

EXECUTIVE SUMMARY

**OCCUPATIONAL SAFETY AND HEALTH
APPEALS BOARD**

Summary of Trio Metal – Decision After Reconsideration

The Board affirmed an ALJ's Decision finding Employer violated section 4206(a) [point of operation device]. The Board found that failure to wear a protective device resulted in the injuries sustained to an employee. The Board rejected Employer's argument that it did not know of the violative condition or could not have known about it through the exercise of reasonable diligence.

Trio Metal, 03-0317

February 25, 2009

4206(a)