

## United States of America OCCUPATIONAL SAFETY AND HEALTH REVIEW COMMISSION

1120 20<sup>th</sup> Street, N.W., Ninth Floor Washington, DC 20036-3457

SECRETARY OF LABOR,

Complainant,

v. : OSHRC Docket No. 11-2395

KIEWIT POWER CONSTRUCTORS CO.,

Respondent.

ORDER AND NOTICE OF ORAL ARGUMENT

Respondent has filed a Motion for Oral Argument in OSHRC Docket Number 11-2395, which was opposed by Complainant. The Commission grants Respondent's Motion. Oral argument will be held on January 11, 2018 at 10:30 a.m. in the hearing room at the Review Commission's Washington, D.C. headquarters listed above.

Oral argument will be conducted in accordance with Commission Rule 95, 29 C.F.R. § 2200.95. Each party will have 30 minutes to present its argument. Respondent will argue first, and may allocate a portion of its time for argument to its amicus curiae. Each party may reserve up to ten minutes of its time for rebuttal, and must so advise the Commission no later than December 21, 2017. The issues to be heard are those that were stated in the briefing notice.

Persons requiring special accommodations under the Americans with Disabilities Act shall submit their requests in writing to the Executive Secretary no later than three (3) working days in advance of the above scheduled date for oral argument to allow time for the request to be handled in an appropriate manner.

Any motion for postponement should be submitted immediately upon receipt of this notice. Counsel should be aware, however, that the Commission looks with disfavor upon such a motion, and it will not be routinely granted.

BY DIRECTION OF THE COMMISSION

Dated: November 8, 2017 /s/ John X. Cerveny

John X. Cerveny Executive Secretary

2