

**STATE OF VERMONT**

**OCCUPATIONAL SAFETY  
AND HEALTH REVIEW BOARD**

COMMISSIONER OF LABOR,  
Complainant,  
v.  
XYZ CORP.,  
Respondent.

Inspection No:  
Docket number: VRB\_\_\_\_\_

**ANSWER**

Respondent admits Paragraphs 1, 2 and 3

Respondent denies Paragraph 4.

Respondent has insufficient information to either admit or deny the allegations at Paragraph 5 and therefore denies the same.

Respondent admits Paragraph 6.

Respondent admits Paragraph 7.

Respondent denies the allegations at Paragraph 8.

Respondent admits Paragraph 9.

Respondent denies the allegations at Paragraph 10. The penalties are excessive based upon the small size of the employer, which has only twelve employees, and the low gravity of the alleged violations.

Respondent pleads the affirmative defense of “greater hazard” as to Citation 1, Item 3a. Abatement of the violation alleged in Citation 1, Item 2 will increase the safety risk to employees. Respondent also pleads the affirmative defense of “unpreventable employee misconduct” as to Citation 2, Item 2. The alleged conditions were the result of unauthorized actions by certain employees which resulted in the conditions referred to in the alleged violations.

RESPONDENT

By \_\_\_\_\_  
Attorney  
XYZ Corp.  
123 Street  
City, State Zip Code

**CERTIFICATE OF SERVICE -[Electronic filing].**

I hereby certify that a copy of the attached *Answer* dated \_\_\_\_\_ has been served upon Complainant via e-mail to NAME at EMAIL ADDRESS and simultaneously filed with the VOSHA Review Board Clerk NAME at \_\_\_\_\_ on this \_\_\_ day of MONTH YEAR.

\_\_\_\_\_/s/\_\_\_\_\_

Name Title  
Company / Firm Name / Office of the Solicitor  
Street Address  
City, State, Zip Code  
Email Address