



United States of America
OCCUPATIONAL SAFETY AND HEALTH REVIEW COMMISSION
1120 20th Street, N.W., Ninth Floor
Washington, DC 20036-3457

SECRETARY OF LABOR,

Complainant,

v.

BLACK TIE MOVING SERVICES, LLC,

Respondent.

OSHRC Docket No. 18-0052

REMAND ORDER

Before: MACDOUGALL, Chairman; ATTWOOD and SULLIVAN, Commissioners.

BY THE COMMISSION:

An order issued by Administrative Law Judge Keith E. Bell approving a settlement agreement between Respondent and the Secretary was docketed on October 10, 2018. On October 30, 2018, the Secretary filed an Unopposed Motion for Leave to File an Amended Settlement Agreement because the parties discovered that they had inadvertently excluded from the approved settlement agreement one of the two citations referenced in the Complaint. The Amended Settlement Agreement, which is attached to the Secretary's motion, states that Respondent certifies that a copy of the agreement was served upon the affected employees by posting on October 30, 2018. *See* Commission Rule 100(c), 29 C.F.R. § 2200.100(c) (requiring posting of settlement agreement).

Because the approved agreement did not resolve one of the citations, the judge's order approving it did not constitute a "final disposition of the proceedings" under Commission Rule 90(a), 29 C.F.R. § 2200.90(a).¹ We therefore remand the case to the judge to consider the Secretary's unopposed motion.

¹ We remind the parties and their counsel that they should carefully review all documents before filing.

SO ORDERED.

/s/
Heather L. MacDougall
Chairman

/s/
Cynthia L. Attwood
Commissioner

Dated: November 15, 2018

/s/
James J. Sullivan, Jr.
Commissioner

UNITED STATES OF AMERICA
OCCUPATIONAL SAFETY AND HEALTH REVIEW COMMISSION

R. ALEXANDER ACOSTA, Secretary of Labor)	
United States Department of Labor,)	
)	
Complainant,)	OSHA Docket
)	No. 18-0052
v.)	
)	
BLACK TIE MOVING SERVICES LLC)	OSHA Inspection
And Its Successors,)	No. 1277443
Respondent.)	

ORDER

The parties have submitted a settlement agreement pursuant to Rule 100 of the Rules of Procedure. The agreement meets the requirements of the Commission for hospitable consideration of settlements. No objection has been received from affected employees. The settlement agreement is approved and incorporated herein by reference.

SO ORDERED.

/s/ _____
HONORABLE KEITH BELL
Administrative Law Judge

DATE: October 10, 2018