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OSHA Regional News Release

U.S. Department of Labor
Office of Public Affairs**Region 2**

August 28, 2014

Workers exposed to fall hazards at Bloomfield, New Jersey, construction site

STIRLING, N.J. – Concrete and masonry company Concrete Systems Inc. has been cited for one repeat and seven serious safety hazards following a February investigation conducted by the U.S. Department of Labor's Occupational Safety and Health Administration. OSHA investigators opened the inspection after observing workers constructing formwork without fall protection at the construction site of three midrise buildings at 300 Glenwood Ave. in Bloomfield, New Jersey. The investigation was also initiated as part of the agency's local emphasis program* on fall hazards in construction. The proposed penalties for these violations total \$52,470.

"Concrete Systems Inc. was previously cited twice for exposing workers to fall and other safety and health hazards at work sites in Kearny and Cranford, New Jersey," said Kris Hoffman, director of OSHA's Parsippany Area Office. "Falls are the leading cause of death in the construction industry. It is imperative that this company immediately implement an effective fall protection program to ensure the safety of its employees."

The repeat hazard, with a \$13,860 penalty, was cited because employees were exposed to a 25-foot fall hazard without the proper protection. The company was previously cited for the same violation in 2012. A repeat violation exists when an employer previously has been cited for the same or a similar violation of a standard, regulation, rule or order at any other facility in federal enforcement states within the last five years.

The serious violations, carrying a \$38,610 penalty, were cited almost entirely for violations of fall safety standards. Employees were exposed to fall hazards of up to 25 feet while accessing scaffold platforms without using a ladder. Employees were exposed to fall hazards in excess of 16 feet or 25 feet without the proper fall protection while working from scaffolding. In addition, the company failed to ensure employees were properly tied off on boom lifts and to adequate anchorage points. Concrete Systems also failed to properly train workers on the use of fall protection equipment.

Employees were also exposed to impalement hazards due to rebar ends that were not properly guarded. A serious citation is issued when there is substantial probability that death or serious physical harm could result from a hazard about which the employer knew or should have known.

OSHA has created a Stop Falls Web page with detailed information in English and Spanish on fall protection standards. The page offers fact sheets, posters and videos that vividly illustrate various fall hazards and appropriate preventive measures.

Concrete Systems, based in Stirling, has 15 business days from receipt of the citations to comply, ask for an informal conference with OSHA's area director, or contest the citations and proposed penalties before the independent Occupational Safety & Health Review Commission.

To ask questions; obtain compliance assistance; file a complaint; or report workplace hospitalizations, fatalities or situations posing imminent danger to workers, the public should call OSHA's toll-free hotline at 800-321-OSHA (6742) or the agency's Parsippany Area Office at 973-263-1003.

Under the Occupational Safety and Health Act of 1970, employers are responsible for providing safe and healthful workplaces for their employees. OSHA's role is to ensure these conditions for America's working men and women by setting and enforcing standards, and providing training, education and assistance. For more information, visit <http://www.osha.gov>.

###

Media Contacts:Leni Fortson, 215-861-5102, uddyback-fortson.lenore@dol.govJoanna Hawkins, 215-861-5101, hawkins.joanna@dol.gov

Release Number: 14-1601-NEW (osha 14-075)

U.S. Department of Labor news materials are accessible at <http://www.dol.gov>. The department's Reasonable Accommodation Resource Center converts departmental information and documents into alternative formats, which include Braille and large print. For alternative format requests, please contact the department at (202) 693-7828 (voice) or (800) 877-8339 (federal relay).

* **Accessibility Assistance:** Contact OSHA's Office of Communications at 202-693-1999 for assistance accessing PDF materials.

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www.OSHA.gov

Company facing \$52K fines for alleged safety violations during Bloomfield construction

Screen Shot 2014-08-28 at 3.31.09 PM.png

Concrete Systems, Inc. was issued eight citations today, officials said. (*Google Maps*)

Jessica Mazzola | NJ Advance Media for NJ.com By **Jessica Mazzola | NJ Advance Media for NJ.com**

Email the author | Follow on Twitter

on August 28, 2014 at 3:23 PM, updated August 29, 2014 at 9:04 AM

BLOOMFIELD — A New Jersey concrete and masonry company is facing a \$52,470 fine after allegedly having employees work in a hazardous environment without the proper protection, the U.S. Department of Labor's Occupational Safety and Health Administration announced today.

