

# Indiana Department of Labor

Indiana Occupational Safety and Health Administration  
402 West Washington St - Room W195  
Indianapolis, IN 46204  
Phone: 317-232-2691 FAX: (317)233-3790



*Certified Mail #917190 0005 2720 0061 9515 7-25-16 jfb*

## Safety Order and Notification of Penalty

**To:**  
Selected Furniture LLC  
1001 West Culver Road  
Knox, IN 46534

**Inspection Number:** 318011301  
**CSHO ID:** A9888  
**Optional Report No.:** 3-16  
**Inspection Date(s):** 1/25/2016 - 4/22/2016  
**Issuance Date:** 7/25/2016

**Inspection Site:**  
1001 West Culver Road  
Knox, IN 46534

*The violation(s) described in this Safety Order 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.*

An inspection of your place of employment has revealed conditions which we believe do not comply with the provisions of the Indiana Occupational Safety and Health Act (Indiana Code Chapter 22-8-1.1) or the standards or rules adopted thereunder. Accordingly, enclosed please find safety order(s) and notification(s) of penalty describing such violation(s) with references to applicable standards, rules, or provisions of the statute and stating the amount of any penalty(ies).

**Informal Conference** - Please be advised that it may be possible to informally settle any potential dispute without initiating the more elaborate proceedings brought on by a petition for review. Prior to filing a petition for review, you may request an informal conference concerning any of the results of the inspection (safety orders, penalties, abatement dates, etc.) by contacting the Indiana Department of Labor/IOSHA, preferably by telephone, in a prompt manner. Please be advised that a request for an informal conference cannot extend the fifteen working day period for filing a petition for review. Informal conferences frequently resolve any possible disputes, and therefore you are urged to take advantage of this opportunity. Because of the limited time period and in order to facilitate scheduling, any requests for an informal conference should be made promptly upon your receipt of the safety order(s) and notification(s) of penalty.

**Right to Contest** - You are hereby also notified that you are entitled to seek administrative review of the safety order(s), penalty(ies), or both by filing a written petition for review at the above address postmarked within fifteen working days of your receipt of the safety order(s) and notification(s) of penalty. ("Working days" means Mondays through Fridays, but does not include Saturdays, Sundays, legal holidays under a state statute or days on which the Indiana Department of Labor's offices are closed during regular business hours). If you do not file such a petition for review (contest), the safety order(s)

and penalty(ies) shall be deemed final orders of the Board of Safety Review and not subject to review by any court or agency. The issuance of a safety order does not constitute a finding that a violation has occurred unless no petition for review is filed, or if a petition for review (contest) is filed, it must contain a statement of its basis and should reference the above inspection number. Upon receipt of your petition for review, we will affirm, amend or dismiss the safety order(s) and notification(s) of penalty. If we affirm, your petition for review will be granted (unless it was not timely) and the dispute will be certified by the Board of Safety Review for further proceedings. The Board of Safety Review is an independent agency appointed by the governor with authority to conduct hearings and to issue decisions concerning disputed safety order(s) and notification(s) of penalty. If we amend the safety order(s) or notification(s) of penalty, your petition for review shall be deemed moot. However, you will then be given an opportunity to file a petition for review concerning the amended safety order(s) and notification(s) of penalty.

Please be advised that an employee or representative of employees may file a petition for review to contest the reasonableness of the time stated in the safety order(s) for the abatement of any violation.

**Posting** - Upon receipt of any safety order(s) you are required to post such safety order(s), or a copy thereof, unedited, at or near each place an alleged violation referred to in the safety order(s) occurred. However, if your operations are such that it is not practicable to post the safety order(s) at or near each place of alleged violation, such safety order(s) shall be posted, unedited, in a prominent place where it will be readily observable by all affected employees. For example, if you are engaged in activities which are physically dispersed, the safety order(s) may be posted at the location from which the employees operate to carry out their activities. You must take steps to ensure that the safety order is not altered, defaced, or covered by other material. Posting shall be until the violation is abated, or for three working days, whichever is longer.

**Penalties** - Penalties are due within fifteen (15) working days of receipt of this notification unless contested. Abatement does not constitute payment of penalties.

