfaces; frictional heat; static, electrical, and mechanical sparks; spontaneous ignition, including heat-producing chemical reactions; and radiant heat:

On or about October 24, 2019 at 1543 N. Powerline Rd Pompano Beach FL 33069 two (2) inch assembly line, a microwave was used under a cabinet next to flammables such as but not limited to isopropyl alcohol, exposing employees to a fire hazard.

Date By Which Violation Must be Abated:

Corrected During Inspection

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

Inspection Number: 1440067
Inspection Date(s): 10/24/2019 - 10/24/2019
Issuance Date: 03/23/2020



Citation and Notification of Penalty

Company Name: ASSURA WINDOWS AND DOORS, LLC
Inspection Site: 1543 N POWERLINE ROAD, Pompano Beach, FL 33069

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

29 CFR 1910.107(b)(9): A clear space of not less than 3 feet on all sides was not kept free from storage or combustible construction:

On or about October 24, 2019 at 1543 N. Powerline Rd Pompano Beach FL 33069 paint department, the spray booth did not have a three feet clearance around while equipment and 55 gallon drums were stored behind.

Date By Which Violation Must be Abated:
Proposed Penalty:

Corrected During Inspection
\$8096.00

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

Inspection Number: 1440067
Inspection Date(s): 10/24/2019 - 10/24/2019
Issuance Date: 03/23/2020



Citation and Notification of Penalty

Company Name: ASSURA WINDOWS AND DOORS, LLC
Inspection Site: 1543 N POWERLINE ROAD, Pompano Beach, FL 33069

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 4 a Type of Violation: **Serious**

29 CFR 1910.132(a): Protective equipment, including personal protective equipment for eyes, face, head, and extremities, protective clothing, respiratory devices, and protective shields and barriers, was not provided as necessary by reason of chemical hazards encountered in a manner capable of causing injury or impairment in the function of any part of the body through absorption, inhalation or physical contact:

On or about November 7, 2019 at 1543 N. Powerline Rd Pompano Beach FL 33069 dipping area, the employee was exposed to a corrosive chemical such as but not limited to CRX6 while not wearing an apron and chemical resistant gloves.

Date By Which Violation Must be Abated:
Proposed Penalty:

Corrected During Inspection
\$5398.00

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

Inspection Number: 1440067
Inspection Date(s): 10/24/2019 - 10/24/2019
Issuance Date: 03/23/2020



Citation and Notification of Penalty

Company Name: ASSURA WINDOWS AND DOORS, LLC
Inspection Site: 1543 N POWERLINE ROAD, Pompano Beach, FL 33069

Citation 1 Item 4 b Type of Violation: **Serious**

29 CFR 1910.133(a)(3): The employer did not ensure that employees wearing prescription lenses while engaged in operations that involve eye hazards wears eye protection that incorporates the prescription in its design or wears eye protection that can be worn over the prescription lenses:

On or about October 24, 2019, at 1543 N Powerline Road assembly line, the employer did not provide adequate eye protection for those employees who wore prescription glasses and were exposed to a flying particles and chemical hazards while performing window assembly operations.

Date By Which Violation Must be Abated:

Corrected During Inspection

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

Inspection Number: 1440067
Inspection Date(s): 10/24/2019 - 10/24/2019
Issuance Date: 03/23/2020



Citation and Notification of Penalty

Company Name: ASSURA WINDOWS AND DOORS, LLC
Inspection Site: 1543 N POWERLINE ROAD, Pompano Beach, FL 33069

Citation 1 Item 4 c Type of Violation: **Serious**

29 CFR 1910.252(b)(3): Employees exposed to the hazards created by welding, cutting, or brazing operations were not protected by personal protective equipment in accordance with the requirements of 29 CFR 1910.132:

On or about November 7, 2019 at 1543 N. Powerline Rd Pompano Beach FL 33069 welding area, the welder was not provided with personal protective equipment to cover his arms, exposing the employee to burns while welding.

Date By Which Violation Must be Abated:

Corrected During Inspection

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

Inspection Number: 1440067
Inspection Date(s): 10/24/2019 - 10/24/2019
Issuance Date: 03/23/2020



Citation and Notification of Penalty

Company Name: ASSURA WINDOWS AND DOORS, LLC
Inspection Site: 1543 N POWERLINE ROAD, Pompano Beach, FL 33069

Citation 1 Item 5 Type of Violation: **Serious**

29 CFR 1910.252(b)(2)(iii): Workers and other persons adjacent to the welding area were not protected from the rays by noncombustible or flameproof screens or shields:

On or about November 7, 2019 at 1543 N. Powerline Rd Pompano Beach FL 33069 welding area, the welding area was not provided with sufficient welding screens to protect the workers in adjacent areas, exposing the employees to the arc welding rays.

