



United States of America
OCCUPATIONAL SAFETY AND HEALTH REVIEW COMMISSION
1120 20th Street, N.W., Ninth Floor
Washington, DC 20036-3457

SECRETARY OF LABOR,

Complainant,

v.

OSHRC Docket No. 18-0523

NEW RIVER ELECTRICAL CORPORATION,

Respondent.

REMAND ORDER

Before: ATTWOOD, Chairman and LAIHOW, Commissioner.

BY THE COMMISSION:

This case is before the Commission on remand from the United States Court of Appeals for the Fourth Circuit. *New River Elec. Corp. v. OSHRC*, 25 F.4th 213 (4th Cir. 2022). Administrative Law Judge Christopher D. Helms affirmed a citation issued by the Occupational Safety and Health Administration to Respondent. *New River Elec. Corp.*, No. 18-0523, 2020 WL 6255455 (O.S.H.R.C.A.L.J., Sept. 11, 2020). The judge's decision became a final order of the Commission. On appeal, the Fourth Circuit reversed the judge's decision. 25 F.4th at 226. By mandate filed March 28, 2022, the court has remanded this case to the Commission. We, in turn, remand this case to the judge for further proceedings consistent with the court's opinion.

SO ORDERED.

/s/

Cynthia L. Attwood
Chairman

/s/

Amanda Wood Laihow
Commissioner

Dated: April 6, 2022