**Abatement** - The conditions cited in the safety order(s) must be corrected (abated) on or before the date shown for each item on the safety order(s) and notification(s) of penalty unless:

- (1) You file a petition for review concerning the violation, in which case the full abatement period shall commence from the issuance of a final decision by the Board of Safety Review or the courts which requires compliance with the safety order; or
- (2) The abatement period is extended by the granting of a petition for modification of abatement date.

**PMAs** - The petition for modification of abatement date is a manner in which you may seek additional time to correct (abate) a violation without having to file a petition for review concerning the safety order, or after the expiration of the time period to file such a petition for review when it becomes apparent that you need extra time to abate the violation. A petition for modification of abatement date shall be in writing and shall include the following information:

- (1) All steps you have taken, and the dates of such actions, in an effort to achieve compliance

during the prescribed abatement period.

(2) The specific additional abatement time necessary in order to achieve compliance.

(3) The reasons such additional time is necessary, including the unavailability of professional or technical personnel or of materials and equipment, or because necessary construction or alteration of facilities cannot be completed by the original abatement date.

(4) All available interim steps being taken to safeguard employees against the cited hazard during the abatement period.

(5) A certification that a copy of the petition has been posted, and if appropriate, served on the authorized representative of affected employees, and a certification of the date upon which such posting and service was made.

A petition for modification of abatement date shall be filed with the Indiana Department of Labor/IOSHA no later than the close of the next working day following the date on which abatement was originally required. A later-filed petition shall be accompanied by the employer's statement of exceptional circumstances explaining the delay. A copy of such petition shall be posted in a conspicuous place where all affected employees will have notice thereof or near such location where the violation occurred. The petition shall remain posted until the time period for the filing of a petition for review of the Commissioner's granting or denying the petition expires. Where affected employees are represented by an authorized representative, said representative shall be served a copy of such petition.

**Notification of Corrective Action** - Correction of the alleged violations which have an abatement period of thirty (30) days or less should be reported in writing to us promptly upon correction. A "Letter of Abatement" form and an "Abatement Photographs" worksheet are enclosed for your assistance in providing adequate documentation of abatement. Reports of corrections should show specific corrective action on each alleged violation and the date of such action. On alleged violations with abatement periods of more than thirty (30) days, a written progress report should be submitted, detailing what has been done, what remains to be done, and the time needed to fully abate each such violation. When the alleged violation is fully abated, we should be so advised. Timely correction of an alleged violation does not affect the initial proposed penalty..

**Followup Inspections** - Please be advised that a followup inspection may be made for the purpose of ascertaining that you have posted the safety order(s) and corrected the alleged violations. Failure to correct an alleged violation may result in additional penalties for each day that the violation has not been corrected.

**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 Indiana Department of Labor/IOSHA at the address shown above.

**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 Indiana Department of Labor/IOSHA at the address shown above within fifteen (15) working days (excluding weekends and State holidays) or receipt by the employer of this safety order and penalty.

If you wish additional information, you may direct such requests to us at the address or telephone number stated above.

**Indiana Department of Labor**

**NOTICE TO EMPLOYEES OF INFORMAL CONFERENCE**

An informal conference has been scheduled with IOSHA to discuss the safety order(s) issued on 7/25/2016. The conference will be held at the IOSHA office located at 402 West Washington Street, Room W195, Indianapolis, IN 46204 on \_\_\_\_\_ at \_\_\_\_\_. Employees and/or representatives of employees have a right to attend an informal conference.

**Indiana Department of Labor**  
Occupational Safety and Health Administration

**Inspection Number:** 318011301  
**Inspection Date(s):** 1/25/2016 - 4/22/2016  
**Issuance Date:** 7/25/2016  
**CSHO ID:** A9888  
**Optional Report No.:** 3-16

**Safety Order and Notification of Penalty**

**Company Name:** Selected Furniture LLC  
**Inspection Site:** 1001 West Culver Road, Knox, IN 46534

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**Safety Order 01 Item 001**                      Type of Violation: **Serious**

29 CFR 1910.23(c)(1): Open sided floor(s) or platform(s) 4 feet or more above the adjacent floor or ground level were not guarded by standard railings (or the equivalent as specified in 29 CFR 1910.23(e)(3)(i) through (v)), on all open sides:

Baghouse area outside - The maintenance employees were accessing a platform to perform inspections inside the dust collector system. The platform did not have a guard rail system in place.

