



STATE OF WASHINGTON
DEPARTMENT OF LABOR AND INDUSTRIES
Division of Occupational Safety and Health
PO Box 44600 • Olympia, Washington 98504-4600

February 23, 2022

CLARK CONSTRUCTION GROUP LLC THE
CLARK CONSTRUCTION GROUP LLC
7500 Old Georgetown Rd
Bethesda, MD 20814-6196

OSHA #: 1556832
Inspection: 317965972
UBI: 602384311
Region: 2-Safety
Inspector ID: W1200
Reference: 102416893

Dear Employer:

Enclosed are the results of the safety and health inspection of your workplace. This packet contains:

- **Citation Invoice** – The total assessed penalty is \$7,000.00
- **Citation and Notice of Assessment** – Washington Administrative Code (WAC) Violations.
- **Employer Appeal Rights** – You have 15 working days to appeal this citation.

You must immediately post this Citation and Notice of Assessment at or near where the violation(s) occurred, where employees can easily find and read it, or where employees normally receive posted information. All postings must remain until you have corrected all violations, or for seven working days, whichever is longer. “Working day” means a calendar day, except Saturdays, Sundays and all legal state holidays.

Because this inspection is public information, the result will be posted online 30 days after the above date by the Department of Labor & Industries. You may view it at <https://secure.lni.wa.gov/verify> .

Please visit <https://www.lni.wa.gov/agency/public-disclosure/> if you would like to request a copy of the inspection file. Your choices are:

- Safety & Health Citation Only
- Safety & Health Brief Inspector Summary Report (short description the inspector writes to summarize the reason for the inspection only – not complete file)
- Safety & Health Detailed Inspection Summary Report (detailed summary of inspection including penalty calculation only – not complete file)
- Safety & Health Citation and Complete Inspection File (The complete legal file which contains the detailed information regarding the inspector’s findings, the citation, and calculation of any penalty. This will be especially helpful if you are contemplating filing an appeal.)

If you have questions, call the compliance supervisor, Ann Benson, at (206) 835-1051.

Respectfully,

L&I Assistant Director
Division of Occupational Safety & Health

Enclosure(s)



Washington State Department of
Labor & Industries
Division of Occupational Safety and Health

Invoice

Inspection: 317965972

UBI: 602384311	Issued: February 23, 2022
Legal Name: CLARK CONSTRUCTION GROUP LLC THE	Opening Conference: October 5, 2021
DBA Name: CLARK CONSTRUCTION GROUP LLC	Closing Conference: February 2, 2022
Inspection: 1000 Olive Way,	Inspector ID: W1200
Site: Seattle, WA, 98101	

Summary of Assessed Penalties Due

The Citation and Notice of Assessment includes a full description of each violation.

Violation Item	Violation Type	WAC	Correction Due Date	Penalty Amount
1-1a	Serious	WAC 296-869-60030(1)	Not Applicable	\$7,000.00
1-1b	Serious	WAC 296-880-40015(1)(b)	Corrected	\$0.00
<u>Total Penalty Due</u>				\$7,000.00

PAYMENT INFORMATION

Payment is due 15 working days from receipt of this citation.

Make check payable to the Department of Labor and Industries.

Write Inspection number 317965972 on the check and mail to:

Attn: DOSH Cashier
Department of Labor and Industries
PO Box 44835
Olympia, WA 98504-4835
 Or deliver to: **Any L&I office**



Post This Document

Citation and Notice of Assessment
Citación por Infracción y Multa Civil
Inspection: 317965972

UBI: 602384311

Issued: February 23, 2022

Legal Name: CLARK CONSTRUCTION GROUP LLC THE

Opening Conference: October 5, 2021

DBA Name: CLARK CONSTRUCTION GROUP LLC

Closing Conference: February 2, 2022

Inspection Site: 1000 Olive Way Seattle, WA 98101

Inspector ID: W1200

Violation 1 Item 1a

Violation Type: Serious

WAC 296-869-60030(1)

As the upper tier contractor, you did not fulfill your non-delegable duty to ensure the operator of an elevated work platform kept a safe distance from holes.