Date By Which Violation Must be Abated:
Proposed Penalty:

Corrected During Inspection
\$5398.00

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

Inspection Number: 1440067
Inspection Date(s): 10/24/2019 - 10/24/2019
Issuance Date: 03/23/2020



Citation and Notification of Penalty

Company Name: ASSURA WINDOWS AND DOORS, LLC
Inspection Site: 1543 N POWERLINE ROAD, Pompano Beach, FL 33069

Citation 1 Item 6 Type of Violation: **Serious**

29 CFR 1910.1200(f)(6)(ii): The employer did not ensure that each container of hazardous chemicals in the workplace was labeled, tagged or marked with words, pictures, symbols, or combination thereof, which provide at least general information regarding the hazards of the chemicals.

On or about October 24, 2019 at 1543 N. Powerline Rd Pompano Beach FL 33069 two (2) inch assembly line, the isopropyl alcohol containers used were not labeled or identified their contents, exposing employees to a chemical hazard.

Date By Which Violation Must be Abated:
Proposed Penalty:

Corrected During Inspection
\$5398.00

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

Inspection Number: 1440067
Inspection Date(s): 10/24/2019 - 10/24/2019
Issuance Date: 03/23/2020



Citation and Notification of Penalty

Company Name: ASSURA WINDOWS AND DOORS, LLC
Inspection Site: 1543 N POWERLINE ROAD, Pompano Beach, FL 33069

Citation 2 Item 1 Type of Violation: **Other-than-Serious**

29 CFR 1910.134(c)(2)(ii): The employer did not establish and implement those elements of a written program necessary to ensure that any employee using a respirator voluntarily was medically able to use that respirator, and that the respirator was cleaned, stored, and maintained so that its use does not present a health hazard to the user:

On or about October 24, 2019 at 1543 N. Powerline Rd Pompano Beach FL 33069 painting area, the employer did not provide employees who voluntarily use a 3M half-face air purifying respirator with a medical evaluation.

Date By Which Violation Must be Abated:
Proposed Penalty:

Corrected During Inspection
\$757.00


Condell Eastmond
Area Director

U.S. Department of Labor
Occupational Safety and Health Administration
1000 South Pine Island Road
Suite 100
Fort Lauderdale, FL 33324



INVOICE / DEBT COLLECTION NOTICE

Company Name: ASSURA WINDOWS AND DOORS, LLC
Inspection Site: 1543 N POWERLINE ROAD, Pompano Beach, FL 33069
Issuance Date: 03/23/2020

Summary of Penalties for Inspection Number	1440067
Citation 1, Serious	\$35085.00
Citation 2, Other-than-Serious	\$757.00
TOTAL PROPOSED PENALTIES	\$35842.00

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.



Condell Eastmond
Area Director

03/24/2020
Date

U.S. Department of Labor
Occupational Safety and Health Administration
1000 South Pine Island Road
Suite 100
Fort Lauderdale, FL 33324



Citation and Notification of Penalty

To:
ASSURA WINDOWS AND DOORS, LLC
and its successors
1543 N POWERLINE ROAD
Pompano Beach, FL 33069

Inspection Number: 1443325
Inspection Date(s): 11/07/2019 - 03/13/2020
Issuance Date: 03/23/2020

Inspection Site:
1543 N POWERLINE ROAD
Pompano Beach, FL 33069

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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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.

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



NOTICE TO EMPLOYEES OF INFORMAL CONFERENCE

An informal conference has been scheduled with OSHA to discuss the citation(s) issued on 03/23/2020. The conference will be held by telephone or at the OSHA office located at 1000 South Pine Island Road, Suite 100, Fort Lauderdale, FL 33324 on _____ at _____.

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

CERTIFICATION OF CORRECTIVE ACTION WORKSHEET

Inspection Number: 1443325

Company Name: ASSURA WINDOWS AND DOORS, LLC
Inspection Site: 1543 N POWERLINE ROAD, Pompano Beach, FL 33069
Issuance Date: 03/23/2020

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, 1000 South Pine Island Road, Suite 100, Fort Lauderdale, FL 33324**

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: ASSURA WINDOWS AND DOORS, LLC
Inspection Site: 1543 N POWERLINE ROAD, Pompano Beach, FL 33069

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 1 a Type of Violation: **Serious**

Section 5(a)(1) of the Occupational Safety and Health Act of 1970: 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 a caught by hazard:

On or about 11/7/2019, at Assura Windows and Doors LLC, 1543 N Powerline Rd, Pompano Beach, FL 33069. Line #3 - A roll forming machine had its operating pedal cover broken and located next to the point of operation, exposing employees to a caught by hazard.