Workers from Concrete Systems, Inc. were allegedly observed violating safety rules while working on three midrise buildings being constructed at 300 Glenwood Ave. in Bloomfield in February, prompting a state investigation, OSHA officials said.

The Stirling-based company received one repeat citation and seven "serious safety hazard" violations from work done on the job in Bloomfield, officials said.

The company allegedly violated fall safety standards by having employees access scaffold platforms without using a ladder, failing to ensure that employees were properly tied to anchorage points when working more than 25 feet in the air, exposing workers to impalement hazards, and failing to train them on how to use fall protection equipment, OSHA said.

"A serious citation is issued when there is substantial probability that death or serious physical harm could result from a hazard about which the employer knew or should have known," officials explained.

"Concrete Systems Inc. was previously cited twice for exposing workers to fall and other safety and health hazards at work sites in Kearny and Cranford," leading to the one repeat citation, Kris Hoffman, director of OSHA's Parsippany Area Office, said.

"Falls are the leading cause of death in the construction industry. It is imperative that this company immediately implement an effective fall protection program to ensure the safety of its employees."

According to Joseph Rufolo of JW Rufolo and Associates, a safety consultant working with the company, Concrete Systems is contesting the accusations.

"We don't believe that the citations are valid or fair," Rufolo, who has been working with the company for at least four years, said.

"Concrete Systems is a very good, very safety-conscious company. They probably had 40 or 50 workers on the job site [the day] OSHA came in, and all of them were provided with fall safety protection."

Rufolo said OSHA representatives observed employees choosing to walk on equipment instead of provided ladders, and employees not hooking up properly to safety equipment, but that it was provided on the job site.

"Of course it was wrong of those guys not to follow the proper procedures, but when you have 40 other guys using ladders and doing the right thing, we feel it's not fair for Concrete Systems to be cited," he said.

"We believe what [OSHA] observed was employee misconduct."

Rufolo said the company is currently contesting the violation charges, and plans to either settle with OSHA or bring the issue to a trial.

300 Glenwood Ave. is the site of an apartment and retail redevelopment project that is currently under construction and set to open next year.

Township officials said Bloomfield is working on standards that should avoid citations on future construction work.

"With the administration's increased focus on redevelopment, Mayor Michael Venezia and members of the council have been working on new responsible bidder guidelines that address workplace safety and education among other important issues," Bloomfield spokesman Keith Furlong said.

"The new guidelines are scheduled to be heard by the council at the next public meeting and if approved implemented shortly thereafter. It is the mayor's hope that the new responsible bidder guidelines will improve worker safety."

Rufolo said Concrete Systems is still working on the cited construction project.

Jessica Mazzola may be reached at jmazzola@njadvancemedia.com. Follow her on Twitter @JessMazzola. Find NJ.com on Facebook.

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OSHA Regional News Release

U.S. Department of Labor
Office of Public Affairs**Region 2****Region 2 News Release: 13-1105-NEW (osha 13-049)****June 10, 2013****Contact: Joanna Hawkins Leni Fortson****Phone: 215-861-5101 215-861-5102****Email: hawkins.joanna@dol.gov uddyback-fortson.lenore@dol.gov****US Labor Department's OSHA fines two companies \$130,500 for trenching hazards at Kearny, NJ, site**

KEARNY, N.J. – VM Construction Inc., based in Miami, and Concrete Systems Inc., based in Sterling, were cited by the U.S. Department of Labor's Occupational Safety and Health Administration for willful and repeat trenching hazards found at a Kearny work site. OSHA's November 2012 investigation was prompted by an imminent danger complaint that alleged workers operated in an unprotected excavation 8 feet deep.

One willful violation, carrying a \$28,000 penalty, was cited against VM Construction Inc. for those workers operating in an unprotected excavation. A willful violation is one committed with intentional, knowing or voluntary disregard for the law's requirements, or with plain indifference to worker safety and health. The construction company was also cited for one serious violation, with a \$2,400 penalty, for failing to ensure a competent person inspected the excavation prior to allowing workers to enter. A serious violation occurs when there is substantial probability that death or serious physical harm could result from a hazard about which the employer knew or should have known.