One employee of PCI was operating an 11,000 lbs. scissor lift while extended approximately 27' in the air at the Washington Convention Center, located at 1000 Olive Way, Seattle WA 98101. As the employee maneuvered the lift, a wheel of the lift went over a hole that was fitted with a 3/4" piece of plywood. The plywood collapsed causing the lift to tip and fall.

When the employer does not ensure employees keep a safe distance from holes while operating an elevated work platform employees are exposed to injuries involving permanent disability or death.

Situation not believed to exist any longer. However, if this violation is identified again during future inspections, it may result in repeat or failure to abate violations which may include penalties.

Assessed penalty: \$7,000.00



Post This Document

Citation and Notice of Assessment
Citación por Infracción y Multa Civil
Inspection: 317965972

Violation 1 Item 1b

Violation Type: Serious

WAC 296-880-40015(1)(b)

As the upper tier contractor, you did not fulfill your non-delegable duty to ensure hole covers located at the Washington Convention Center, 1000 Olive Way, Seattle WA could support twice the weight of equipment that may be imposed on the cover at any one time.

Four employees of PCI were using scissor lifts weighing approximately 11,000 lbs., 6 13"x48" holes were covered by 3/4" plywood that was not capable of supporting the weight of the lift. A wheel of an aerial lift rolled onto the plywood and collapsed under its weight, causing the lift to tip over.

When the employer does not ensure hole covers can support twice the weight of equipment used, employees are exposed to injuries involving permanent disability or death.

The violations above have been grouped because they involve similar or related hazards that may increase the potential for illness or injury resulting from an exposure or accident. A single penalty is applied to the first item in the group.

This violation was corrected during the inspection.
Assessed penalty: Included in Violation 1 Item 1A

For Employers

If you are cited for a violation of Occupational Safety and/or Health rules, you have the right to appeal the citation. **You have 15 working days from the date you receive this citation to appeal.** (RCW 49.17.140(1)) "Working day" means a calendar day, except Saturdays, Sundays and all legal state holidays. Your appeal must be in writing. It may be mailed, faxed, personally delivered or electronically filed. If you electronically file, the Department will send an automated acknowledgement that the appeal was received. **If you do not receive acknowledgement, please ensure you have addressed it to the correct email.** You can also contact the Appeals Program at the number listed below.

For violations classified as serious, willful, repeat serious, or failure to abate serious, an employer must correct the violations by the date listed on the Citation and Notice / Employer's Certification of Abatement form unless a stay of abatement date is requested in the appeal as described on this page. A stay of abatement date means the employer's requirement to abate or correct the hazard is put on hold until the appeal is resolved. All general and repeat general violations under appeal automatically have stay of abatement dates until a final order on those violations has been issued. If you only need an extension of an abatement date, please see the above section entitled, **"If you are unable to fix the hazard(s) by the correction due date(s)"**.

Your appeal must include:

- Name, address, telephone number, and fax number if available of the employer who is appealing, and for the employer's representative, if any, such as an attorney or interpreter.
- Inspection Number (You will find this nine-digit number in the top right corner of this page.)
- Statement explaining:
 1. What you think is wrong with the citation and any related facts.
 2. How you think the citation should be changed.
 3. What relief you are seeking and why.

If you are requesting a stay of abatement date for serious, willful, repeat serious or failure to abate serious, you must also include:

- Each violation and item number for which a stay of abatement date is requested; and
- The reason for the stay of abatement date request.

Note: Employees and/or employee representatives may elect to participate in appeal hearings.

Posting requirement:

You must post your appeal documents (along with this citation packet) until the appeal is resolved. You must also post all other documents related to this appeal.

For Employees or Their Representatives

If your employer is cited, you may only appeal the correction due date(s).

Your appeal must include:

- Your name, address, telephone number, and fax number if available and the same information for anyone who is representing you, if any.
- Inspection number.
- Statement explaining why the correction due date should be changed.

Send all appeals to:

Assistant Director for DOSH
Attn: Appeals Program
PO Box 44604
Olympia, WA 98504-4604
Fax to: **(360) 902-5581** or deliver to: **Any L&I office**
Electronically to: **DOSHAppeals@Lni.wa.gov**

For more information call the Appeals Program: **(360) 902-5486.**

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