



Division of Occupational Safety and Health  
Occupational Health Clinics

March 18, 2019

**CERTIFIED MAIL**

Mr. Earl Kim, Superintendent  
City of Stamford, Public Schools  
Government Center  
888 Washington Boulevard, 5th Floor  
Stamford, CT 06901

**RE: Inspection #1365538**  
Westhill High School  
125 Roxbury Road  
Stamford, CT 06902

Dear Mr. Kim:

Enclosed you will find citations for violations of Connecticut's Occupational Safety and Health Act which may have accompanying proposed penalties.

Also enclosed is a booklet which explains your rights and responsibilities under the Act. As indicated on page 3 of the booklet, you may request an informal conference with me during the 15-working-day notice of contest period. The informal conference provides an opportunity to resolve disputed matters pertaining to the citations without the necessity of recourse to the contest period litigation process.

Please be advised that when an informal conference is scheduled, it is mandatory that the "Notice to Employees of Informal Conference" on page 4 within the "Citation and Notification of Penalty", be posted.

If you have any questions about the enclosed citations, penalties, abatement dates, CONN-OSHA program or informal conference, please contact me.

Very truly yours,

Kenneth C. Tucker III  
CONN-OSHA Director

kct/cfj

encs.

cc: Tamu Lucero, Deputy Superintendent  
~~Michael Handler, Director of Administration~~  
Michael Rinaldi, Principal  
Matthew Stuhlman, Safety & Training Officer

**State of Connecticut, Department of Labor**

Division of Occupational Safety & Health

38 Wolcott Hill Road

Wethersfield, CT 06109

Phone: (860) 263-6900 Fax: (860) 263-6940

**INVOICE**

**Facility Name:** City of Stamford Public Schools Westhill High School

**Inspection Site:** 125 Roxbury Road, Stamford, CT 06902

**Issuance Date:** 03/18/2019

**Summary of Penalties for Inspection Number:** 1365538

**Citation 1, Serious** \$350.00

**Citation 2, Other Than Serious** \$ 0.00

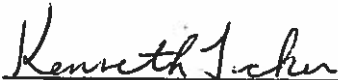
**TOTAL PROPOSED PENALTIES:** \$350.00

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Please remit payment promptly to the Office for the total amount of uncontested penalties summarized above.

Make your check or money order payable to: "**CTDOL CONN-OSHA**". Please indicate the Inspection Number (indicated above) on the remittance. Send payment promptly to our office at the address listed above.

CONN-OSHA 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.



Kenneth C. Tucker III  
CONN-OSHA Director

## State of Connecticut, Department of Labor

Division of Occupational Safety & Health

38 Wolcott Hill Road

Wethersfield, CT 06109

Phone: (860) 263-6900 Fax: (860) 263-6940

### Citation and Notification of Penalty

To: Mr. Earl Kim, Superintendent of Schools  
City of Stamford  
Public Schools  
Government Center  
888 Washington Boulevard, 5th Floor  
Stamford, CT 06901

Inspection Number: 1365538  
Inspection Date(s): 12/13/2018-12/18/2018  
Issuance Date: 03/18/2019  
CSHO ID: E5404  
Optional Report No.: 500

Inspection Site:  
Westhill High School  
125 Roxbury Road  
Stamford, CT 06902

*The violation(s) described in this Citation 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.*

This Citation and Notification of Penalty (this Citation) describes violations of the Connecticut Occupational Safety and Health Act. The penalty(ies) listed herein is (are) based on these violations. You must abate the violations referred to in this Citation by the dates listed and pay the penalty(ies) proposed, unless within 15 working day (excluding weekends and state holidays) from your receipt of this Citation and Notification of Penalty you mail a notice of contest to the State of Connecticut, Department of Labor, Division of Occupational Safety and Health (CONN-OSHA) at the address shown above. Please refer to the enclosed booklet (OSHA 3000) which outlines your rights and responsibilities and which should be read in conjunction with this form. Issuance of this Citation does not constitute a finding that a violation of the Act has occurred unless there is a failure to contest as provided for in the Act or, if contested, unless this Citation is affirmed by the Review Commission or a court.