One feasible and useful method to correct this hazard is to:

1. Ensure that foot pedal control is protected to prevent accidental operation from falling or moving objects or from someone accidentally stepping on them.
2. Ensure that foot pedal is located at a distance such that operator cannot reach into point of operation before cessation of hazardous condition.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	04/06/2020
Proposed Penalty:	\$9446.00



Citation and Notification of Penalty

Company Name: ASSURA WINDOWS AND DOORS, LLC
Inspection Site: 1543 N POWERLINE ROAD, Pompano Beach, FL 33069

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

29 CFR 1910.217(b)(4)(i): Pedal mechanism(s) on mechanical power press(es) full revolution clutches were not protected to prevent unintended operation from falling or moving objects or by accidental stepping onto the pedals:

On or about 11/7/2019, at Assura Windows and Doors LLC, 1543 N Powerline Rd, Pompano Beach, FL 33069. Employees were exposed to a caught by hazard while working with mechanical power presses whose pedal was not protected to prevent unintended operation including but not limited to:

- a. Line #2 - Employees were exposed to a caught by hazard while working with a mechanical power press (i.e. 2-6, Rouselle Model No. 2, Serial No. 287962) whose pedal was not guarded.
- b. Line #2 - Employees were exposed to a caught by hazard while working with a mechanical power press (i.e. 2-8, Rouselle Model No. 2, Serial No. 18918) whose pedal was not guarded.
- c. Line #3 - Employees were exposed to a caught by hazard while working with a mechanical power press (i.e. 3-17, no other info available) whose pedal was not guarded.
- d. Line #3 - Employees were exposed to a caught by hazard while working with a mechanical power press (i.e. 3-27, Rouselle Model 2, no serial number available) whose pedal was not guarded.
- e. Line #3 - Employees were exposed to a caught by hazard while working with a mechanical power press (i.e. 3-35, Famco Machine Co., no serial number available) whose pedal was not guarded.
- f. Doors - Employees were exposed to a caught by hazard while working with a mechanical power press (i.e. D-15, Loshbough Jordan, Serial number available) whose pedal was not guarded.
- g. Doors - Employees were exposed to a caught by hazard while working with a mechanical power press (i.e. Niagara, TM-08) whose pedal was not guarded.
- h. Doors - Employees were exposed to a caught by hazard while working with a mechanical power press (i.e. D-35, Rouselle 3F, Serial number 1998) whose pedal was not guarded.

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: 1443325
Inspection Date(s): 11/07/2019 - 03/13/2020
Issuance Date: 03/23/2020



Citation and Notification of Penalty

Company Name: ASSURA WINDOWS AND DOORS, LLC
Inspection Site: 1543 N POWERLINE ROAD, Pompano Beach, FL 33069

Date By Which Violation Must be Abated:

Corrected During Inspection

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

Inspection Number: 1443325
Inspection Date(s): 11/07/2019 - 03/13/2020
Issuance Date: 03/23/2020



Citation and Notification of Penalty

Company Name: ASSURA WINDOWS AND DOORS, LLC
Inspection Site: 1543 N POWERLINE ROAD, Pompano Beach, FL 33069

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

29 CFR 1910.22(a)(3): Walking-working surfaces were not maintained free of hazards such as sharp or protruding objects, loose boards, corrosion, leaks, spills, snow, and ice:

On or about 11/7/2019, at Assura Windows and Doors LLC, 1543 N Powerline Rd, Pompano Beach, FL 33069.

- a. Doors department - Employees were exposed to a tripping hazard while working in an area where an electrical conduit was raised approximately 4-inches above floor level.
- b. Line #3 - Employees were exposed to tripping and slipping hazards while assembling windows standing in an area where cardboard was laying over floor without being secured.

Date By Which Violation Must be Abated:
Proposed Penalty:

04/06/2020
\$5398.00

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: 1443325
Inspection Date(s): 11/07/2019 - 03/13/2020
Issuance Date: 03/23/2020



Citation and Notification of Penalty

Company Name: ASSURA WINDOWS AND DOORS, LLC
Inspection Site: 1543 N POWERLINE ROAD, Pompano Beach, FL 33069

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

29 CFR 1910.106(d)(2)(i): Approved container(s) or portable tank(s) were not used for the storage of flammable or combustible liquids:

- a. On or about 11/7/2019, at Assura Windows and Doors LLC, 1543 N Powerline Rd, Pompano Beach, FL 33069. Line #3 -Employees were potentially exposed to a fire hazard while a perforated safety can was used to store a flammable liquid (i.e. isopropanol).
- b. On or about 10/24/2019 at 1543 N. Powerline Rd Pompano Beach FL 33069. Glazing area -The isopropyl alcohol was stored inside a water bottle, exposing the employee to a chemical hazard.
- c. On or about 10/24/2019 at 1543 N. Powerline Rd Pompano Beach FL 33069. Line #2- The isopropyl alcohol was stored inside one gallon plastic containers, exposing the employees to a chemical hazard.

