



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

July 18, 2022

BOEING COMPANY THE
Boeing Commercial Airplane
100 North Riverside
M/c 5003-3357
Chicago, IL 60606-1596

OSHA #: 1586364
Inspection: 317968118
UBI: 178005030
Region: 1-Safety
Inspector ID: C3985
Reference: 203410937

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 \$8,800.00
- **Citation and Notice of Assessment** – Washington Administrative Code (WAC) Violations.
- **Employer Certification of Abatement instruction and form** - Correct all violations and return written verification or additional penalties may result.
- **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, Christopher Troxell, at (425) 290-1390.

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: 317968118

UBI: 178005030	Issued: July 18, 2022
Legal Name: BOEING COMPANY THE	Opening Conference: March 25, 2022
DBA Name: Boeing Commercial Airplane	Closing Conference: June 3, 2022
Inspection: 3003 W Casino Rd,	Inspector ID: C3985
Site: Everett, WA, 98203	

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
1-1	Repeat Serious	WAC 296-880-10010(2)	7/31/2022	\$8,800.00
<u>Total Penalty Due</u>				\$8,800.00

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 317968118 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: 317968118

UBI: 178005030

Issued: July 18, 2022

Legal Name: BOEING COMPANY THE

Opening Conference: March 25, 2022

DBA Name: Boeing Commercial Airplane

Closing Conference: June 3, 2022

Inspection Site: 3003 W Casino Rd Everett, WA 98203

Inspector ID: C3985

Site:

Message

This employer has been identified as a Severe Violator Enforcement case under the Labor & Industries Division of Occupational Safety & Health's (DOSH), Severe Violator Enforcement Program (SVEP). Your company will be subject to follow-up inspections to determine if the conditions cited here still exist in the future. Follow-up inspections of this company will continue at a heightened level until the Department is satisfied that the conditions no longer exist.

The following violation qualifies this employer for SVEP: 1-1 (Repeat Serious)

The Occupational Safety & Health Administration (OSHA) has been notified. For further information, please refer to DOSH Directive 2.68 and OSHA Instruction CPL 02-00-149.

Also; An abatement agreement differs from a Variance. You must have a temporary or permanent Variance in place approved by the Department, prior to employee exposure in order to deviate from the minimum protections provided in a given WAC code.

Citation and Notice of Assessment
Citación por Infracción y Multa Civil
Inspection: 317968118

Violation 1 Item 1

Violation Type: Repeat Serious

WAC 296-880-10010(2)

The employer must guard holes into which an employee can trip, step into, or step through by a cover of standard strength and construction or a standard guardrail system.

The employer does not guard open floor holes on the main decks of its in-production aircraft, with covers of standard strength and construction or a standard guardrail system. Rather, when covers of standard strength and construction are temporarily removed for production purposes the employer has workers guard the open floor holes by placing yellow "warning" cones around the open floor holes. The use of warning cones in lieu of a standard guardrail system or a cover of standard strength and construction does not meet this standard. These hazards were encountered at the employer's 777 aircraft manufacturing line in Everett, WA..

Workers who are not protected from falling through open floor holes can suffer soft tissue injuries (e.g. ankle and wrist sprains, tendons and ligament tears), cuts, abrasions or bruises to the skin, concussive injuries, broken bones or spinal cord injuries.

The violation above is cited as a repeat of Violation #1, Item #1, cited on Citation and Notice #317958535 issued on 8/3/2020. You must provide proof of correction by the correction date shown below. Failure to meet this date may result in penalties.

The following additional correction documentation is required for this violation:
Boeing to provide its detailed written plan and corrective actions taken that permanently mitigates the hazard of open floor holes, in a manner that meets the requirements in WAC 296-880-10010(2)..

Correct by: 7/31/2022
Assessed penalty: \$8,800.00

Employer Certification of Abatement Instructions Inspection: 317968118

What you must do now:

- Check the correction due date(s) shown on the enclosed Employer Certification of Abatement Form. You must fully correct the hazards by these dates.
 - Describe on the form how you corrected each hazard, rather than what you *intend to do* in the future. Examples:
 - Right:** *All staff have received the required training.*
 - Wrong:** *All staff will receive the required training next week.*
- Use attachments if you need more space. Submit additional documentation of hazard correction if requested in the citation packet.
- Fill in the date you corrected the hazard and sign.
 - Post a copy of the completed form for at least seven working days, or until you have corrected all violations, whichever is longer. It must be posted near the hazard location or in a place that is readily accessible by affected employees and their representatives.
 - Send your completed form to the address provided.

Note: If we do not receive written confirmation you have corrected the hazards, we will take follow-up action, which may include additional penalties. If you provide us with false information, you may face criminal penalties.

If you are unable to fix the hazard(s) by the correction due date(s):

We must receive your written request for an extension **before** the correction due date(s) listed for the hazard(s). Correction due dates are shown on the enclosed Citation and Notice of Assessment and on your Employer Certification of Abatement Form(s).

Extensions are not automatically granted. To be considered for an extension, you must provide the following:

- Inspection number, employer name, telephone number, and site address.
- Violation and Item number for each requested extension.
- Correction due date on the citation and additional time needed.
- Steps taken to fix the hazard by the correction due date.
- Why you cannot correct the hazard by the correction due date.
- How you will protect your employees until you fix the hazard.

For more information, contact:

Or call: (425) 290-1390

Christopher Troxell, Compliance Supervisor

Department of Labor and Industries

729 100th St SE

EVERETT, WA 98208

You must post all documentation associated with your request for extension with your citation packet. All postings must remain until you have corrected all violations, or unless you have appealed and received and posted your hearing notice.



Employer Certification of Abatement Form

Inspection: 317968118

UBI: 178005030

Issued: July 18, 2022

Legal Name: BOEING COMPANY THE

DBA Name: Boeing Commercial Airplane

Site Address: 3003 W Casino Rd, Everett, WA, 98203

You must complete this form and return it to: HARRY KUZMINSKY, Department of Labor & Industries
729 100th St. SE., EVERETT, WA 98208
Or Fax to: (425) 290-1437

Violation(s) are fully described in the Citation and Notice of Assessment section.

Violation, Item & Group#	Type of Violation	WAC# Violated	Correction Due Date
1-1	Repeat Serious	WAC 296-880-10010(2)	7/31/2022
How you corrected the hazard →			
Date you corrected the hazard →			

I certify that the hazards described in this Employer Certification of Abatement Form have been corrected as described above. Affected employees and their representatives have been informed of the correction activities. I am aware that knowingly providing false information may result in criminal penalties (RCW 49.17.190(2)).

Signature Name

Title Date Phone No.

DOSH USE ONLY

DOSH Reviewer's Signature Date

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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100 North Riverside
M/c 5003-3357
Chicago, IL 60606-1596

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