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OSHA Regional News Release

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Region 5
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US Department of Labor's OSHA cites Jeffboat for 9 safety violations after worker fatality at Jeffersonville, Ind., barge manufacturing facility

JEFFERSONVILLE, Ind. – The U.S. Department of Labor's Occupational Safety and Health Administration has cited Jeffboat LLC for nine safety violations, including one willful violation, at its Jeffersonville facility after a worker was fatally crushed on Aug. 19, when he became trapped between a malfunctioning transfer car and a barge.

This fatality is the third at the barge manufacturing facility since May 2010, when two other workers were killed in separate incidents on different days. OSHA has conducted five inspections since that time, resulting in citations for 46 violations, including the nine from this most recent investigation.

"Jeffboat has a responsibility to ensure that its employees are properly protected from known workplace hazards," said Ken Gilbert, OSHA's area director in Indianapolis. "Failing to ensure workers' safety and health through appropriate equipment maintenance, training and adherence to OSHA regulations demonstrates a lack of regard for employees' lives and well-being. OSHA is committed to protecting workers, especially when employers fail to do so."

The willful citation is composed of two grouped violations. The first grouped violation is for failing to properly assemble and install pendant controllers used to operate transfer cars in accordance with instructions provided by the manufacturer. The improper installation allegedly allowed water and moisture to enter the pendant controllers, which may have caused the malfunction from the resulting corrosion. The second grouped violation is for continuing usage of equipment for which the electrical parts are corroded. 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.

Seven serious violations have been cited for hazards such as failing to develop and implement lockout procedures involving hazardous energy control equipment, not training employees to work safely around and operate transfer cars, not inspecting transfer cars and ensuring that electrical circuits had been de-energized prior to employees performing work on equipment and failing to provide strain relief on the pendant controllers. 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.

One other-than-serious citation is composed of two grouped violations including failing to properly train workers on electrical hazards and the usage of electrical personal protective equipment.

Proposed fines total \$119,000 for the nine violations. The citations can be viewed at http://www.osha.gov/ooc/citations/Jeffboat_98680_0215_12.pdf*

A May 10, 2010 fatality occurred when an employee carrying a welder and whip line fell between the top and middle guardrails of a barge to the ground 20 feet below. A serious violation was cited for failing to keep the guardrails taut, and a repeat violation was cited for housekeeping issues, as multiple trip hazards from gas lines and structural elements were found to be present.

A May 17, 2010 fatality occurred when an employee carrying working gear was climbing up a ladder from the inside of a barge and fell. A serious violation was cited for employees carrying items up and down ladders, which prevented them from maintaining three points of contact.

Jeffboat specializes in hopper, tank and oceangoing tank barges. The company employs about 700 workers and is owned by American Commercial Lines LLC of Jeffersonville.

The company has 15 business days from receipt of its latest citations and penalties to comply, request an informal conference with OSHA's area director or contest the findings 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 Indianapolis office at 317-226-7290.

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, audio tape or disc from the COAST office upon request by calling 202-693-7828 or TTY 202-693-7755.

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

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