Date By Which Violation Must be Abated:
Proposed Penalty:

04/06/2020
\$4048.00

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: 1443325
Inspection Date(s): 11/07/2019 - 03/13/2020
Issuance Date: 03/23/2020



Citation and Notification of Penalty

Company Name: ASSURA WINDOWS AND DOORS, LLC
Inspection Site: 1543 N POWERLINE ROAD, Pompano Beach, FL 33069

Citation 1 Item 4 Type of Violation: **Serious**

29 CFR 1910.106(e)(2)(iv)(d): Flammable liquids were not drawn from or transferred into vessels, containers, or portable tanks within a building only through a closed piping system, from safety cans, by means of a device drawing through the top, or from a container or portable tanks by gravity through an approved self-closing valve:

On or about 11/7/2019, at Assura Windows and Doors LLC, 1543 N Powerline Rd, Pompano Beach, FL 33069. Line #3 -An employees was potentially exposed to a fire hazard while dispensing a flammable liquid (i.e. isopropanol) using a faucet which had been glued to a hole on a safety can.

Date By Which Violation Must be Abated:
Proposed Penalty:

04/06/2020
\$4048.00

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: 1443325
Inspection Date(s): 11/07/2019 - 03/13/2020
Issuance Date: 03/23/2020



Citation and Notification of Penalty

Company Name: ASSURA WINDOWS AND DOORS, LLC
Inspection Site: 1543 N POWERLINE ROAD, Pompano Beach, FL 33069

Citation 1 Item 5 Type of Violation: **Serious**

29 CFR 1910.106(e)(6)(ii): Class I flammable liquid(s) were dispensed into containers without electrically interconnecting the nozzle and the container:

On or about 11/7/2019, at Assura Windows and Doors LLC, 1543 N Powerline Rd, Pompano Beach, FL 33069. Line #3 - An employee was potentially exposed to a fire hazard while a flammable liquid (i.e. Acryl-R) was transferred between two metal containers without bonding and grounding.

Date By Which Violation Must be Abated:
Proposed Penalty:

04/06/2020
\$4048.00

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: 1443325
Inspection Date(s): 11/07/2019 - 03/13/2020
Issuance Date: 03/23/2020



Citation and Notification of Penalty

Company Name: ASSURA WINDOWS AND DOORS, LLC
Inspection Site: 1543 N POWERLINE ROAD, Pompano Beach, FL 33069

Citation 1 Item 6 Type of Violation: **Serious**

29 CFR 1910.147(c)(1): The employer did not establish a program consisting of an energy control procedure, employee training and periodic inspections to ensure that before any employee performed any servicing or maintenance on a machine or equipment where the unexpected energizing, startup or release of stored energy could occur and cause injury, the machine or equipment shall be isolated from the energy source and rendered inoperative:

On or about 11/7/2019, at Assura Windows and Doors LLC, 1543 N Powerline Rd, Pompano Beach, FL 33069. An energy control program was not developed and/or implemented for protecting authorized and affected employees from caught by hazards whenever equipment was serviced and/or maintained.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	04/06/2020
Proposed Penalty:	\$9446.00

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: 1443325
Inspection Date(s): 11/07/2019 - 03/13/2020
Issuance Date: 03/23/2020



Citation and Notification of Penalty

Company Name: ASSURA WINDOWS AND DOORS, LLC
Inspection Site: 1543 N POWERLINE ROAD, Pompano Beach, FL 33069

Citation 1 Item 7 Type of Violation: **Serious**

29 CFR 1910.179(j)(1)(ii): The employer did not perform frequent and periodic inspections as defined in paragraphs (a) and (b) of this section:

On or about 11/7/2019, at Assura Windows and Doors LLC, 1543 N Powerline Rd, Pompano Beach, FL 33069. Doors department - A bridge crane (Spanco, 500 lbs) used for lifting glass doors was not inspected for deterioration in hoisting mechanisms, condition of pendant control switch, etc.

Date By Which Violation Must be Abated:
Proposed Penalty:

04/06/2020
\$4048.00

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: ASSURA WINDOWS AND DOORS, LLC
Inspection Site: 1543 N POWERLINE ROAD, Pompano Beach, FL 33069

Citation 1 Item 8 Type of Violation: **Serious**

29 CFR 1910.212(a)(3)(ii): Point(s) of operation of machinery were not guarded to prevent employee(s) from having any part of their body in the danger zone(s) during operating cycle(s):

Employees were exposed to a caught-in hazard where the point of operation was not guarded on machinery including but not limited to:

- a. On or about 11/7/2019, at Assura Windows and Doors LLC, 1543 N Powerline Rd, Pompano Beach, FL 33069. Line #2 -Employees were exposed to a caught-in hazard while working with a drill press (i.e. 2-24 Jet, E171548, D2-2080293) that lacked a guard on its point of operation.
- b. On or about 11/7/2019, at Assura Windows and Doors LLC, 1543 N Powerline Rd, Pompano Beach, FL 33069. Die Making department. An employee was exposed to a caught-in hazard while working with a lathe (i.e. Jet, Model GH-1440W-3) that lacked a guard on its point of operation.
- c. On or about 11/7/2019, at Assura Windows and Doors LLC, 1543 N Powerline Rd, Pompano Beach, FL 33069. Line #2 -Employees were exposed to a caught-in hazard while working with a pneumatic punch press (i.e. 2-5) whose guard did not prevent employee from reaching into the point of operation.
- d. On or about 11/7/2019, at Assura Windows and Doors LLC, 1543 N Powerline Rd, Pompano Beach, FL 33069. Maintenance department - Employees were exposed to a caught-in hazard while working with a shear (i.e. Pexto) that lacked a guard on its point of operation.
- e. On or about 11/7/2019, at Assura Windows and Doors LLC, 1543 N Powerline Rd, Pompano Beach, FL 33069. Line #2 -Employees were exposed to a caught-in hazard while working with a pneumatic die press (i.e. 2-6) whose guard did not prevent employee from reaching into the point of operation.
- f. On or about 11/7/2019, at Assura Windows and Doors LLC, 1543 N Powerline Rd, Pompano Beach, FL 33069. Line #2 -Employees were exposed to a caught-in hazard while working with a pneumatic punch press (i.e. 2-7 Steps #1 and #2) whose guard did not prevent employee from reaching into the point of operation.

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: 1443325
Inspection Date(s): 11/07/2019 - 03/13/2020
Issuance Date: 03/23/2020



Citation and Notification of Penalty

Company Name: ASSURA WINDOWS AND DOORS, LLC
Inspection Site: 1543 N POWERLINE ROAD, Pompano Beach, FL 33069

- g. On or about 11/7/2019, at Assura Windows and Doors LLC, 1543 N Powerline Rd, Pompano Beach, FL 33069. Line #2 -Employees were exposed to a caught-in hazard while working with a pneumatic punch press (i.e. 2-3) whose guard did not prevent employee from reaching into the point of operation.
- h. On or about 11/7/2019, at Assura Windows and Doors LLC, 1543 N Powerline Rd, Pompano Beach, FL 33069. Line #2 -Employees were exposed to a caught-in hazard while working with a saw (i.e. 2-1) whose guard did not prevent employee from reaching into the point of operation.
- i. On or about 11/7/2019, at Assura Windows and Doors LLC, 1543 N Powerline Rd, Pompano Beach, FL 33069. Line #3 -Employees were exposed to a caught-in hazard while working with a saw (i.e. 3-3) which lacked a guard on lower sides of the blade.
- j. On or about 11/7/2019, at Assura Windows and Doors LLC, 1543 N Powerline Rd, Pompano Beach, FL 33069. Line #2 -Employees were exposed to a caught-in hazard while working with a drill press (i.e. 2-10, Motor No., Lesson C4C17DH8A) that lacked a guard on its point of operation.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	04/06/2020
Proposed Penalty:	\$9446.00

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: 1443325
Inspection Date(s): 11/07/2019 - 03/13/2020
Issuance Date: 03/23/2020



Citation and Notification of Penalty

Company Name: ASSURA WINDOWS AND DOORS, LLC
Inspection Site: 1543 N POWERLINE ROAD, Pompano Beach, FL 33069

Citation 1 Item 9 Type of Violation: **Serious**

29 CFR 1910.212(b): Machine(s) designed for fixed location(s) were not securely anchored to prevent walking or moving:

On or about 11/7/2019, at Assura Windows and Doors LLC, 1543 N Powerline Rd, Pompano Beach, FL 33069.

- a. Line #2 - A drill press (i.e. 2-10, Motor No., Lesson C4C17DH8A) was not anchored, exposing an employee to a struck by hazard.
- b. Doors - A drill press (i.e. D-23) was not anchored, exposing an employee to a struck by hazard.

Date By Which Violation Must be Abated:
Proposed Penalty:

Corrected During Inspection
\$5398.00

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: 1443325
Inspection Date(s): 11/07/2019 - 03/13/2020
Issuance Date: 03/23/2020



Citation and Notification of Penalty

Company Name: ASSURA WINDOWS AND DOORS, LLC
Inspection Site: 1543 N POWERLINE ROAD, Pompano Beach, FL 33069

Citation 1 Item 10 Type of Violation: **Serious**

29 CFR 1910.215(b)(9): The distance between the abrasive wheel periphery(s) and the adjustable tongue or the end of the safety guard peripheral member at the top exceeded one fourth inch:

On or about 11/7/2019, at Assura Windows and Doors LLC, 1543 N Powerline Rd, Pompano Beach, FL 33069. Die Making department - An employee was exposed to a struck by hazard while working with a bench grinder (i.e. M-4, Model 17853) which lacked a tongue guard on its left side.