Concrete Systems Inc., a concrete and masonry contractor, faces \$100,100 in penalties for two repeat violations involving workers operating in an unprotected excavation and entering an excavation that was not inspected beforehand by a competent person. A repeat violation is issued when an employer previously has been cited for the same or a similar violation of a standard, regulation, rule or order at any other facility in federal enforcement states within the last five years. Similar violations were cited in 2008.

"Improperly protected trenches can collapse suddenly and with great force," said Kris Hoffman, director of OSHA's Parsippany Area Office. "OSHA implemented a trenching and excavation special emphasis program in the 1980s, so the industry is well aware of the safety regulations for trenching operations."

Detailed information on safeguards for excavation and trenching is available at <http://www.osha.gov/SLTC/trenchingexcavation/index.html>.

The citations can be viewed at http://www.osha.gov/ooc/citations/ConcreteSystems_772381_0605_13.pdf* and http://www.osha.gov/ooc/citations/VMConstruction_770662_0605_13.pdf*.

Both companies have 15 business days from receipt of the citations to comply, request an informal conference with the OSHA area director in Parsippany, or contest the citations and proposed penalties before the independent Occupational Safety and Health Review Commission.

To ask questions, obtain compliance assistance, file a complaint, or report workplace hospitalizations, fatalities or situations posing imminent danger to workers, the public should call OSHA's toll-free hotline at 800-321-OSHA (6742) or the agency's Parsippany Area Office at 973-263-1003.

Under the Occupational Safety and Health Act of 1970, employers are responsible for providing safe and healthful workplaces for their employees. OSHA's role is to ensure these conditions for America's working men and women by setting and enforcing standards, and providing training, education and assistance. For more information, visit <http://www.osha.gov>.

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U.S. Department of Labor news materials are accessible at <http://www.dol.gov>. The information above is available in large print, Braille or CD from the COAST office upon request by calling 202-693-7828 or TTY 202-693-7755.

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Inspection Detail

Case Status: VIOLATIONS UNDER CONTEST

Note: The following inspection has not been indicated as closed. Please be aware that the information shown may change, e.g. violations may be added or deleted. For open cases, in which a citation has been issued, the citation information may not be available for 5 days following receipt by the employer for Federal inspections or for 30 days following receipt by the employer for State inspections.

Inspection: 1055944.015 - Concrete Systems Inc

Inspection Information - Office: Avenel

Nr: 1055944.015 Report ID: 0213400 Open Date: 04/09/2015
 Concrete Systems Inc
 535 Mountain Ave.
 New Providence, NJ 07974 Union Status: NonUnion
 SIC:
 NAICS: 238140/Masonry Contractors
 Mailing: 300 Wilson Ave, Newark, NJ 07105
 Inspection Type: Prog Related
 Scope: Partial Advanced Notice: N
 Ownership: Private
 Safety/Health: Safety Close Conference: 04/09/2015
 Emphasis: L:Localtarg Close Case:

Case Status: VIOLATIONS UNDER CONTEST

Violation Summary

	Serious	Willful	Repeat	Other	Unclass	Total
Initial Violations	2					2
Current Violations	2					2
Initial Penalty	\$10,780					\$10,780
Current Penalty	\$10,780					\$10,780
FTA Amount						

Violation Items

#	ID	Type	Standard	Issuance	Abate	Curr\$	Init\$	Fta\$	Contest	LastEvent
1.	01001	Serious	19260451 B01	09/28/2015		\$5,390	\$5,390	\$0	10/15/2015	-
2.	01002	Serious	19260701 B	09/28/2015		\$5,390	\$5,390	\$0	10/15/2015	-

Inspection Detail

Case Status: PENDING ABATEMENT OF VIOLATIONS, PENALTY PAYMENT PLAN IN PLACE

Note: The following inspection has not been indicated as closed. Please be aware that the information shown may change, e.g. violations may be added or deleted. For open cases, in which a citation has been issued, the citation information may not be available for 5 days following receipt by the employer for Federal inspections or for 30 days following receipt by the employer for State inspections.

Inspection: 963987.015 - Concrete Systems, Inc.

