

EXECUTIVE SUMMARY

**OCCUPATIONAL SAFETY AND HEALTH
APPEALS BOARD**

Summary of O & M Industries – Decision After Reconsideration

Employer violated 1712(c)(1) by allowing employees to pass by exposed rebar that lacked 4 inch covers, as observed by the Division Inspector. The ALJ correctly concluded that hearsay evidence not within an exception failed to rebut the prima facie case. The Decision of the ALJ was adopted by the Board.

O & M Industries, Inc. 04-1597

August 13, 2009

1713(c)(1)