

UNITED STATES OF AMERICA

~~CONFIDENTIAL~~

ELAINE L. CHAO, Secretary
of Labor, United States
Department of Labor,

Complainant

v.

GOLDKIST, INC.,

Respondent

OSHRC DOCKET NO.

06-1449

REGION IV

STIPULATION OF SETTLEMENT
AND MOTION TO WITHDRAW NOTICE OF CONTEST

The parties, as evidenced by the signatures of their respective representatives hereto affixed, intending to fully and finally settle the above action and citation alleged therein, stipulate and agree as follows:

1. In response to the Complaint filed by the complainant, the respondent contacted the

JAN-18-2007 14:48 FROM: OSH REVIEW COMM.

404 562 1650

TO: 82026065050

P. 3/8

Item 6 shall become 6a. Item No. 7 shall become 6b.
Item No. 8 shall become 6c. The penalties for Item Nos. 7 and 8
shall be deleted. Item 6 shall show a civil penalty of \$5,000

5. Item No. 9 shall become Item No. 7.
6. Item No. 10 of Citation 1 shall be deleted
7. Item No. 11 of Citation 1 shall be deleted

14. The penalty for Item 1 of Citation and Notification
No. 2 shall be reduced from \$25,000 to \$17,000.

15. The penalty for Item 1 of Citation and Notification

No. 2 shall be reduced from \$25,000 to \$17,000.

16. The penalty for Item 1 of Citation and Notification

21. Respondent agrees to adopt at the Russellville facility the safety sanitation program previously adopted at other locations throughout the Goldkist, Inc. Corporation.

22. Respondent agrees to submit a quarterly report of the results of the adoption of the program listed in no. 21 for the Russellville, Alabama facility to the OSHA District Office

Birmingham, Alabama for a one year period following its adoption.

23. Respondent will furnish the results of the lockout tag out inspection and audit of procedures for the Russellville, Alabama facility to the OSHA District Office

27. Goldkist corporation officials agree to meet with OSHA Regional officials concerning potential involvement of a Goldkist facility in the OSHA VPP program.

28. Goldkist agrees to meet with OSHA Regional officials

31. Respondent certifies that on JAN. 17, 2007,
notice of the foregoing was given to employees by posting a true
copy (as executed by respondent) of this Stipulation, in accordance

ACCORDINGLY the parties jointly move the Commission for

an Order appropriate for final disposition of the matter.

Respectfully submitted,

HOWARD M. RADZELY
Solicitor of Labor