

United States of America
OCCUPATIONAL SAFETY AND HEALTH REVIEW COMMISSION

SECRETARY OF LABOR, Complainant, v. XYZ CORP., Respondent.	OSHRC DOCKET NO.
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COMPLAINT

This action is brought to affirm the Citations and Notifications of penalty issued under the Occupational Safety and Health Act of 1970, 29 U.S.C. § 651, et seq., (the Act), of violations of § 5(a) of the Act and the Safety and Health Regulations promulgated thereunder.

I

Jurisdiction of this action is conferred upon the Commission by § 10(a) of the Act.

II

Respondent, XYZ Corp., is an employer engaged in a business affecting commerce within the meaning of § 3(5) of the Act.

III

The principal place of business of respondent is at 123 Street, City, State, Zip Code, where it was engaged in retail sales as of the date of the alleged violations.

IV

The violations occurred on or about January 8, 2019, at 123 Street, City, State, Zip Code (hereinafter “workplace”).

V

As a result of an inspection at the workplace by an authorized representative of the complainant, respondent was issued three Citations and Notifications of Penalty pursuant to § 9(a) of the Act.

VI

The Citations and Notifications of Penalty, copies of which are attached hereto and made a part hereof as Exhibits “A”, “B”, and “C” (consisting of one page each) identify and describe the specific violations alleged, the corresponding abatement dates fixed, and the penalties proposed.

VII

On or about February 28, 2019, by a document dated February 25, 2019, the complainant received notification, pursuant to § 10(a) of the Act, of respondent’s intention to contest the Citations and Notifications of Penalty.

VIII

The penalties proposed, as set forth in Exhibits “A”, “B”, and “C” are appropriate within the meaning of § 17(j) of the Act. The abatement dates fixed were and are reasonable.

WHEREFORE, cause having been show, complainant prays for an Order affirming the Citations and Notifications of Penalty.

[Attorney’s name]
Office of the Solicitor
U.S. Department of Labor, Federal Building
City, State Zip Code

CERTIFICATE OF SERVICE

[Electronic filing].

This is to certify that service of the Joint Notification of Settlement filed in the Commission’s E-File System was also simultaneous served by email attachment to the parties listed below on _____.

[Self-Represented party exempted from electronic filing].

This is to certify that a copy of the Joint Notification of Settlement was served by first class, postage prepaid, U.S. Mail to the parties listed below on _____.

_____/s/_____

Name Title
Company / Firm Name / Office of the Solicitor
Street Address
City, State, Zip Code
Email Address