

EXECUTIVE SUMMARY

OCCUPATIONAL SAFETY AND HEALTH APPEALS BOARD

Summary of Amish Country Gazebos, Inc. – Decision After Reconsideration

The Division and the Employer reached a settlement agreement and communicated with the ALJ that a settlement had been reached. The Division assumed it did not need to appear at the hearing and that the matter was taken off calendar. The Board granted Employer's appeal and held that the Division improperly assumed the matter was resolved as a result of an agreed upon settlement agreement and also held that until the agreement is accepted the settlement is without effect.

Amish Country Gazebos, Inc., 08-0227

June 1, 2009

364.2(e)