

CITATION 01 (Serious)

<u>Item No.</u>	<u>Standard</u>	<u>Abatement Date</u>	<u>Penalty</u>
001	29 CFR 1910.106(d)(4)(i)	Immediately Upon Receipt	\$ 900.00
002	29 CFR 1910.106(d)(4)(iv)	Immediately Upon Receipt	\$ 900.00
003	29 CFR 1910.106(d)(4)(v)	Immediately Upon Receipt	\$ 900.00
004	29 CFR 1910.106(h)(7)(i)(b)	Immediately Upon Receipt	\$ 900.00
005	29 CFR 1910.132(d)(2)	Immediately Upon Receipt	\$ 450.00
006	29 CFR 1910.134(c)(2)(ii)	Immediately Upon Receipt	\$ 450.00
007	29 CFR 1910.157(g)(1)	Corrected During Inspection	\$ 450.00
008	29 CFR 1910.178(l)(1)(i)	Corrected During Inspection	\$ 900.00
009	29 CFR 1910.213(h)(1)	Immediately Upon Receipt	\$ 2,800.00

CITATION 02 (NonSerious)

<u>Item No.</u>	<u>Standard</u>	<u>Abatement Date</u>	<u>Penalty</u>
001	29 CFR 1910.107(g)(7)	10/4/2016	\$ 0.00
002	29 CFR 1910.134(c)(2)(i)	Immediately Upon Receipt	\$ 0.00

5. The Respondent submitted a timely Notice of Contest dated October 13, 2016.
6. A Hearing in this matter was scheduled pursuant to the Rules of Procedure of the Safety and Health Review Commission of North Carolina (the "Rules").
7. Respondent and Complainant waive the presence of a court reporter at the Hearing and the making of a transcript of the Hearing. Complainant and Respondent have no objection, either procedural or otherwise, to this Hearing and both parties consent to the conduct of this Hearing by the Undersigned and to entry of this Order.
8. Respondent posted the Original Citation, the Hearing Order and the Order to Continue as required by the Rules. Neither Complainant nor Respondent have received notification from any affected employee that such employee, or its representative, wishes to have a say in, or participate as a party in, this matter, or has any objections in connection with this matter including without limitation objection to the reasonableness of any abatement period.
9. Respondent confirms that the violations alleged in the Original Citation as amended pursuant to Complainant's Motion have been abated, subject to the terms of the Stipulation regarding Citation 1 / Item 9.
10. The parties agree to bear their own attorney's fees, costs and other expenses that have been incurred in connection with any stage of these proceedings up to and including the filing of this Order.

4. Complainant, Commissioner of Labor of the State of North Carolina, is an agency of the State of North Carolina charged with the administration and enforcement of the provisions of the Act.
5. The Stipulations are incorporated by reference as Findings of Fact to the extent necessary to give effect to the provisions of this Order.

CONCLUSIONS OF LAW

The foregoing Findings of Fact are incorporated by reference as Conclusions of Law to the extent necessary to give effect to the provisions of this Order.

NOW, THEREFORE, IT IS ORDERED, ADJUDGED AND DECREED:

1. That Complainant's Motion to Withdraw its Motion To Postpone Hearing is hereby **GRANTED**.
2. That Complainant's Motion is hereby **GRANTED**;
3. That Respondent's Motion is hereby **GRANTED**; Respondent shall pay the penalty of \$1,800.00 in the manner set forth in the Stipulations.

This 28th day of March, 2018.

R. Joyce Garrett
Administrative Law Judge

CONSENTED TO:

For Complainant



Larissa Williamson, Special Deputy Attorney General
North Carolina Department of Justice

For Respondent

Michael C. Lord, Attorney at Law
Williams Mullen

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This 28th day of March, 2018.

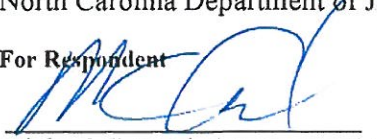
R. Joyce Garrett
Administrative Law Judge

CONSENTED TO:

For Complainant

Larissa Williamson, Special Deputy Attorney General
North Carolina Department of Justice

For Respondent



Michael C. Lord, Attorney at Law
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