**Date By Which Violation Must Be Abated:**                      **8/25/2016**  
**Proposed Penalty:**    **\$3,000.00**

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Occupational Safety and Health Administration

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**Safety Order 01 Item 002**                      Type of Violation: **Serious**

29 CFR 1910.36(d)(1): Employee(s) were not able to open an exit route door from the inside at all times without keys, tools, or special knowledge:

Lunchroom - The emergency exit leading outside was locked by means of a combination padlock.

**Date By Which Violation Must Be Abated:**                      **8/25/2016**  
**Proposed Penalty:**    **\$1,200.00**

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**Safety Order 01 Item 003**                      Type of Violation: **Serious**

29 CFR 1910.37(a)(3): Exit route(s) were not kept free and unobstructed:

Lunchroom - The door leading into the lunchroom was kept locked, except at lunch time. The doorway leading from the lunchroom outside the facility was identified as an emergency exit by an illuminated exit sign.

**Date By Which Violation Must Be Abated:**                      **8/25/2016**  
**Proposed Penalty:**    **\$1,200.00**



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**Safety Order 01 Item 004**                      Type of Violation: **Serious**

29 CFR 1910.37(b)(5): Each doorway or passage along an exit access that could be mistaken for an exit was not marked Not an Exit or similar designation, or be identified by a sign indicating its actual use (e.g. closet):

Southwest wall near benches spray booth - A door was marked as an exit which opened into a hallway leading to the benches spray booth and blocked doors.

**Date By Which Violation Must Be Abated:**                      **8/25/2016**  
**Proposed Penalty:**    **\$1,200.00**

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**Safety Order 01 Item 005**

Type of Violation: **Serious**

29 CFR 1910.141(d)(2)(ii): Lavatories were not provided with hot and cold, or tepid running water:

Facility wide - The employee production restrooms and the front office women's restroom had only cold water available for washing hands.

**Date By Which Violation Must Be Abated:**  
**Proposed Penalty:**

**8/25/2016**  
**\$900.00**

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**Safety Order 01 Item 006**                      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:

Facility wide - Maintenance employees were performing repairs to machinery with electric, pneumatic, and hydraulic energy sources, such as, but not limited to the 5-axis CNC. There were no written lockout procedures, employee training, or periodic inspections being performed.

**Date By Which Violation Must Be Abated:**                      **8/25/2016**  
**Proposed Penalty:**    **\$1,500.00**

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**Safety Order 01 Item 007**                      Type of Violation: **Serious**

29 CFR 1910.157(g)(1): An educational program was not provided for all employees to familiarize them with the general principles of fire extinguisher use and the hazards involved with incipient stage fire fighting:

Facility wide - The production employees had not received any information on what to do in the event of a fire or education on how to use the fire extinguishers.

**Date By Which Violation Must Be Abated:**                      **8/25/2016**  
**Proposed Penalty:**    **\$1,500.00**

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**Safety Order 01 Item 008**

Type of Violation: **Serious**

29 CFR 1910.176(b): Material stored in tiers was not stacked, blocked, interlocked or limited in height so that it was stable and secure against sliding and collapse:

Facility wide - The racks used for storing raw materials did not have all legs secured to the floor, had bent uprights from being damaged, and had wooden cross beams which were showing deflection (bowing).

**Date By Which Violation Must Be Abated:** 8/25/2016  
**Proposed Penalty:** \$1,500.00

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**Safety Order 01 Item 009**

Type of Violation: **Serious**

29 CFR 1910.212(a)(3)(ii): The point of operation of machines whose operation exposed an employee to injury, was not guarded:

Upholstery - The bandsaw had the guard above the working table, which left the blade exposed when cutting a piece of foam seating.

**Date By Which Violation Must Be Abated:** 8/25/2016  
**Proposed Penalty:** \$1,500.00

**Indiana Department of Labor**  
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**Safety Order 01 Item 010**                      Type of Violation: **Serious**

29 CFR 1910.212(a)(5): Fan blade guards, where the periphery of the blades was less than seven feet above the floor or working level, had openings larger than one half inch:

Facility wide - Portacools (fans) were being used to dry the floors. The backs of the fans had been removed exposing production employees to the turning fan blades located inside the unit.

