



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.

UNITED STATES POSTAL SERVICE,

Respondent.

OSHRC Docket Nos. 16-1713, 16-1813,
16-1872, 17-0023, 17-0279

BRIEFING NOTICE

The parties are requested to brief the issues presented in the Secretary's petition for discretionary review and Respondent's conditional cross-petition for discretionary review. The parties are advised that when a case is directed for review to consider either the merits or characterization of an item, the appropriateness of the penalty is also subject to review. Accordingly, the parties may address the amount of the penalty if they so choose.

Unless specified otherwise, all briefs are to be filed in accordance with Commission Rule 93.¹ Any brief filed shall address the petitioned issues as presented in all five cases identified above. Separate briefs for each case will not be accepted. The length of any brief filed may exceed the limits set forth in Commission Rule 93(e) by 30 pages. The times set forth in Commission Rule 93(b)(1) for filing any briefs are expanded as follows: 80 days for the first brief, 60 days for any responsive briefs, and 30 days for any reply brief.

¹ The Commission requests that all briefs include an alphabetical table of authorities with references to the pages on which they are cited, and that an asterisk be placed in the left-hand margin of the table to indicate those authorities on which the brief principally relies. The Commission also requests that copies of cited authority, other than statutes, regulations, case law, law journal articles, and legal treatises, be provided to the Commission and to the opposing party. Parties should be cautioned that these materials will be considered only if appropriate.

A party not intending to file a brief shall notify the Commission in accordance with Commission Rule 93. The time for filing any responsive briefs (or letters filed in lieu of briefs) shall commence on the date of service.

BY DIRECTION OF THE COMMISSION

Dated: September 25, 2020

/s/

John X. Cervený
Executive Secretary