Date By Which Violation Must be Abated:
Proposed Penalty:

03/31/2020
\$5398.00

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: 1443325
Inspection Date(s): 11/07/2019 - 03/13/2020
Issuance Date: 03/23/2020



Citation and Notification of Penalty

Company Name: ASSURA WINDOWS AND DOORS, LLC
Inspection Site: 1543 N POWERLINE ROAD, Pompano Beach, FL 33069

Citation 1 Item 11 Type of Violation: **Serious**

29 CFR 1910.217(b)(3)(i): Mechanical power press(es) using full revolution clutches did not incorporate a single-stroke mechanism:

On or about 11/7/2019, at Assura Windows and Doors LLC, 1543 N Powerline Rd, Pompano Beach, FL 33069. Doors - An employee was exposed to caught and struck by hazards while working with a mechanical power press that lacked a single-stroke mechanism (i.e. D-16, R & K No. 2A, TM041) when stock was fed by hand.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:
Proposed Penalty:

04/06/2020
\$9446.00



Citation and Notification of Penalty

Company Name: ASSURA WINDOWS AND DOORS, LLC
Inspection Site: 1543 N POWERLINE ROAD, Pompano Beach, FL 33069

Citation 1 Item 12 Type of Violation: **Serious**

29 CFR 1910.217(c)(2)(i)(a): Point of operation guard(s) on mechanical power press(es) did not prevent entry of hands or fingers into the point of operation by reaching through, over, under or around the guard(s):

On or about 11/7/2019, at Assura Windows and Doors LLC, 1543 N Powerline Rd, Pompano Beach, FL 33069. Employees were exposed to caught by hazards where the point of operation was not guarded on mechanical power presses including but not limited to:

- a. Line #2 - A mechanical punch press (i.e. Press 2-5, Rouselle Model No. 2, Serial No. 19407) had a guard which did not cover area to sides and back of the point of operation.
- b. Line #2 - A mechanical punch press (i.e. Press 2-6, Rouselle Model No. 2, Serial No. CA287962) had a guard which did not cover area to back of the point of operation.
- c. Line #2 - A mechanical punch press (i.e. Press 2-7, Rouselle Model No. 2, Serial No. 18305) had a guard which did not cover area to back of the point of operation.
- d. Line #2 - A mechanical punch press (i.e. Press 2-8, Rouselle Model No. 2, Serial No. 18918) had a guard which did not cover area to back of the point of operation.
- e. Line #3 - A mechanical punch press (i.e. Press 3-26, EKI Bless, Serial No. not available) had a guard which did not cover area to the sides of the point of operation.
- f. Line #3 - A mechanical punch press (i.e. Press 3-27, Havir MFG Co., Serial No. not available) had a guard which did not cover area to the sides of the point of operation.
- g. Line #3 - A mechanical punch press (i.e. Press 3-28, Rouselle Model No. 2, Serial No. not available) had a guard which did not cover area to the sides of the point of operation.
- h. Line #3 - A mechanical punch press (i.e. Press 3-35, Famco Machine Co., Serial No. not available) had a guard which did not cover area to the sides, back and above of the point of operation.

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: 1443325
Inspection Date(s): 11/07/2019 - 03/13/2020
Issuance Date: 03/23/2020



Citation and Notification of Penalty

Company Name: ASSURA WINDOWS AND DOORS, LLC
Inspection Site: 1543 N POWERLINE ROAD, Pompano Beach, FL 33069

i. Doors - A mechanical punch press (i.e. Press D-15, LOSHBOUGH Jordan, Serial No. not available) had a guard which did not cover area to the sides, back and above of the point of operation.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	04/15/2020
Proposed Penalty:	\$9446.00



Citation and Notification of Penalty

Company Name: ASSURA WINDOWS AND DOORS, LLC
Inspection Site: 1543 N POWERLINE ROAD, Pompano Beach, FL 33069

Citation 1 Item 13 Type of Violation: **Serious**

29 CFR 1910.217(c)(2)(i)(b): Point of operation guard(s) on mechanical power press(es) did not conform to the maximum permissible opening(s) specified in Table O-10:

On or about 11/7/2019, at Assura Windows and Doors LLC, 1543 N Powerline Rd, Pompano Beach, FL 33069. Employees were exposed to caught by hazards where the point of operation guards on mechanical power presses did not conform to the maximum permissible openings specified in Table O-10 including but not limited to:

- a. Line #2 - A mechanical punch press (i.e. Press 2-5, Rouselle Model No. 2, Serial No. 19407) had a guard front opening exceeding maximum allowed opening of 1/4" inches around metal piece when inserted in die. ~~Y~~b. Line #2 - A mechanical punch press (i.e. Press 2-6, Rouselle Model No. 2, Serial No. CA287962) had a guard front opening exceeding maximum allowed opening of 1/4" inches around metal piece when inserted in die.
- c. Line #2 - A mechanical punch press (i.e. Press 2-7, Rouselle Model No. 2, Serial No. 18305) had a guard front opening exceeding maximum allowed opening of 1/4 inches around metal piece when inserted in die.
- d. Line #2 - A mechanical punch press (i.e. Press 2-8, Rouselle Model No. 2, Serial No. 18918) had a guard front opening exceeding maximum allowed opening of 1/4 inches around metal piece when inserted in die.
- e. Line #3 - A mechanical punch press (i.e. Press 3-26, EKI Bless, Serial No. not available) had a guard front opening exceeding maximum allowed opening of 1-1/2 inches around metal piece when inserted in die.
- f. Line #3 - A mechanical punch press (i.e. Press 3-28, Havir MFG Co., Serial No. not available) had a guard front opening exceeding maximum allowed opening of 7/8 inches around metal piece when inserted in die.

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: 1443325
Inspection Date(s): 11/07/2019 - 03/13/2020
Issuance Date: 03/23/2020



Citation and Notification of Penalty

Company Name: ASSURA WINDOWS AND DOORS, LLC
Inspection Site: 1543 N POWERLINE ROAD, Pompano Beach, FL 33069

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	04/15/2020
Proposed Penalty:	\$9446.00

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: 1443325
Inspection Date(s): 11/07/2019 - 03/13/2020
Issuance Date: 03/23/2020



Citation and Notification of Penalty

Company Name: ASSURA WINDOWS AND DOORS, LLC
Inspection Site: 1543 N POWERLINE ROAD, Pompano Beach, FL 33069

Citation 1 Item 14 Type of Violation: **Serious**

29 CFR 1910.217(e)(1)(i): A program of periodic and regular inspections of mechanical power press(es) was not established and followed to ensure that all parts, auxiliary equipment and safeguards were in a safe operating condition and adjustment:

On or about 11/7/2019, at Assura Windows and Doors LLC, 1543 N Powerline Rd, Pompano Beach, FL 33069. The employer did not have a program for inspecting mechanical power presses for uncovering unsafe conditions such as, but not limited to; broken and/or loose point of operation guards; lack of protection for and/or broken pedals; adjustment of single-stroke mechanisms, unguarded flywheels, etc.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	04/06/2020
Proposed Penalty:	\$9446.00

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: 1443325
Inspection Date(s): 11/07/2019 - 03/13/2020
Issuance Date: 03/23/2020



Citation and Notification of Penalty

Company Name: ASSURA WINDOWS AND DOORS, LLC
Inspection Site: 1543 N POWERLINE ROAD, Pompano Beach, FL 33069

Citation 1 Item 15 Type of Violation: **Serious**

29 CFR 1910.219(b)(1): Flywheel(s) with parts seven feet or less above floor(s) or platform(s) were not guarded in accordance with the requirements specified in 29 CFR 1910.219(b)(1)(i) through (b)(1)(iv):

On or about 11/7/2019, at Assura Windows and Doors LLC, 1543 N Powerline Rd, Pompano Beach, FL 33069. Employees were exposed to caught by hazards where flywheels of mechanical power presses were not guarded including but not limited to:

a. Line #3 - A mechanical punch press (i.e. Press 3-27, Havir MFG Co., Serial No. not available) had flywheel with unguarded parts located at 5'-1" above floor level.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	04/06/2020
Proposed Penalty:	\$9446.00

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

Inspection Number: 1443325
Inspection Date(s): 11/07/2019 - 03/13/2020
Issuance Date: 03/23/2020



Citation and Notification of Penalty

Company Name: ASSURA WINDOWS AND DOORS, LLC
Inspection Site: 1543 N POWERLINE ROAD, Pompano Beach, FL 33069

Citation 1 Item 16 Type of Violation: **Serious**

29 CFR 1910.243(b)(2): Airhose and hose connections used for conducting compressed air to utilization equipment was not designed for the pressure and service to which they were subjected.

On or about 11/7/2019, at Assura Windows and Doors LLC, 1543 N Powerline Rd, Pompano Beach, FL 33069. Line #2 -Employees were exposed to a struck by hazard while working with an air hose which had a broken coupling.

Date By Which Violation Must be Abated:
Proposed Penalty:

03/30/2020
\$4048.00

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

Inspection Number: 1443325
Inspection Date(s): 11/07/2019 - 03/13/2020
Issuance Date: 03/23/2020



Citation and Notification of Penalty

Company Name: ASSURA WINDOWS AND DOORS, LLC
Inspection Site: 1543 N POWERLINE ROAD, Pompano Beach, FL 33069

Citation 1 Item 17 Type of Violation: **Serious**

29 CFR 1910.252(a)(2)(ii): Suitable extinguishing equipment was not maintained in a state of readiness for instant use:

On or about 11/7/2019, at Line #3, Assura Windows and Doors LLC, 1543 N Powerline Rd, Pompano Beach, FL 33069. An employee was potential exposed to a fire hazard while welding without having a fire extinguisher in immediate area.

