



**In the Matter of: U.S. Postal Service
Inspection No. 1555050**

INFORMAL SETTLEMENT AGREEMENT

The undersigned Employer and the undersigned Occupational Safety and Health Administration (OSHA), in settlement of the above citation(s) and penalties, which were issued on March 4, 2022, hereby agree as follows:

1. The Employer has corrected the violations as cited in the above citation(s) and has provided OSHA with a written response as to the specific corrective action taken for each violation.
2. The Employer agrees to pay the total penalty of **\$95,000.00** in accordance with the payment plan in paragraph 10. If the penalty is not paid under the terms of this agreement, the original total proposed penalty will become due and payable immediately plus any administrative fees, interest, and penalties incurred thereafter.
3. OSHA agrees that the following citations and penalties are being amended as shown below:

Citation 1, Item 1a – Penalty reduced to \$8,121.00- Abatement date change to April 1, 2022

Citation 1, Item 1b – Abatement date change to April 1, 2022

Citation 1, Item 2a – Penalty reduced to \$8,121.00- Abatement date change to April 1, 2022

Citation 1, Item 2b – Abatement date change to April 1, 2022

Citation 2, Item 1 – Penalty reduced to \$39,379.00- Abatement date changed to April 1, 2022

Citation 2, Item 2 – Penalty reduced to \$39,379.00- Abatement date change to April 2, 2022

TOTAL PENALTY AMOUNT: \$95,000.00

Make your check or money order payable to “DOL-OSHA”. Please indicate the Inspection Number on the remittance. Mail your check or money order to **4407 Bland Rd., Suite 210, Raleigh, NC 27609**.

You may 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. You will be required to enter your company information and inspection number when making your payment. If penalties are not paid within this time period, the full penalty as originally assessed shall become due and payable.

4. The Employer agrees to immediately post a copy of this Settlement Agreement in a prominent place at or near the location of the violation(s) referred to in paragraph 3 above. This Settlement Agreement must remain posted until the violations cited have been corrected, or for 3 working days (excluding weekends and Federal Holidays), whichever is longer.
5. The employer is responsible for the original penalties and not the negotiated penalty settlement if the employer defaults on the penalty agreement and the case is referred to debt collection.

6. None of the foregoing agreements and statements is intended as an admission by Respondent of the allegations contained within the Citation and Notification of Penalty, as amended. The agreements herein are not intended to be used for purposes other than actions or proceedings arising under the Occupational Safety and Health Act of 1970.

7. The Employer, by the signing this informal settlement agreement, hereby waives its rights to contest the above citation(s) and penalties, as amended in paragraph 3 of this agreement.

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

9. The Employer further agrees to enhanced abatement as follows:

a. Human Resources and Greensboro NDC management are committed to improving the safety culture and environment.

b. The Greensboro NDC has a Safety Specialist and a Facility Safety Coordinator that will be utilized full time at the NDC.


- i. The Facility Safety Coordinator, if not previously trained, will receive lock out tag out, machine guarding, electrical safety and other maintenance and/safety training within thirty (30) days.
- ii. The Facility Safety Coordinator and Safety Specialist will be introduced to management as having authority for the responsibilities herein.
- iii. A walk-through safety inspection of areas of concern as identified through form PS 1767 "*Report of Hazard, Unsafe Condition or Practice*" will be completed by the Facility Safety Coordinator, Maintenance Manager and union representatives.
- iv. Maintenance employees will be assigned route/territory that they are required to observe for safety compliance.
- v. Safety inspections will be conducted quarterly by the Facility Safety Coordinator, Maintenance Manager, Safety Specialist, and union representative.
 1. Results of the quarterly safety inspections will be reviewed with union representatives and management representatives.
- vi. Corrective action will be taken where employees fail to follow safety and maintenance protocols.

c. At the end of six (6) months, the Safety Manager, Facility Safety Coordinator, Safety Specialist, Maintenance Manager and Plant Manager, will meet to review the effectiveness of the enhanced abatement and agree on any necessary adjustments.

d. District Stand-up talk on the 1767 process.

e. The enhanced abatement will end on the one-year anniversary of this agreement.

10. The agreed penalty payment plan is as follows: **Penalty Payment Due: May 13, 2022- \$95,000**



For The Employer Mark J. Manta, Esq.
Attorney USPS

3/28/2022

Date

KIMBERLEY MORTON, Area Director
For the Occupational Safety And
Health Administration

Date

NOTICE TO EMPLOYEES

The law gives you or representative the opportunity to object to any abatement date set for a violation if you believe the date to be unreasonable. Any contest to the abatement dates of the citations amended in paragraph 4 of this Settlement Agreement must be mailed to the U.S. Department of Labor area office at 4407 Bland Rd., Suite 210 Raleigh, NC 27609, within 15 working days (excluding weekends and Federal Holidays) of the receipt by the Employer of this Settlement Agreement. You or your representative also have the right to object to any of the abatement dates set for violations, which were not amended, provided that the objection is mailed to the office shown above within the 15-working-day period established by the original citation.