**Date By Which Violation Must Be Abated:**                      **8/25/2016**  
**Proposed Penalty:**    **\$1,200.00**

**Indiana Department of Labor**  
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**Safety Order 01 Item 011**                      Type of Violation: **Serious**

29 CFR 1910.213(a)(12): The portion of circular saw(s) beneath or behind the table, where there was a possibility of contact with the saw, was not covered with a guard or exhaust hood:

Carpentry Department - The Jet Equipment & Tools undercut saw had a lock for the front cabinet that was not working properly. The cabinet door was open exposing employees to the saw blade beneath the working table.

**Date By Which Violation Must Be Abated:**                      **8/25/2016**  
**Proposed Penalty:**    **\$1,500.00**



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**Safety Order 01 Item 012**                      Type of Violation: **Serious**

29 CFR 1910.213(i)(1): Non-working portion(s) of the blade of bandsaw(s) were not enclosed or guarded. Bandsaw wheels were not fully encased:

Carpentry - The bandsaw identified with Chinese writing and MJ436 on the top had a long blade exposed. The guard in place was raised and turned so that it provided no protection from the blade. The bandsaw wheel inside the cabinet was exposed and accessible. The saw was used to cut both wood and bolts of material.

**Date By Which Violation Must Be Abated:**                      **8/25/2016**  
**Proposed Penalty:**    **\$1,500.00**

**Indiana Department of Labor**  
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The alleged violations below have been grouped because they involve similar or related hazards that may increase the potential for injury or illness.

**Safety Order 01 Item 013a**                      Type of Violation: **Serious**

29 CFR 1910.219(c)(2)(i): All exposed part(s) of horizontal shafting seven (7) feet or less from floor or working platform were not protected by stationary casing(s) enclosing shafting completely or by trough(s) enclosing sides and top or sides and bottom of shafting:

Baghouse area outside - The shaft turning the fan helper, which blew dust into the semi-trailer, did not have a guard to protect employees from rotating shafts.

**Date By Which Violation Must Be Abated:**                      **8/25/2016**  
**Proposed Penalty:**    **\$1,500.00**

**Indiana Department of Labor**  
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**Safety Order 01 Item 013b**                      Type of Violation: **Serious**

29 CFR 1910.219(c)(4)(i): Unguarded projecting shaft end(s) did not present a smooth edge and end and projected more than one half the diameter of the shaft:

Baghouse area outside - The 2-inch shaft turning the fan helper, which blew dust into the semi-trailer, extended beyond the belt and pulley by approximately 6 inches.

**Date By Which Violation Must Be Abated:**                      **8/25/2016**  
**Proposed Penalty:**    **\$0.00**

**Indiana Department of Labor**  
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**Safety Order 01 Item 013c**                      Type of Violation: **Serious**

29 CFR 1910.219(d)(1): Pulley(s) with part(s) seven feet or less from the floor or work platform were not guarded in accordance with the requirements specified in 29 CFR 1910.219(m) and (o):

- a) Carpentry - The bandsaw (Chinese writing, MJ436) did not have the bottom half of the guard in place to protect employees from the ingoing nip point for the inclined belt and pulley.
- b) Baghouse area outside - The inclined belt and pulley for the fan helper, which blew dust into the semi-trailer, did not have a guard to protect employees from the ingoing nip points.
- c) Upholstery - The bandsaw (model # 80608383, serial # 08090005) did not have a guard in place protecting the top of the vertical belt and pulley.

**Date By Which Violation Must Be Abated:**                      **8/25/2016**  
**Proposed Penalty:**    **\$0.00**

**Indiana Department of Labor**  
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**Safety Order 01 Item 013d**                      Type of Violation: **Serious**

29 CFR 1910.219(e)(3)(i): Vertical or inclined belt(s) were not enclosed by guard(s) conforming to the requirements specified in 29 CFR 1910.219(m) and (o) of this section:

- a) Carpentry - The bandsaw (Chinese writing, MJ436) did not have the bottom half of the guard in place to protect employees from the ingoing nip point for the inclined belt and pulley.
- b) Baghouse area outside - The inclined belt and pulley for the fan helper, which blew dust into the semi-trailer, did not have a guard to protect employees from the ingoing nip points.
- c) Upholstery - The bandsaw (model # 80608383, serial # 08090005) did not have a guard in place protecting the top of the vertical belt and pulley.