Inspection Information - Office: Parsippany

Nr: 963987.015 Report ID: 0214200 Open Date: 02/25/2014
 Concrete Systems, Inc.
 300 Glenwood Avenue Union Status: NonUnion
 Bloomfield, NJ 07003
 SIC:
 NAICS: 238110/Poured Concrete Foundation and Structure Contractors
 Mailing: 45 Lupine Way, Stirling, NJ 07980
 Inspection Type: Planned
 Scope: Complete Advanced Notice: N
 Ownership: Private
 Safety/Health: Safety Close Conference: 07/24/2014
 Emphasis: L:Fall Close Case:

Case Status: PENDING ABATEMENT OF VIOLATIONS, PENALTY PAYMENT PLAN IN PLACE

Violation Summary

	Initial	Current	Initial	Current	FTA
	Violations	Violations	Penalty	Penalty	Amount
Initial Violations	4		\$52,470		
Current Violations		3		\$21,000	
Initial Penalty			\$52,470		
Current Penalty				\$21,000	
FTA Amount					

Violation Items

#	ID	Type	Standard	Issuance	Abate	Curr\$	Init\$	Fta\$	Contest	LastEvent
1.	01001A	Serious	19260451 E01	07/25/2014		\$7,000	\$4,950	\$0	08/07/2014	F - Formal Settlement
2.	01001B	Serious	19261051 A	07/25/2014		\$0	\$6,930	\$0	08/07/2014	F - Formal Settlement
3.	01002A	Serious	19260451 G01 VII	07/25/2014		\$7,000	\$6,930	\$0	08/07/2014	F - Formal Settlement
4.	01002B	Serious	19260701 B	07/25/2014		\$0	\$6,930	\$0	08/07/2014	F - Formal Settlement
5.	01002C	Serious	19260501 B01	07/25/2014		\$0	\$13,860	\$0	08/07/2014	F - Formal Settlement
6.	01003A	Serious	19260453 B02 V	07/25/2014		\$7,000	\$6,930	\$0	08/07/2014	F - Formal Settlement

7.	01003B	Serious	19260502 D23	07/25/2014	\$0	\$2,970	\$0	08/07/2014	F - Formal Settlement
Deleted 8.	01005	Serious	19260503 A01	07/25/2014 08/13/2014	\$0	\$2,970	\$0	08/07/2014	F - Formal Settlement

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Inspection Detail

Case Status: PENALTY PAYMENT PLAN IN PLACE

Note: The following inspection has not been indicated as closed. Please be aware that the information shown may change, e.g. violations may be added or deleted. For open cases, in which a citation has been issued, the citation information may not be available for 5 days following receipt by the employer for Federal inspections or for 30 days following receipt by the employer for State inspections.

Inspection: 772381.015 - Concrete Systems, Inc.

Inspection Information - Office: Parsippany

Nr: 772381.015 Report ID: 0214200 Open Date: 12/06/2012

Concrete Systems, Inc.
86 Hackensack Avenue
Kearny, NJ 07032

Union Status: NonUnion

SIC:

NAICS: 238110/Poured Concrete Foundation and Structure Contractors

Mailing: 45 Lupine Way, Stirling, NJ 07980

Inspection Type: Unprog Rel
Scope: Partial Advanced Notice: N
Ownership: Private
Safety/Health: Safety Close Conference: 12/06/2012
Emphasis: N: Ctarget Close Case:

Case Status: PENALTY PAYMENT PLAN IN PLACE

Violation Summary

	Serious	Willful	Repeat	Other	Unclass	Total
Initial Violations			1			1
Current Violations			1			1
Initial Penalty			\$100,100			\$100,100
Current Penalty			\$50,000			\$50,000
FTA Amount						

Violation Items

#	ID	Type	Standard	Issuance	Abate	Curr\$	Init\$	Fta\$	Contest	LastEvent
1.	01001A	Repeat	19260651 K01	06/05/2013	06/05/2013	\$50,000	\$46,200	\$0	06/17/2013	F - Formal Settlement
2.	01001B	Repeat	19260021 B02	06/05/2013	06/05/2013	\$0	\$53,900	\$0	06/17/2013	F - Formal Settlement

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Inspection Detail

Case Status: CLOSED

Inspection: 769042.015 - Concrete Systems Inc

Inspection Information - Office: Hasbrouck Heights

Nr: 769042.015 Report ID: 0214500 Open Date: 11/29/2012

Concrete Systems Inc
2050 Central Ave
Fort Lee, NJ 07024

Union Status: NonUnion

SIC:

NAICS: 238110/Poured Concrete Foundation and Structure Contractors

Mailing: 300 Wilson Ave, Newark, NJ 07105

Inspection Type: Prog Related

Scope: Partial Advanced Notice: N

Ownership: Private

Safety/Health: Safety Close Conference: 11/29/2012

Emphasis: L:Fall, N:Ctarget Close Case: 01/10/2013

Case Status: CLOSED

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Inspection Detail

Case Status: CLOSED

Inspection: 388784.015 - Concrete Systems Inc.

