

Department of Justice
U.S. Attorney's Office
Eastern District of Pennsylvania

FOR IMMEDIATE RELEASE

Wednesday, December 9, 2015

Roofing Company Owner Pleads Guilty To Charges In Connection With Employee's Fatal Fall

PHILADELPHIA - James J. McCullagh, 60, of Meadowbrook, PA, pleaded guilty today to four counts of making false statements, one count of obstruction of justice, and one count of willfully violating an Occupational Safety and Health Administration (OSHA) regulation causing death to an employee. U.S. District Court Judge Nitza I. Quinones Alejandro scheduled a sentencing hearing for March 29, 2016. The defendant faces a maximum statutory sentence of 25 years in prison, a possible fine, supervised release, and a \$510 special assessment.

McCullagh, who owns James J. McCullagh Roofing, failed to provide fall protection equipment to his employees. On June 21, 2013, one of McCullagh's employees was killed after falling approximately 45 feet from a roof bracket scaffold while performing roofing work for McCullagh. In connection with the OSHA investigation of the fatality, McCullagh attempted to cover up his failure to provide fall protection by falsely stating, on four occasions, that he had provided fall protection equipment, including safety harnesses, to his employees. McCullagh knew that he had not provided fall protection to his employees and none of his employees had safety harnesses or any other form of fall protection. McCullagh told an OSHA Compliance Safety and Health Officer that his employees had been wearing safety harnesses tied off to an anchor point when he saw them earlier in the day prior to the fall. McCullagh also directed other employees to falsely state that they had fall protection, including safety harnesses, on the day of the fall.

The case was investigated by the United States Department of Labor-Office of Inspector General Labor Racketeering and Fraud Investigations and the Occupational Safety and Health Administration, with assistance from the U.S. Department of Labor's Occupational Safety and Health Administration and Office of Inspector General. It is being prosecuted by Assistant United States Attorney Mary Kay Costello.

USAO - Pennsylvania, Eastern

Labor & Employment: FLRA, Labor Dep't (not ERISA), LHWCA, MSPB, NLRB, OSHA

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