

EXECUTIVE SUMMARY
OCCUPATIONAL SAFETY AND HEALTH
APPEALS BOARD

Summary of Duininck Bros, Inc -
Decision After Reconsideration and Remand

The Division's motion to amend the citation to correct a clerical error brought at the opening of the hearing should have been granted. The evidence supported the violation and its serious, accident related classification, since the admissions of the supervisor established all elements, and the supervisor's status as Employer's authorized represented was established by his statements and corroborated by the circumstances existing at the time of the investigation, including corroborative hearsay statements of other employees.

Duininck Bros, Inc. 06-2870
April 13, 2012

371, 3704