

**BEFORE THE NORTH CAROLINA  
OCCUPATIONAL SAFETY AND HEALTH REVIEW COMMISSION  
RALEIGH, NORTH CAROLINA**

**COMMISSIONER OF LABOR OF THE  
STATE OF NORTH CAROLINA,**

**COMPLAINANT-CROSS-PETITIONER,**

**v.**

**TEIJIN AUTOMOTIVE TECHNOLOGIES  
NORTH CAROLINA, INC.,  
*and its successors,***

**RESPONDENT-PETITIONER**

**DOCKET NO.: OSHANC 2023-6575  
OSHANC 2023-6590**

**INSPECTION NUMBER: 318264546  
318264892**

**CSHO ID: N4078  
N1901**

**CONSENT ORDER OF THE  
COMMISSIONERS**

THIS CAUSE coming on pursuant to the Notice of Review on March 12, 2026, at 11:00 AM before the members of the North Carolina Occupational Safety and Health Review Commission, via Lifesize teleconferencing platform (hereinafter “the Review”).

Madison L. Beveridge, Assistant Attorney General, North Carolina Department of Justice, appeared as counsel for Complainant. Curtis G. Moore of Fisher & Phillips LLP, Charlotte, N.C., appeared as counsel for Respondent. No other affected employee of Respondent attended to have a say in, or participate as a party in, the Hearing.

At the Review, Complainant and Respondent: (i) notified the Undersigned that the parties agree upon certain stipulations (“Stipulations”) and wish to make certain motions (“Motions”); and (ii) requested that the Stipulations and Motions be part of the Hearing record and that a Consent Order be issued. This Review was not an evidentiary hearing nor evidentiary review, and the specific facts and circumstances relevant to the Inspections (hereinafter defined) and the Original Citation (hereinafter defined) were not introduced of record, and such facts and circumstances are not included in the Stipulations hereinafter set forth. The Stipulations and Motions are as follows:

**STIPULATIONS**

1. The Complainant as Commissioner of Labor of the State of North Carolina is charged by law with compliance with and enforcement of the provisions of the Occupational Safety and Health Act of North Carolina, Article 16, Chapter 95 of the General Statutes of North Carolina (hereinafter “the Act”).
2. Pursuant to N.C.G.S. §95-135 the Review Commission has jurisdiction over the parties and the subject matter of this action.

3. Respondent, Teijin Automotive Technologies North Carolina Inc. (“Teijin”), was a corporate entity which is authorized to do business in North Carolina at all relevant times for purposes of this proceeding. Teijin is now doing business as CSP Innovations North Carolina, Inc. at the subject worksite, and maintains an active and current place of business in Salisbury, North Carolina. CSP Innovations North Carolina, Inc. is the successor entity for Respondent. Respondent is an "employer" within the meaning of N.C.G.S. §95-127(11); and Respondent's employees referred to in this matter are "employees" within the meaning of N.C.G.S. §95-127(10).

4. Compliance Safety Health Officers (“CSHO”) Michael Hayward and Jill Warren were the compliance safety and health officers for Inspection Nos. 318264546 and 318264892 who conducted the inspections of Respondent’s worksite located at 6701 Statesville Blvd, Salisbury, North Carolina (“the Inspections”).

5. CSHO Hayward conducted the safety inspection, Inspection No. 318264546. This inspection is associated with Docket No. 2023-6575.

6. CSHO Warren conducted the health inspection, Inspection No. 318264892. This inspection is associated with Docket No. 2023-6590.

7. On August 1, 2023, Complainant issued one SERIOUS citation with three items and five subparts for the Safety Inspection. The Citation and Notification of Penalty had the following proposed abatement dates and penalties in relation to the Safety Inspection (“the Original Citation”):

**CITATION NUMBER ONE (Serious)**

<b>Item</b>	<b>Standard</b>	<b>Abatement Date</b>	<b>Penalty</b>
1a	29 CFR 1910.147(c)(4)(i)	08/25/2023	\$15,625.00
1b	29 CFR 1910.147(c)(7)(i)(A)	08/25/2023	Grouped
1c	29 CFR 1910.147(c)(8)	08/25/2023	Grouped
2	29 CFR 1910.212(a)(1)	Corrected During Inspection	\$9,000.00
3a	29 CFR 1910.305(b)(2)(i)	Corrected During Inspection	\$15,625.00
3b	29 CFR 1910.303(g)(2)(i)	Corrected During Inspection	Grouped

