



UNITED STATES OF AMERICA
OCCUPATIONAL SAFETY AND HEALTH REVIEW COMMISSION

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SECRETARY OF LABOR
Complainant,
v.
B & M ROOFING
Respondent.

OSHRC DOCKET
NO. 93-0756

**NOTICE OF DOCKETING
OF ADMINISTRATIVE LAW JUDGE'S DECISION**

The Administrative Law Judge's Report in the above referenced case was docketed with the Commission on October 15, 1993. The decision of the Judge will become a final order of the Commission on November 15, 1993 unless a Commission member directs review of the decision on or before that date. **ANY PARTY DESIRING REVIEW OF THE JUDGE'S DECISION BY THE COMMISSION MUST FILE A PETITION FOR DISCRETIONARY REVIEW.** Any such petition should be received by the Executive Secretary on or before November 4, 1993 in order to permit sufficient time for its review. See Commission Rule 91, 29 C.F.R. 2200.91.

All further pleadings or communications regarding this case shall be addressed to:

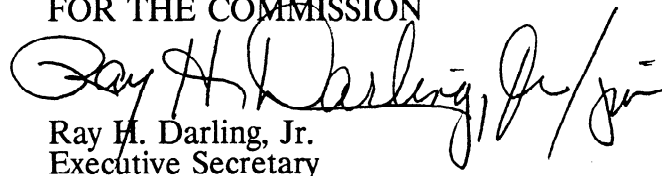
Executive Secretary
Occupational Safety and Health
Review Commission
1120 20th St. N.W., Suite 980
Washington, D.C. 20036-3419

Petitioning parties shall also mail a copy to:

Daniel J. Mick, Esq.
Counsel for Regional Trial Litigation
Office of the Solicitor, U.S. DOL
Room S4004
200 Constitution Avenue, N.W.
Washington, D.C. 20210

If a Direction for Review is issued by the Commission, then the Counsel for Regional Trial Litigation will represent the Department of Labor. Any party having questions about review rights may contact the Commission's Executive Secretary or call (202) 606-5400.

FOR THE COMMISSION


Ray H. Darling, Jr.
Executive Secretary

Date: October 15, 1993

DOCKET NO. 93-0756

NOTICE IS GIVEN TO THE FOLLOWING:

Daniel J. Mick, Esq.
Counsel for Regional Trial Litigation
Office of the Solicitor, U.S. DOL
Room S4004
200 Constitution Ave., N.W.
Washington, D.C. 20210

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James H. Barkley
Administrative Law Judge
Occupational Safety and Health
Review Commission
Room 250
1244 North Speer Boulevard
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UNITED STATES OF AMERICA
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SECRETARY OF LABOR,

Complainant,

v.

B & M ROOFING OF
COLORADO, INC.,

Respondent.

OSHRC DOCKET
NO. 93-0756

DECISION AND ORDER

Respondent was issued citations and proposed penalties pursuant to the Occupational Safety and Health Act of 1970 (29 U.S.C. §651, *et seq.* hereinafter referred to as the Act.) By filing a timely notice of contest Respondent brought this matter before the Occupational Safety and Health Review Commission where Respondent admitted it was subject to the Act and its requirements. A hearing was held on July 27, 1993 wherein findings of fact and conclusions of law were entered on the record. In accordance with those findings of fact and conclusions of law, it is:

ORDERED,

1. A penalty of \$1,750.00 is ASSESSED for item 1 of serious citation 1.

2. A penalty of \$500.00 is ASSESSED for item 2 of serious citation 1.


James H. Barkley
Judge, OSHRC

Dated: October 8, 1993