**Posting** – The law requires that a copy of this Citation and Notification of Penalty be posted immediately in a prominent place at or near the location of the violation(s) cited herein, or, if it is not practicable because of the nature of the employer's operations, where it will be readily observable by all affected employees. This Citation must remain posted until the violation(s) cited herein has (have) been abated or for 3 working days (excluding weekends and state holidays), whichever is longer. **The penalty dollar amounts need not be posted and may be marked out or covered up prior to posting.**

**Informal Conference** – An informal conference is not required. However, if you wish to have such a conference you may request one with the CONN-OSHA Director during the 15 working day contest period. During the informal conference you may present any evidence or views which you believe would support an adjustment to the citation(s) and/or penalty(ies).

If you are considering a request for an informal conference to discuss any issues related to this Citation and Notification of Penalty, you must take care to schedule it early enough to allow time to contest after the informal conference, should you decide to do so. Please keep in mind that a written letter of intent to contest must be submitted to the CONN-OSHA Director within 15 working days of your receipt of this Citation. The running of this contest period is not interrupted by an informal conference.

If you decide to request an informal conference, please complete, remove and post the page 4 Notice to Employees next to this Citation and Notification of Penalty as soon as the time, date, and place of the informal conference have been determined. Be sure to bring to the conference any and all supporting documentation of existing conditions as well as any abatement steps taken thus far. If conditions warrant, we can enter into an informal settlement agreement which amicably resolves this matter without litigation or contest.

**Right to Contest** – You have the right to contest this Citation and Notification of Penalty. You may contest all citation items or only individual items. You may also contest proposed penalties and/or abatement dates without contesting the underlying violations. Unless you inform the CONN-OSHA Director in writing that you intend to contest the citation(s) and /or proposed penalty(ies) within 15 working days after receipt, the citation(s) and the proposed penalty(ies) will become a final order of the Connecticut Occupational Health and Safety Review Commission and may not be reviewed by any court or agency.

**Penalty Payment** – Penalties are due within 15 working days of receipt of this notification unless contested. (See the enclosed booklet.) Make your check or money order payable to "CTDOL CONN-OSHA". Please indicate the Inspection Number on the remittance.

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

**Notification of Corrective Action** – For violations which you do not contest, you should notify CONN-OSHA promptly by letter that you have taken appropriate corrective action within the time frame set forth on this Citation. Please inform the CONN-OSHA office in writing of the abatement steps you have taken and of their dates, together with adequate supporting documentation, e.g., drawings or photographs of corrected conditions, purchase/work orders related to abatement actions, air sampling results, etc.

**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 180 days after the discrimination occurred with the CONN-OSHA office at the address shown above.

**Employer Rights and Responsibilities** – The enclosed booklet (OSHA 3000) outlines additional employer rights and responsibilities and should be read in conjunction with this notification.

**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 CONN-OSHA office at the address shown above and postmarked within 15 working days (excluding weekends and state holidays) of the receipt by the employer of this Citation and Notification of Penalty.

**Inspection Activity Data** – You should be aware that OSHA publishes information on its inspection and citation activity on the Internet under the provisions of the Electronic Freedom of Information Act. The information related to your inspection will be available 30 calendar days after the Citation Issuance Date. You are encouraged to review the information concerning your establishment at [www.OSHA.gov](http://www.OSHA.gov). If you have any dispute with the accuracy of the information displayed, please contact this office.

## **NOTICE TO EMPLOYEES OF INFORMAL CONFERENCE**

An informal conference has been scheduled with CONN-OSHA to discuss the Citation(s) issued on 03/18/2019. The conference will be held at the CONN-OSHA office located at 38 Wolcott Hill Road Wethersfield, CT 06109 on \_\_\_\_\_ at \_\_\_\_\_. Employees and/or representatives of employees have a right to attend an informal conference.

State of Connecticut  
Department of Labor  
Division of Occupational Safety & Health

Inspection Number: 1365538  
Inspection Date: 12/13/2018-12/18/2018  
Issuance Date: 03/18/2019

### **Citation and Notification of Penalty**

Facility Name: City of Stamford Public Schools Westhill High School  
Inspection Site: 125 Roxbury Road, Stamford, CT 06902

**Alleged violations that involve similar or related hazards and may increase the potential for injuries and/or illnesses have been grouped.**

#### **Citation 1 Item 1a Type of Violation: **Serious****

31-372-101

1910.1200(e)(1): The employer did not develop, implement, and maintain at each workplace, a written hazard communication program which described how the criteria specified in 29 CFR 1910.1200 paragraphs (f), (g), and (h) for labels and other forms of warning, safety data sheets, and employee information and training would be met.