**TOTAL \$40,250.00**

8. On September 14, 2023, Complainant issued one NONSERIOUS citation, with five subparts, carrying the following proposed abatement dates and penalties in relation to the Health Inspection (“the Original Citation”):

**CITATION NUMBER ONE (Nonserious)**

<b>Item</b>	<b>Standard</b>	<b>Abatement Date</b>	<b>Penalty</b>
1	29 CFR 1910.37(a)(3)	Corrected During Inspection	\$0.00

2	29 CFR 1910.106(e)(2)(ii)(b)	Corrected During Inspection	\$0.00
3	29 CFR 1910.1200(f)(6)	Corrected During Inspection	\$2,700.00
4a	29 CFR 1910.1200(g)(8)	Immediately Upon Receipt	\$2,700.00
4b	29 CFR 1910.1200(h)(2)(iii)	Immediately Upon Receipt	GROUPED

**TOTAL \$5,400.00**

9. Respondent timely filed Notices of Contest for each inspection and formal pleadings by the parties were filed in Docket Nos. 2023-6575 and 2023-6590.

10. The matters were consolidated for Hearing.

11. On January 7, 2025, through January 10, 2025, an evidentiary hearing was held before Hearing Examiner Mary-Ann Leon via the Lifesize video platform.

12. On June 23, 2025, Hearing Examiner Leon issued an Order wherein she vacated Citation 1, Items 001b, 001c, 002, and 003 in Docket No. 2023-6575, and modified Citation 1, Item 001a. The Hearing Examiner also vacated Citation 1, Items 001, 004a, and 004b in Docket No. 2023-6590. The Hearing Examiner affirmed one serious item in part in Citation 1, Item 001a in Docket No. 2023-6575 and affirmed two non-serious items in Citation 1, Items 002 and 003 in Docket No. 2023-6590.

13. On July 23, 2025, Respondent timely filed a Petition for Review before the Review Commission.

14. On July 30, 2025, Complainant timely filed a Cross-Petition for Review.

15. An Order granting Respondent's Petition for Review and Complainant's Cross-Petition for Review was entered on August 11, 2025.

16. Respondent filed its brief in support of its Petition on September 10, 2025. Complainant filed its brief in support of its Cross-Petition on October 10, 2025.

17. A Notice of Review was issued to review the decision of the Hearing Examiner and to hear arguments before the Review Commission in support of the parties' Cross-Petitions on March 12, 2026.

18. The Notice of Review ("the Review") was scheduled in this matter pursuant to the Rules of Procedure of the Safety and Health Review Commission of North Carolina ("the Rules").

19. Complainant and Respondent have no objection, either procedural or otherwise, to this Review; they waive the making of a transcript; and they consent to the conduct of this Review by the Undersigned and they consent to entry of this Order.

20. Respondent confirms that the Original Citation and the Notice of Review have been posted as required by the Rules.

21. 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.

22. Respondent agrees, provided that the motions of the Parties made below are granted, to complete the following:

- a. Within 90 calendar days of the entry of this Consent Order, members of management in this facility, including but not limited to managers and leads, will attend machine-safety training which emphasizes the requirements of machine guarding and lock-out/tag-out procedures specific to the machines, such as but not limited to hydraulic mechanical presses and the Fanuc robot. Documentation of attendance and topics shall be maintained for one year and provided to OSHNC upon request.
- b. Within 90 calendar days of the entry of this Consent Order, Respondent will conduct a comprehensive lock-out/tag-out procedure audit of the Fanuc Robots and the hydraulic presses like Press 19 that was involved in the inspection, to ensure that equipment covered by 29 CFR 1910.147 has a procedure developed, documented, and utilized to protect the authorized employees.
- c. Within 180 days of this Consent Order, Respondent will conduct a comprehensive lock-out/tag-out procedure audit of the machines at the worksite to ensure that all equipment covered by 1910.147 has a procedure developed, documented, and utilized to protect the authorized employees. Documentation of the details of these audits in subparagraphs b and c above shall be maintained for one year and provided to OSHNC upon request.
- d. Any audits performed in Paragraphs b and c above, shall be treated as "routine self-audits" and treated in accordance with OSHA's 2000 Final Rule, Publication Date: 07/28/2000, Fed Register #:65:46498-46503.