**Date By Which Violation Must Be Abated:**                      **8/25/2016**  
**Proposed Penalty:**    **\$0.00**

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**Safety Order 01 Item 014**                      Type of Violation: **Serious**

29 CFR 1910.303(b)(2): Listed or labeled electrical equipment was not used or installed in accordance with instructions included in the listing or labeling:

Carpentry - A 2-plug receptacle box, with knockouts on the side, was attached to the end of a flexible cord to provide power to equipment such as, but not limited to, a DeWalt chop saw.

**Date By Which Violation Must Be Abated:**                      **8/25/2016**  
**Proposed Penalty:**    **\$1,200.00**

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**Safety Order 01 Item 015**                      Type of Violation: **Serious**

29 CFR 1910.303(b)(6): Unless identified for use in the operating environment, no conductors or equipment shall be located in damp or wet locations; where exposed to gases, fumes, vapors, liquids, or other agents that have a deteriorating effect on the conductors or equipment; or where exposed to excessive temperatures:

Sanding - The 480 volt Federal Pacific transformer had cardboard and bubble wrap on top of the unit to protect it from water leaking into the building.

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**Safety Order 01 Item 016**                      Type of Violation: **Serious**

29 CFR 1910.303(g)(2)(i): Live parts of electric equipment operating at 50 volts or more were not guarded against accidental contact by approved cabinets or other forms of approved enclosures, or other means listed under this provision:

Warehouse - The 480 volt breaker panel box was missing the front panel exposing warehouse employees to bare live parts.

<b>Date By Which Violation Must Be Abated:</b>	<b>Corrected During Inspection</b>
<b>Proposed Penalty:</b>	<b>\$1,500.00</b>



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**Safety Order 01 Item 017**                      Type of Violation: **Serious**

29 CFR 1910.305(g)(2)(ii): Hard-service cord and junior hard-service cord No. 14 and larger were repaired by splicing, which did not retain the insulation, outer sheath properties, and usage characteristics of the cord that was spliced:

- a) Women's production restroom - The Crosley radiant heater, mounted to the wall, had the 110 volt electrical power cord, SO cord, spliced together. The splice was wrapped with electrical tape.
  
- b) Lunchroom - The Panasonic microwave sitting on the metal table had the 110 volt electrical power cord spliced together. The splice was performed using wire nuts and then wrapped with some electrical tape.

**Date By Which Violation Must Be Abated:**                      **8/25/2016**  
**Proposed Penalty:**    **\$1,200.00**

**Indiana Department of Labor**  
Occupational Safety and Health Administration

**Inspection Number:** 318011301  
**Inspection Date(s):** 1/25/2016 - 4/22/2016  
**Issuance Date:** 7/25/2016  
**CSHO ID:** A9888  
**Optional Report No.:** 3-16

**Safety Order and Notification of Penalty**

**Company Name:** Selected Furniture LLC  
**Inspection Site:** 1001 West Culver Road, Knox, IN 46534

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**Safety Order 02 Item 001**                      Type of Violation: **NonSerious**

29 CFR 1904.39(a)(2): The in-patient hospitalization, amputation, or loss of an eye was not reported to OSHA within twenty-four (24) hours after the in-patient hospitalization of one or more employees or an employee's amputation or an employee's loss of an eye as a result of a work-related incident:

Facility wide - Amputations having occurred in March 2015, May 2015, and November 2015 are not reported to OSHA.

**Date By Which Violation Must Be Abated:**  
**Proposed Penalty:**

**Corrected During Inspection**  
**\$600.00**

**Indiana Department of Labor**  
Occupational Safety and Health Administration

**Inspection Number:** 318011301  
**Inspection Date(s):** 1/25/2016 - 4/22/2016  
**Issuance Date:** 7/25/2016  
**CSHO ID:** A9888  
**Optional Report No.:** 3-16

**Safety Order and Notification of Penalty**

**Company Name:** Selected Furniture LLC  
**Inspection Site:** 1001 West Culver Road, Knox, IN 46534

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**Safety Order 02 Item 002**                      Type of Violation: **NonSerious**

29 CFR 1910.303(b)(7): Electric equipment was not installed in a neat and workmanlike manner:

- a) Benches spray booth drying area - Radiant heaters were installed to assist in the drying of the benches and tables. The junction box did not have a cover and the wires and wire nuts were hanging out.
- b) Upholstery - The bandsaw had wires and wire nuts hanging under the pedestal base.

