

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

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

COMPLAINANT,

v.

**ALPHA OMEGA CONSTRUCTION
GROUP, INC,**

and its successors,

RESPONDENT.

) **DOCKET NO.: OSHANC 2025-6706**
) **INSPECTION NUMBER: 318291762**
) **CSHO ID: L1173**

CONSENT ORDER

FILED

SEPT -3 2026

NC Occupational Safety & Health
Review Commission

THIS CAUSE came on pursuant to the Notice of Pre-Hearing Conference (“Hearing Notice”) on September 3, 2026 at 10:00 a.m., via Lifesize teleconferencing platform before the undersigned, Laura Wetsch, Hearing Examiner for the North Carolina Occupational Safety and Health Review Commission. Sage A. Boyd, Special Deputy Attorney General, and Monique D. Nketah, Assistant Attorney General, North Carolina Department of Justice, Raleigh, North Carolina, appeared as counsels for the Complainant. Greg C. Ahlum, Johnston, Allison & Hord, P.A., Charlotte, North Carolina, appeared as counsel for Respondent.

Pursuant to the Hearing Notice, a pre-hearing conference (the “Hearing”) was held for the purpose of considering matters which would simplify the issues and expedite the proceedings in the above referenced case including considering such matters that may be necessary or advisable for the completion of the case, and if possible, to reach a resolution without the necessity of further hearing. No affected employee of Respondent attended to have a say in, or participate as a party in, the Hearing.

At the Hearing, Complainant and Respondent agreed upon and requested that the Stipulations and Motions be made part of the Hearing record and that the Undersigned issue a Consent Order. This Hearing was not an evidentiary hearing and the specific facts and circumstances relevant to the Inspection (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. The Review Commission has jurisdiction over the parties and the subject matter to this action.
3. On July 10, 2024, District Supervisor Ted Hendrix and Compliance Safety and Health Officer Lindsey Miller, both employed by the North Carolina Department of Labor, inspected Respondent's worksite located at 4635 Siddons Dr. in Wilmington, North Carolina (“the Inspection”).
4. Respondent, Alpha Omega Construction Group, Inc, is a North Carolina company, which was authorized to do business in North Carolina on August 5, 2008. It is active and current and maintains a place of business in Monroe, North Carolina. 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).
5. As a result of the Inspection, on January 3, 2025, Complainant issued two citations carrying the following proposed abatement dates and penalties in the Citation and Notification of Penalty (hereafter referred to as the “Original Citation”):

CITATION NUMBER ONE (Repeat Serious)

<u>Item</u>	<u>Standard</u>	<u>Abatement Date</u>	<u>Penalty</u>
001	29 CFR 1926.1053(b)(1) <i>Or in the alternative, 29 CFR 1910.23(c)(11)</i>	Corrected During Inspection	\$9,100.00

CITATION NUMBER TWO (Serious)

<u>Item</u>	<u>Standard</u>	<u>Abatement Date</u>	<u>Penalty</u>
001	29 CFR 1926.100(a)	Corrected During Inspection	\$1,800.00
TOTAL			\$10,900.00

6. Respondent submitted a timely Notice of Contest dated February 21, 2025.
7. The Hearing in this matter was scheduled pursuant to Rules of Procedure of the Safety and Health Review Commission of North Carolina (the “Rules”).

8. Complainant and Respondent have no objection, either procedural or otherwise, to this Hearing; waive the making of a transcript; and consent to the conduct of this Hearing by the Undersigned and consent to entry of this Order.
9. Respondent confirms that the Original Citation and the Hearing Notice have been posted as required by the Rules.
10. 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.
11. Respondent confirms that all items in the Original Citation, as amended pursuant to Complainant's Motion, have been abated and Respondent agrees to use best efforts to comply with the Act.
12. Respondent agrees to continue to implement any present safety and health program, including conducting comprehensive safety and health inspections on a periodic basis and maintaining documentation of the hazards identified, and the corrective actions taken to eliminate the hazards; and agrees to provide that documentation to the NCDOL - OSH Division during any subsequent inspection upon request.
13. Respondent agrees to pay the new total settlement amount of **\$5,915.00 within thirty (30) days of the date of this Consent Order**. In the event Respondent does not pay the settlement amount as agreed upon, Complainant retains the right to institute collection proceedings as allowed by law. Respondent agrees to collection proceedings to collect the debt. Payment is to be by check payable to the North Carolina Department of Labor, OSHA Division (identifying Inspection No. **318291762**) and mailed to North Carolina Department of Labor, Financial Services Division, 1101 Mail Service Center, Raleigh, NC 27699-1101.
14. 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.
15. Provided the respective Motions of each party are granted, Complainant and Respondent agree:
 - 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 additional 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;

- 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 foregoing agreements, statements, stipulations and actions taken by the Respondent shall be deemed an admission by the Respondent of any of the allegations contained in the Original Citation, as amended, or waiver of defenses; 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; and
- e) 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 moves to do the following (“Complainant’s Motion”):

- 1. Amend the classification in Citation One, Item 1 to Serious and amend the penalty to \$5,915.00; and**
- 2. Delete Citation Two, Item 1 and delete the penalty associated with it.**

Except as set forth in this Motion, the Original Citation shall remain unmodified or amended.