23. The parties agree to bear their own fees, costs and other expenses, including attorney's fees if any, that have been incurred in connection with any stage of these proceedings up to and including the filing of this Consent Order.

24. Complainant and Respondent agree that provided the respective Motion of each party is granted:

- a. there are no other matters that remain to be decided, and that other than a ruling with respect to the Motions no outstanding issues remain to be resolved by an evidentiary hearing of this matter;

- b. this Consent Order is a full and final resolution of the claims set out in the underlying Original Citation, as amended pursuant to Complainant's Motion, and shall be the final order in this proceeding superseding that of Hearing Examiner Leon;
- c. the modification of any portion of the Original Citation by Complainant shall not be deemed to be an admission by Complainant that any such portion was alleged without merit;
- d. none of the agreements, statements, stipulations and actions taken by Respondent shall be deemed an admission by the Respondent of any of the allegations contained in the Original Citation as amended or a waiver of any defense, provided however, that in any subsequent proceeding with respect to matters covered by this Consent Order brought directly under the Act by Complainant, this Consent Order shall have the full force and effect of a final order; the agreements, statements, stipulations and actions herein by Complainant and by Respondent are solely for the purpose of resolving this matter economically and amicably without further litigation and shall not be used for any other purposes except for proceedings and matters arising under the Act and Article 21, Chapter 95 of the North Carolina General Statutes.

### **MOTIONS**

Complainant moved to do the following ("Complainant's Motion"):

- a) Withdraw all Citations and Penalties issued in Inspections No. 318264546 and 318264892; and
- b) Withdraw Complainant's Cross-Petition for Review.

Respondent did not object to Complainant's Motion.

Respondent requested that upon the granting of Complainant's Motion that the Undersigned consider the following motion by the Respondent ("Respondent's Motion"):

- a) Withdraw Respondent's Notice of Contest to the Original Citation as amended pursuant to Complainant's Motion set forth above; and
- b) Withdraw Respondent's Petition for Review.

Complainant did not object to Respondent's Motion.

### **FINDINGS OF FACT**

Based on the record and the Stipulations at the time of the Hearing as memorialized herein, the Undersigned makes the following Findings of Fact:

1. 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.
2. Respondent is subject to the provisions of the Act and jurisdiction of the Safety and Health Review Commission of North Carolina.
3. This Court has jurisdiction over the parties and the subject matter of this Hearing.
4. Neither party has any objection, procedural or otherwise, to this Hearing. No affected employee elected party status, and no employee raised an objection to the reasonableness of the abatement time.
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**

Based on the foregoing Findings of Fact and Conclusions of law, **NOW, THEREFORE, IT IS ORDERED, ADJUDGED AND DECREED:**

1. That Complainant's Motion is hereby **GRANTED**;
2. That Respondent's Motion is hereby **GRANTED**; and
3. That the parties shall comply with the terms and conditions set forth in the Stipulations contained this Order.

This the 03/12/2026.

**SO ORDERED**

Signature: Paul E. Smith  
Paul E. Smith (Mar 12, 2026 13:54:01 EDT)

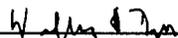
Email: psmith@pathlaw.com

Paul E. Smith, Chairman

Signature:   
Terrence Dewberry (Mar 12, 2026 13:25:20 EDT)

Email: todewberry@aol.com

Terrence Dewberry, Member

Signature:   
William D. Rowe (Mar 12, 2026 13:36:14 EDT)

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William D. Rowe, Member

**CONSENTED TO:**

JEFF JACKSON  
Attorney General

Signature: Madison L. Beveridge  
Madison L. Beveridge (Mar 12, 2025 11:41:42 EDT)

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ATTORNEYS FOR COMPLAINANT

Signature: Curtis G. Moore  
Curtis Moore (Mar 12, 2025 10:40:48 CDT)

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Charlotte, NC 28202

Telephone No. 704-778-4179

ATTORNEY FOR RESPONDENT

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that I have this date served a copy of the foregoing CONSENT ORDER OF THE COMMISSIONERS upon:

CURTIS G MOORE  
FISHER PHILLIPS LLP  
cmoore@fisherphillips.com

MADISON L BEVERIDGE  
NC DEPARTMENT OF JUSTICE  
LABOR SECTION  
mbeveridge@ncdoj.gov

NC DEPARTMENT OF LABOR  
LEGAL AFFAIRS DIVISION

via email.

THIS THE 12 DAY OF March 2026.



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