Date By Which Violation Must be Abated:
Proposed Penalty:

Corrected During Inspection
\$4048.00

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: 1443325
Inspection Date(s): 11/07/2019 - 03/13/2020
Issuance Date: 03/23/2020



Citation and Notification of Penalty

Company Name: ASSURA WINDOWS AND DOORS, LLC
Inspection Site: 1543 N POWERLINE ROAD, Pompano Beach, FL 33069

Citation 1 Item 18 Type of Violation: **Serious**

29 CFR 1910.254(c)(2)(iv): Where a structure, conveyor, or fixture was regularly employed as a welding current return circuit, joints were not bonded or provided with adequate current collecting devices:

On or about 11/7/2019, at Line #3, Assura Windows and Doors LLC, 1543 N Powerline Rd, Pompano Beach, FL 33069. An employee was potentially exposed to an electric shock hazard while welding without having work piece and/or work table bonded to ground.

Date By Which Violation Must be Abated:
Proposed Penalty:

03/30/2020
\$5398.00

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

Inspection Number: 1443325
Inspection Date(s): 11/07/2019 - 03/13/2020
Issuance Date: 03/23/2020



Citation and Notification of Penalty

Company Name: ASSURA WINDOWS AND DOORS, LLC
Inspection Site: 1543 N POWERLINE ROAD, Pompano Beach, FL 33069

Citation 1 Item 19 Type of Violation: **Serious**

29 CFR 1910.304(g)(5): The path to ground from circuits, equipment, and enclosures was not permanent, continuous, and effective:

- a. On or about 11/7/2019, at Assura Windows and Doors LLC, 1543 N Powerline Rd, Pompano Beach, FL 33069. Line #2,
A fan (Model No. and/or Serial No. not available) lacked a ground prong on its attachment plug, exposing an employee to an electrical hazard.

- b. On or about 11/7/2019, at Assura Windows and Doors LLC, 1543 N Powerline Rd, Pompano Beach, FL 33069. Line #2, a two wire extension cord was used to energize a fan, resulting in ground path not being continuous, exposing an employee to an electrical hazard.

- c. On or about 11/7/2019, at Assura Windows and Doors LLC, 1543 N Powerline Rd, Pompano Beach, FL 33069. Line #2,
A fan (Model No. and/or Serial No. not available) lacked a ground prong on its attachment plug, exposing an employee to an electrical hazard.

Date By Which Violation Must be Abated:
Proposed Penalty:

04/06/2020
\$5398.00

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

Inspection Number: 1443325
Inspection Date(s): 11/07/2019 - 03/13/2020
Issuance Date: 03/23/2020



Citation and Notification of Penalty

Company Name: ASSURA WINDOWS AND DOORS, LLC
Inspection Site: 1543 N POWERLINE ROAD, Pompano Beach, FL 33069

Citation 2 Item 1 Type of Violation: **Other-than-Serious**

29 CFR 1910.305(b)(1)(ii): Unused openings in cabinets, boxes, and fittings shall be effectively closed.

On or about 11/7/2019, at Assura Windows and Doors LLC, 1543 N Powerline Rd, Pompano Beach, FL 33069. Line#2 - The metal box for electrical disconnect of a mechanical punch press (i.e. Press #7, Rouselle #2, Serial No. 18305) had an unused opening not covered, exposing an employee to an electrical hazard.

Date By Which Violation Must be Abated:
Proposed Penalty:

03/30/2020
\$0.00


Condell Eastmond
Area Director

U.S. Department of Labor
Occupational Safety and Health Administration
1000 South Pine Island Road
Suite 100
Fort Lauderdale, FL 33324



INVOICE / DEBT COLLECTION NOTICE

Company Name: ASSURA WINDOWS AND DOORS, LLC
Inspection Site: 1543 N POWERLINE ROAD, Pompano Beach, FL 33069
Issuance Date: 03/23/2020

Summary of Penalties for Inspection Number	1443325
Citation 1, Serious	\$126846.00
Citation 2, Other-than-Serious	\$0.00
TOTAL PROPOSED PENALTIES	\$126846.00

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

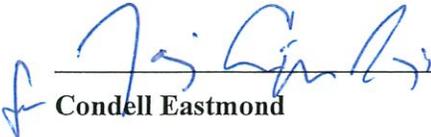
account, the bank will attempt to make the transfer up to 2 times.

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.

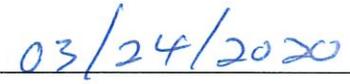
Interest: Interest charges will be assessed at an annual rate determined by the Secretary of the Treasury on all penalty debt amounts not paid within one month (30 calendar days) of the date on which the debt amount becomes due and payable (penalty due date). The current interest rate is two percent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



Condell Eastmond
Area Director



Date