



Nikki R. Haley
Governor

Richele Taylor
Director

South Carolina
Department of Labor, Licensing and Regulation

Occupational Safety and Health Administration



Post Office Box 11329
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Compliance: (803) 896-7665
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February 24, 2015

Shirley Groth
673 Majestic Oaks Drive
Charleston, SC 29412

Dear Ms. Groth:

I have been advised by James Schaffer that the hazard(s) you complained about have been looked into. Enclosed is a copy of the response by the employer concerning the hazardous condition(s).

With this information, we feel the case can be closed.

Sincerely,

Anthony Wilks
OSHA Compliance Manager

Feb 17, 15

Mr. Wilks:

Ms Groth complained that there was mold in her office and it was causing her to feel bad. She asked me to check into it. I told her to go home early and not come in ^{tomorrow} while we were moving around the office, wiping walls and looking for the mold. We looked for mold and found none. We wiped the walls and ceiling with disinfectant and still found no mold. The building is 4 feet above the ground. This area is open. We inspected this area and found no mold. It was also sprayed. Ms Groth told me that the walls were full of mold. I had holes cut in the sheetrock and inspected. No mold. Nothing we did satisfied her. She quit and filed a workers comp claim. I cannot comment where I think the problem is.

Two representatives of the

wonhens comp ins. co. met with
me and my son at her office.
We discussed the situation and
looked for mold. None was
found. The building and area
discussed here has been inspected
by your agents in June of
many past years.

Thank you.
J. Schuff
C-209 5005
O-559-9105
Island Tomato Growers

Shirley Groth
673 Majestic Oaks Drive
Charleston, SC 29412
(843)343-4222

March 5, 2015

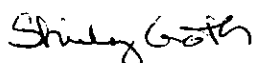
The Honorable Nikki R. Haley
Office of the Governor
1205 Pendleton Street
Columbia, SC 29201

Mr Jamal Smith

I find it hard to believe in the great state of South Carolina we don't have agencies in place to protect workers from being exposed to black mold. If I was a home buyer or a renter I would have more rights, the laws need to change. We have a school on Johns Island that has a black mold problem, the staff and children are getting sick. They only want to renovate the school; once it has gotten in the ducts you can't renovate it and be absolutely sure it will be safe. We had mold in grocery store on Maybank Hwy they tore the building down. MUSC hospital downtown has a mold problem that is making people sick. I know how the exposure to mold has affected me and I am a grown woman, I can only imagine what it is doing to those young children at the school. Mold kills people and we need to give our workers a safe environment to do their jobs.

As you can see from the pictures I sent you we had a problem where I worked. My boss tore down a section of the building that was leaking so bad you could have taken a shower in the bathroom, that didn't have a shower in it. This bathroom was not used very much so the leak went undetected for years. According to his letter to the Department of Labor he had no mold. And I am Mother Teresa. I guess he tore that section of building down because nothing was wrong with it. The building has no vapor barrier and when they started tearing down that section of building they did not kill it so the mold spores bloomed. I was the only one who worked in the building all year long; the owner only came to office once a month for five minutes. During the busy time we would have people in the office but only for 4 weeks a year and they did not spend as many hours in the office as I did. He has hired another lady to work in the office I don't want her to become sick from not knowing what's lurking in the walls like me.

Thank you for your attention in this matter.



Shirley Groth



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February 6, 2015

Shirley Groth
673 Majestic Oaks Drive
Charleston, SC 29412

Dear Mr. Groth:

Your letter dated 02/06/2015 alleging unsafe working conditions at 771 Brownswood Road, Johns Island, SC 29455 has been received and evaluated according to current complaint policies. According to S.C. Rules and Regulations, Article V, Section 71-508, a formal complaint must meet the following:

- (a) be reduced to writing;
- (b) allege a violation of the Act;
- (c) specify a condition or practice that is hazardous;
- (d) be signed by one or more employees or their representative.

Complaints meeting the definition of a formal complaint will result in an on-site investigation. Procedures for handling non-formal complaints include sending a letter to the employer listing each of the alleged complaint items. The employer is required to submit a detailed response to our office within 15 business days. If no response is received or it is determined to be inadequate, an on-site may be initiated at that time.

Your complaint was not considered to be formal because an employer/employee relationship did not exist at the time your complaint was filed; therefore, no inspection can be made.

However, the Office of Occupational Safety and Health has sent a letter to the firm requesting that appropriate action be taken to correct the situation. Enclosed is a copy of that letter for your information. Upon receiving any information from the employer, we will notify you of the response.

Section 41-15-510, Code of Laws of South Carolina, provides that "no person shall discharge or in any manner discriminate against any employee who has filed a complaint or exercised their rights afforded by the Act.



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February 6, 2015

James Schaffer
Island Tomato Growers
771 Brownswood Road
Johns Island, SC 29455

RE: Complaint No.: 208840686

Dear Mr. Schaffer:

On February 6, 2015, the Office of Occupational Safety and Health received a complaint concerning safety and/or health hazards at your work site at 771 Brownswood Road, Johns Island, SC 29455. The specific nature of the complaint involves:

- (1) Employees are exposed to black mold and sewer gas. Management is aware of the mold and has done nothing to correct the problem.

Location: Office and other building that the workers live in

We have not determined whether hazards, as alleged, exist at your work place, and we are not conducting an inspection at this time. However, since allegations of violations have been made, you should immediately investigate the alleged condition(s) and make necessary corrections or modifications. Within 15 calendar days, or less, of receipt of this letter, please advise me in writing of your findings and of the action you have taken. Your response should be detailed, stating specifically what action you have taken to abate any hazards. You should enclose any supporting documentation on the action you have taken, such as monitoring results, ordering of equipment, and the like.

This letter is not a citation, nor is it a notification of proposed penalty which according to the Act may only be issued after an inspection or investigation of the work place.

If you have questions concerning this matter, please contact our office. Your personal support and interest in the safety and health of your employees is appreciated.

Sincerely,

Anthony Wilks
OSHA Compliance Manager