Inspection Information - Office: Avenel

Nr: 388784.015 Report ID: 0213400 Open Date: 04/16/2012

Concrete Systems Inc.

105 Chestnut Street
Cranford, NJ 07016

Union Status: NonUnion

SIC:

NAICS: 238110/Poured Concrete Foundation and Structure Contractors

Mailing: 47 Lupine Way, Stirling, NJ 07980

Inspection Type: Complaint

Scope: Partial Advanced Notice: N

Ownership: Private

Safety/Health: Safety Close Conference: 04/16/2012

Emphasis: L:Fall, N:Ctarget Close Case: 07/03/2013

Related Activity: Type ID Safety Health
Complaint 311343 Yes

Case Status: CLOSED


Violation Summary

	Serious	Willful	Repeat	Other	Unclass	Total
Initial Violations	3					3
Current Violations	1					1
Initial Penalty	\$12,320					\$12,320
Current Penalty	\$3,080					\$3,080
FTA Amount						


Violation Items

#	ID	Type	Standard	Issuance	Abate	Curr\$	Init\$	Fta\$	Contest	LastEvent
Deleted 1.	01001	Serious	19260102 A01	07/12/2012		\$0	\$3,080	\$0	07/31/2012	R - Review Commission
2.	01002A	Serious	19260501 B01	07/12/2012		\$3,080	\$3,080	\$0	07/31/2012	R - Review Commission
3.	01002B	Serious	19260502 B14	07/12/2012		\$0	\$3,080	\$0	07/31/2012	R - Review Commission
Deleted 4.	01004	Serious	19261051 A	07/12/2012		\$0	\$3,080	\$0	07/31/2012	R - Review Commission

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Inspection Detail

Inspection: 311843544 - Concrete Systems, Inc.

Inspection Information - Office: Parsippany

Nr: 311843544 Report ID: 0214200 Open Date: 03/04/2008

Concrete Systems, Inc.

217 Newark Ave.

Jersey City, NJ 07303

SIC: 1771/Concrete Work

NAICS: 238110/Poured Concrete Foundation and Structure Contractors

Mailing: 45 Lupine Way, Stirling, NJ 07980

Union Status: NonUnion

Inspection Type: Complaint

Scope: Complete

Advanced Notice: N

Ownership: Private

Safety/Health: Safety

Close Conference: 04/29/2008

Emphasis: N:Trench

Close Case: 03/11/2011

Related Activity: Type

ID Safety Health

Complaint

206624652 Yes

Violation Summary

	Serious	Willful	Repeat	Other	Unclass	Total
Initial Violations			2			2
Current Violations	2					2
Initial Penalty			\$17,100			\$17,100
Current Penalty	\$6,000					\$6,000
FTA Amount						

Violation Items

#	ID	Type	Standard	Issuance	Abate	Curr\$	Init\$	Fta\$	Contest	LastEvent
1.	01001	Serious	19260651 K01	05/09/2008	06/26/2008	\$1,000	\$2,100	\$0		I - Informal Settlement
2.	01002	Serious	19260652 A01	05/09/2008	05/14/2008	\$5,000	\$15,000	\$0		I - Informal Settlement



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Inspection Detail

Inspection: 308622240 - Concrete Systems Inc.