**Date By Which Violation Must Be Abated:**                      **8/25/2016**  
**Proposed Penalty:**    **\$0.00**

**Indiana Department of Labor**  
Occupational Safety and Health Administration

**Inspection Number:** 318011301  
**Inspection Date(s):** 1/25/2016 - 4/22/2016  
**Issuance Date:** 7/25/2016  
**CSHO ID:** A9888  
**Optional Report No.:** 3-16

**Safety Order and Notification of Penalty**

**Company Name:** Selected Furniture LLC  
**Inspection Site:** 1001 West Culver Road, Knox, IN 46534

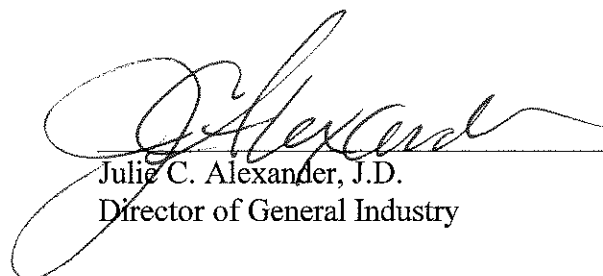
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**Safety Order 02 Item 003**                      Type of Violation: **NonSerious**

29 CFR 1910.305(g)(1)(iv)(A): Flexible cords and/or cables were used as a substitute for the fixed wiring of a structure:

- a) Carpentry - Two relocatable power taps (power strips) were being used to provide electrical power for saws and fans instead of permanent wiring.
- b) Chairs spray room - Two relocatable power taps (power strips) were being used to provide electrical power for a heater and lights instead of permanent wiring.

**Date By Which Violation Must Be Abated:**                      **8/25/2016**  
**Proposed Penalty:**    **\$0.00**

  
Julie C. Alexander, J.D.  
Director of General Industry

# Indiana Department of Labor

Indiana Occupational Safety and Health Administration  
402 West Washington St - Room W195  
Indianapolis, IN 46204  
Phone: (317)232-2691 FAX: (317)233-3790



## INVOICE/DEBT COLLECTION NOTICE

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**Company Name:** Selected Furniture LLC  
**Inspection Site:** 1001 West Culver Road, Knox, IN 46534  
**Issuance Date:** 7/25/2016

**Summary of Penalties for Inspection Number: 318011301**

<b>Safety Order 1, Serious</b>	<b>= \$24,300.00</b>
<b>Safety Order 2, NonSerious</b>	<b>= \$600.00</b>
<b>TOTAL PENALTIES</b>	<b>= \$24,900.00</b>

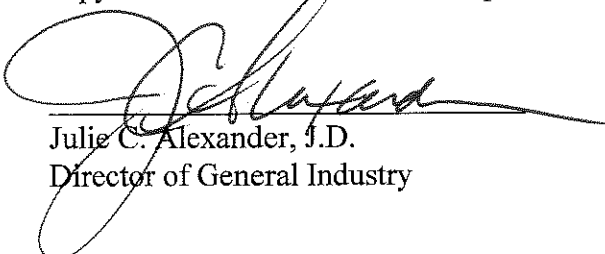
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Penalties are due within fifteen (15) working days of receipt of this notification unless contested. Make your check or money order payable to: "Indiana DOL/IOSHA". Please indicate IOSHA's Inspection Number (indicated above) on the remittance.

IOSHA does not agree to any restrictions or conditions or endorsements put on any check or money order for less than full amount due, and will cash the check or money order as if these restrictions, conditions, or endorsements do not exist.

Corrective action, taken by you for each alleged violation should be submitted to this office on or about the abatement dates indicated on the Safety Order and Notification of Penalty.

A work sheet has been provided to assist in providing the required abatement information. A completed copy of this work sheet should be posted at the worksite with the safety order(s).

  
Julie C. Alexander, J.D.  
Director of General Industry

7/25/16  
Date