

UNITED STATES OF AMERICA
 OCCUPATIONAL SAFETY AND HEALTH REVIEW COMMISSION

SECRETARY OF LABOR,

Complainant,

v.

BARAJAS & F CONSTRUCTION
 & SUCC.,

Respondent.

Docket No. 00-1995

Appearances: Sheryl Vieyar, Esq.,

For the Secretary

Leonardo Barajas, President,

For the Respondent

DECISION AND ORDER

This proceeding is before the Occupational Safety & Health Review Commission pursuant to section 10 of the Occupational Safety and Health Act of 1970, 29 U.S.C. sec 651 et seq.

Following an inspection of a work site in The Colony, Texas, the Occupational Safety and Health Administration issued a serious citation to the Respondent who timely contested the citation and proposed penalty, and on June 27, 2001 this matter came on to be heard in Dallas, Texas. No jurisdictional issues are in dispute, sufficient facts having been pleaded to establish that the Respondent is subject to the Act, and the Commission has jurisdiction of the parties and of the subject matter.

At the hearing both sides came to an agreement, and the terms of the settlement were read into the record. The parties have now submitted an executed settlement agreement incorporating the terms of the settlement. The written settlement agreement disposes of this matter in its entirety.

ORDER

The submitted settlement agreement is APPROVED.

SO ORDERED

/s/
IRVING SOMMER
Chief Judge

DATED: 27 AUG 2001
Washington, D.C.