Inspection Information - Office: Hasbrouck Heights

Nr: 308622240 Report ID: 0214500 Open Date: 09/11/2006

Concrete Systems Inc.
1351 River Road
Edgewater, NJ 07020 Union Status: NonUnion

SIC: 1771/Concrete Work
NAICS: 238110/Poured Concrete Foundation and Structure Contractors
Mailing: 45 Lupine Way, Stirling, NJ 07980

Inspection Type: Planned
Scope: Partial Advanced Notice: N
Ownership: Private
Safety/Health: Health Close Conference: 09/11/2006
Emphasis: N:Trench Close Case: 08/20/2007

Violation Summary

	Serious	Willful	Repeat	Other	Unclass	Total
Initial Violations			1			1
Current Violations			1			1
Initial Penalty			\$4,000			\$4,000
Current Penalty			\$2,800			\$2,800
FTA Amount						

Violation Items

#	ID	Type	Standard	Issuance	Abate	Curr\$	Init\$	Fta\$	Contest	LastEvent
1.	01001	Repeat	19260652 A01	12/11/2006	12/14/2006	\$2,800	\$4,000	\$0		F - Formal Settlement



State of New Jersey

DEPARTMENT OF LABOR AND WORKFORCE DEVELOPMENT
PO BOX 389
TRENTON, NEW JERSEY 08625-0389

OPRA Request

December 2, 2015

Case #:GE-1643-0714-KU

Employer Details:

Concrete Systems Inc.
300 Wilson Avenue
Newark NJ 07105

Citations

Violation(s) of New Jersey Statutes Annotated (N.J.S.A.) and/or New Jersey Administrative Code (N.J.A.C):

Violation	Citation No.	Final Penalty
Records - No Daily/Weekly Hours	34:11-56a20 / 12:56-4.1	1,000.00
No Statement of Deductions	34:11-4.6	1,000.00
Improper Classification Construction Worl	34:20-5	2,500.00

Final Wages, Fees and Penalty

Final Wages Assessed:	0.00
Final Fees Assessed:	0.00
Final Penalty Assessed:	4,500.00



State of New Jersey

DEPARTMENT OF LABOR AND WORKFORCE DEVELOPMENT
PO BOX 389
TRENTON, NEW JERSEY 08625-0389

OPRA Request

December 2, 2015

Case #:GE-3100-1214-OSO

Employer Details:

Concrete Systems Inc.
300 Wilson Avenue
Newark NJ 07105

Citations

Violation(s) of New Jersey Statutes Annotated (N.J.S.A.) and/or New Jersey Administrative Code (N.J.A.C):

Violation	Citation No.	Final Penalty
Minimum Wage Rate	34:11-56a4	0.00
Overtime Rate	34:11-56a4	0.00
Unpaid Wages / Late Payment	34:11-4.2	0.00
Illegal Deductions	34:11-4.4	0.00

Final Wages, Fees and Penalty

Final Wages Assessed:	0.00
Final Fees Assessed:	0.00
Final Penalty Assessed:	0.00



State of New Jersey

DEPARTMENT OF LABOR AND WORKFORCE DEVELOPMENT
PO BOX 389
TRENTON, NEW JERSEY 08625-0389

OPRA Request

December 2, 2015

Case #:GE-714-0414-HAR

Employer Details:

Concrete Systems Inc.
300 Wilson Avenue
Newark NJ 07105

Citations

Violation(s) of New Jersey Statutes Annotated (N.J.S.A.) and/or New Jersey Administrative Code (N.J.A.C):

Violation	Citation No.	Final Penalty
Minimum Wage Rate	34:11-56a4	0.00
Records - No Daily/Weekly Hours	34:11-56a20 / 12:56-4.1	250.00
Unpaid Wages / Late Payment	34:11-4.2	0.00

Final Wages, Fees and Penalty

Final Wages Assessed:	0.00
Final Fees Assessed:	0.00
Final Penalty Assessed:	250.00



State of New Jersey

DEPARTMENT OF LABOR AND WORKFORCE DEVELOPMENT
PO BOX 389
TRENTON, NEW JERSEY 08625-0389

OPRA Request

December 2, 2015

Case #:WC-924-0714-FOS

Employer Details:

Concrete Systems Inc.
300 Wilson Avenue
Newark NJ 07105

Citations

Violation(s) of New Jersey Statutes Annotated (N.J.S.A.) and/or New Jersey Administrative Code (N.J.A.C):

Violation	Citation No.	Final Penalty
		0.00

Final Wages, Fees and Penalty

Final Wages Assessed:	1,732.04
Final Fees Assessed:	173.20
Final Penalty Assessed:	0.00

Claimants

1. Kazimierz Krowicki