Location:

A. Westhill High School

1. The employer did not develop and implement a site specific written hazard communication program.

**Date by Which Violation Must be Abated:**

**May 24, 2019**

**Proposed Penalty:**

**\$350.00**

State of Connecticut  
Department of Labor  
Division of Occupational Safety & Health

Inspection Number: 1365538  
Inspection Date: 12/13/2018-12/18/2018  
Issuance Date: 03/18/2019

### **Citation and Notification of Penalty**

**Facility Name:** City of Stamford Public Schools Westhill High School  
**Inspection Site:** 125 Roxbury Road, Stamford, CT 06902

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#### **Citation 1 Item 1b Type of Violation: **Serious****

31-372-101

1910.1200(g)(8): The employer did not maintain in the workplace copies of the required safety data sheets for each hazardous chemical.

Location:

A. Westhill High School

1. The employer did not maintain updated (i.e., Globally Harmonized System-compliant) safety data sheets for each hazardous chemical to which their employees were exposed, including, but not limited to, "Shockwave".

**Date by Which Violation Must be Abated:**  
**Proposed Penalty:**

**Corrected During Inspection**  
**\$0.00**



State of Connecticut  
Department of Labor  
Division of Occupational Safety & Health

Inspection Number: 1365538  
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### **Citation and Notification of Penalty**

Facility Name: City of Stamford Public Schools Westhill High School  
Inspection Site: 125 Roxbury Road, Stamford, CT 06902

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**Citation 1 Item 1c** Type of Violation: **Serious**

31-372-101

1910.1200(g)(11): Safety data sheets were not made readily available, upon request, to designated representatives, the Assistant Secretary, and the Director, in accordance with the requirements of 29 CFR 1910.1020(e).

Location:

A. Westhill High School

1. Safety data sheets were not made readily available, upon request, to the State of Connecticut, Department of Labor, Division of Occupational Safety and Health (CONN-OSHA) Compliance Safety and Health Officer.

**Date by Which Violation Must be Abated:**

**Corrected During Inspection**

**Proposed Penalty:**

**\$0.00**

<p>SPECIFIC ABATEMENT CERTIFICATION AND DOCUMENTATION IS REQUIRED FOR ALL <b>SERIOUS</b> CITATIONS</p>
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State of Connecticut  
Department of Labor  
Division of Occupational Safety & Health

Inspection Number: 1365538  
Inspection Date: 12/13/2018-12/18/2018  
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### **Citation and Notification of Penalty**

Facility Name: City of Stamford Public Schools Westhill High School  
Inspection Site: 125 Roxbury Road, Stamford, CT 06902

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#### **Citation 2 Item 1 Type of Violation: Other Than Serious**

31-372-101

1910.141(a)(3)(i): All places of employment were not kept clean to the extent that the nature of the work allowed.

Location:

A. Room 208

1. Fungal growth was identified on a ceiling tile in this location.

**Date by Which Violation Must be Abated:**  
**Proposed Penalty:**

**Corrected During Inspection**  
**\$0.00**

State of Connecticut  
Department of Labor  
Division of Occupational Safety & Health

Inspection Number: 1365538  
Inspection Date: 12/13/2018-12/18/2018  
Issuance Date: 03/18/2019

### Citation and Notification of Penalty

Facility Name: City of Stamford Public Schools Westhill High School  
Inspection Site: 125 Roxbury Road, Stamford, CT 06902

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Citation 2 Item 2 Type of Violation: **Other Than Serious**

31-372-101

1910.303(g)(1)(ii): The required working space about electric equipment rated 600 volts, nominal, or less to ground, was used for storage.

Location:


A. Main Office Storage Closet

1. The working space in front of electrical panels was used for storing items including boxes and a vacuum.

Date by Which Violation Must be Abated:  
Proposed Penalty:

Corrected During Inspection  
\$0.00

SPECIFIC ABATEMENT CERTIFICATION IS REQUIRED FOR ALL <b>OTHER THAN SERIOUS</b> CITATIONS
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Kenneth C. Tucker III  
CONN-OSHA Director