Respondent does not object to Complainant’s Motion.

Respondent requests that upon the granting of Complainant’s Motion, that the Undersigned consider the following motion by the Respondent (“Respondent’s Motion”):

- 1. Withdraw Respondent’s Notice of Contest to the Original Citation as amended pursuant to Complainant’s Motion set forth above.**

Complainant does 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

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 is hereby **GRANTED**;
2. That Respondent's Motion is hereby **GRANTED**;
3. That Respondent shall pay the settlement amount of **\$5,915.00 within thirty (30) days of this Consent Order**; and
4. That the parties shall comply with the terms and conditions set forth in the Stipulations.

This the 09/03/2026.

Signature: 

Email: lwetsch@winslow-wetsch.com

Laura Wetsch
Hearing Examiner

CONSENTED TO:

Signature: Sage A. Boyd
Sage A. Boyd (Sep 3, 2026 16:12:30 EDT)
Email: sboyd@ncdoj.gov

Sage A. Boyd
Special Deputy Attorney General
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Signature: Greg C. Ahlum
Greg C. Ahlum (Sep 3, 2026 16:11:12 EDT)
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Signature: Monique D. Nketah
Monique D. Nketah (Sep 3, 2026 16:14:32 EDT)
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Monique D. Nketah
Assistant Attorney General
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mnketah@ncdoj.gov

ATTORNEYS FOR COMPLAINANT

ATTORNEY FOR RESPONDENT

Consent Order for Signatures 2025-6706 Alpha Omega Construction Group Inc

Final Audit Report

2026-09-03

Created:	2026-09-03
By:	Karissa Sluss (karissa.sluss@oshrc.labor.nc.gov)
Status:	Signed
Transaction ID:	CBJCHBCAABAAyns_ODqeOsEav2QJtcvDcYVvu4loKfk9M

"Consent Order for Signatures 2025-6706 Alpha Omega Construction Group Inc" History

-  Document created by Karissa Sluss (karissa.sluss@oshrc.labor.nc.gov)
2026-09-03 - 7:52:54 PM GMT
-  Document emailed to gahlum@jahlaw.com for signature
2026-09-03 - 7:53:00 PM GMT
-  Email viewed by gahlum@jahlaw.com
2026-09-03 - 8:08:36 PM GMT
-  Signer gahlum@jahlaw.com entered name at signing as Greg C. Ahlum
2026-09-03 - 8:11:10 PM GMT
-  Document e-signed by Greg C. Ahlum (gahlum@jahlaw.com)
Signature Date: 2026-09-03 - 8:11:12 PM GMT - Time Source: server - Signature Appearance Selected: TYPE
-  Document emailed to sboyd@ncdoj.gov for signature
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-  Email viewed by sboyd@ncdoj.gov
2026-09-03 - 8:11:42 PM GMT
-  Signer sboyd@ncdoj.gov entered name at signing as Sage A. Boyd
2026-09-03 - 8:12:28 PM GMT
-  Document e-signed by Sage A. Boyd (sboyd@ncdoj.gov)
Signature Date: 2026-09-03 - 8:12:30 PM GMT - Time Source: server - Signature Appearance Selected: TYPE
-  Document emailed to mnketah@ncdoj.gov for signature
2026-09-03 - 8:12:32 PM GMT

 Email viewed by mnketah@ncdoj.gov

2026-09-03 - 8:12:55 PM GMT

 Signer mnketah@ncdoj.gov entered name at signing as Monique D. Nketah

2026-09-03 - 8:14:30 PM GMT

 Document e-signed by Monique D. Nketah (mnketah@ncdoj.gov)

Signature Date: 2026-09-03 - 8:14:32 PM GMT - Time Source: server - Signature Appearance Selected: TYPE

 Document emailed to lwetsch@winslow-wetsch.com for signature

2026-09-03 - 8:14:34 PM GMT

 Email viewed by lwetsch@winslow-wetsch.com

2026-09-03 - 8:20:29 PM GMT

 Signer lwetsch@winslow-wetsch.com entered name at signing as Laura J Wetsch

2026-09-03 - 8:23:12 PM GMT

 Document e-signed by Laura J Wetsch (lwetsch@winslow-wetsch.com)

Signature Date: 2026-09-03 - 8:23:14 PM GMT - Time Source: server - Signature Appearance Selected: IMAGE

 Agreement completed.

2026-09-03 - 8:23:14 PM GMT



CERTIFICATE OF SERVICE

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

GREG C AHLUM
JOHNSTON ALLISON HORD
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NC DEPARTMENT OF LABOR
GENERAL COUNSEL'S OFFICE

Via email.

THIS THE 3rd DAY OF SEPTEMBER 2026.

PAUL E. SMITH
CHAIRMAN

KB Sluss

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