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Occupational Safety & Health Administration

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OSHA News Release (Archived)

1999 - 10/27/1999 - NORTH HAVEN, CONNECTICUT, PRATT & WHITNEY PLANT CITED BY OSHA FOR ALLEGED WILLFUL VIOLATIONS OF WORKPLACE INJURY & ILLNESS RECORDKEEPING REQUIREMENTS; \$155,000 IN PENALTIES PROPOSED

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OSHA Regional News Release

U.S. Department of Labor
Office of Public Affairs

Region 1

Region 1 News Release: BOS 99-200
Wednesday, October 27, 1999
Contact: John M. Chavez
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NORTH HAVEN, CONNECTICUT, PRATT & WHITNEY PLANT CITED BY OSHA FOR ALLEGED WILLFUL VIOLATIONS OF WORKPLACE INJURY & ILLNESS RECORDKEEPING REQUIREMENTS; \$155,000 IN PENALTIES PROPOSED

The Occupational Safety and Health Administration (OSHA) of the U.S. Department of Labor has cited the Pratt and Whitney Aircraft, Turbine Modular Center, located in North Haven, Connecticut, for alleged WILLFUL violations of the Occupational Safety and Health Act and has proposed penalties totaling \$155,000 for those alleged violations.

According to Clifford Weston, OSHA area director in Bridgeport, Conn., the alleged violations involve the employer's legal responsibility to keep adequate and accurate records of workplace injuries and illnesses, and to make those records available to OSHA officials during inspections of the workplace. Weston noted that the citations stem from an inspection of the Pratt and Whitney facility which took place April 27 through October 26, 1999. The inspection was scheduled as a result of a referral from a safety inspection conducted in February of this year. During that inspection, the OSHA compliance officer attempting to analyze the company's injury history noticed a number of violations of OSHA recordkeeping

standards.

"The recordkeeping regulations," said Weston, "require employers to properly record all workplace injuries and illnesses as part of their overall compliance effort. Obviously, such recordkeeping is necessary to allow us to determine just how good a job an employer is doing at providing their employees with a safe and healthful workplace."

Nationwide, Pratt and Whitney facilities have been inspected by OSHA 94 times. In at least four of those previous inspections, the company was cited for recordkeeping violations. Such past experience indicates that the company is well aware of OSHA's recordkeeping requirements.

As a result, the company is being cited for four alleged WILLFUL violations, carrying proposed penalties totaling \$154,000, for: failing to maintain an equivalent OSHA Log at their facility which is as readable and comprehensible as the OSHA 200 form; for calendar years 1996, 1997, 1998 and 1999, failure to record 71 recordable injury and illness cases; failure to make available supplementary records of occupational illness and injuries for the month of December 1996; and failure to make readily available complete and accurate OSHA 200 logs for the 1996, 1997, 1998 and 1999 calendar years.

Pratt and Whitney is also being cited for one alleged "other-than-serious" violation, including a \$1,000 penalty, for failure to retain the signed and certified annual summary of occupational injuries and illnesses for the 1996 calendar year.

Weston noted that these are serious matters since the company was well aware that there was a high incidence of cumulative trauma disorders at the Pratt and Whitney North Haven facility. Many of these injuries culminated in surgery and yet were not recorded, were recorded without full lost work time, or were referred to as earlier instances. During the investigation, it was learned that employees were discouraged from reporting signs and symptoms of cumulative trauma disorders.

"The bottom line," said Weston, "is that our inspection revealed that many workers in the Pratt and Whitney North Haven facility suffered from cumulative trauma disorders that were either not reported or were under reported. Furthermore, the company did not produce all of the required records requested during the inspection."

He noted that this is why the company is being cited for alleged "willful" violations, OSHA's most severe category of infraction. In fact, a willful violation is defined by OSHA as one committed with an intentional disregard of, or plain indifference to, the requirements of the Occupational Safety and Health Act and regulations.

"Without adequate and accurate workplace injury and illness records," Weston said, "it is impossible for either the employer or employees to recognize patterns of injuries and illnesses which might exist in various parts of the plant. This makes it equally impossible for the appropriate hazard abatements and preventative actions to be taken. The size of the proposed penalties in this case shows just how seriously OSHA takes this type of infraction, especially in a case where the employer clearly knew what needed to be done yet decided not to do it."

(The other-than-serious regulatory violation alleged in this case is an infraction with much

less impact than the alleged willful violations and does not carry the same implication regarding the employer's attitude, knowledge or intent.)

Weston urged Connecticut employers and employees with questions regarding safety and health standards to contact the OSHA area offices in Bridgeport or Hartford. He added that OSHA's toll-free nationwide hotline -- 1-800-321-OSHA (1-800-321-6742) -- may be used to report workplace accidents and fatalities or situations posing imminent danger to workers, especially those situations which occur outside of normal business hours.

OSHA is empowered by the Occupational Safety and Health Act of 1970 to issue standards and rules requiring employers to provide their employees with safe and healthful workplaces and jobsites, and to assure through workplace inspections that those standards are followed.

The company has 15 working days from receipt of the citations and proposed penalties to either elect to comply with them, request and participate in an informal conference with the OSHA area director, or contest them before the independent Occupational Safety and Health Review Commission.

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The information in this release will be made available to sensory impaired individuals upon request. Voice phone: (617) 565-2072. TDD (Telecommunications Device for the Deaf) Message Referral Phone: 800-347-8029.

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