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OCCUPATIONAL SAFETY
AND HEALTH REVIEW BOARD

June 15, 2026

Occupational Safety and
Health Review Board
443 Lafayette Road N.
St. Paul, MN 55155

**Re: Commissioner v. Pye-Barker Fire & Safety, LLC
Inspection No. 318232725
Response to Petition to Vacate**

Dear Occupational Safety and Health Review Board Members:

I am counsel for the Minnesota Occupational Safety and Health Administration Division (“MNOSHA”) of the Minnesota Department of Labor and Industry in the above-referenced matter. Pye-Barker Fire & Safety, LLC (“Petitioner”) has filed a Petition to Vacate the Commissioner’s April 23, 2026 Order Determining Late Filing, which was served on April 23, 2026 (“Commissioner’s Order”). The Petition to Vacate (“Petition”) should be denied because (1) the Commissioner correctly determined that the Notice of Contest was late; and (2) because Petitioner has not demonstrated good cause to vacate the Commissioner’s Order.

In addition to denying the Petition, MNOSHA respectfully requests a determination by the Board that the final order date of the citation is March 3, 2026, instead of March 12, 2026.

FACTS

From December 18, 2025 through January 12 2026, MNOSHA inspected Petitioner’s worksite located at 15555 English Avenue, Apple Valley, Minnesota. As part of the broader investigation, before issuing a citation, the investigator attempted to contact Petitioner on January 5, 7, 9, and 12, 2026.¹ MNOSHA’s investigation file indicates that Petitioner responded on January 7, that the investigator returned that call, discussed the items needed, and sent a follow-up email, and that Petitioner did not respond to the follow up email or to any additional calls.²

¹ See ¶ 12 of the Declaration of Eleanor Brandt (“Brandt Decl.”).

² See Brandt Decl. ¶ 12; see also Exhibits 5 and 6 of Brandt Decl.

Equal Opportunity Employer

Office of General Counsel, 443 Lafayette Road North, St. Paul, MN 55155
(651) 284-5019 | www.dli.mn.gov | Fax (651) 284-5725

On February 4, 2026, MNOSHA issued a Citation and Notification of Penalty (“Citation”) for a violation of an occupational safety and health standard.³ The Citation clearly states, in multiple places, that a Notice of Contest must be filed within 20 calendar days of the date of receipt. The first paragraph of the Citation provides the following instruction:

You must abate the violations referred to in this Citation by the dates listed and pay the penalties, *unless within 20 calendar days from your receipt of this Citation you file a Notice of Contest with the Commissioner . . .* Your contestation rights and other employer and employee rights and responsibilities are set out in the first three pages of this Citation. (Emphasis added.)

The following instruction appears on page three of the Citation:

Employer Right to Contest - The employer has the right to a hearing to contest any or all parts of this Citation. If the employer wishes to contest, the employer must fully complete and notarize the attached NOTICE OF CONTEST AND SERVICE TO AFFECTED EMPLOYEES (Notice of Contest form) and file it with the Commissioner at the address shown on the top of page 1 of this Citation within 20 calendar days of receiving the citation.

Important: To be considered filed, all parts of the Notice of Contest form must be completed and the completed form must be deposited in the United States mail and postmarked, or otherwise timely received by the Commissioner at the above address within 20 calendar days after the date this Citation is received by the employer. You may also file electronically at (contestation.dli@state.mn.us), by facsimile (FAX), or by hand-delivering the completed form to the Department, if received no later than 4:30 p.m. on the 20th calendar day. If the employer fails to file the Notice of Contest form on time, this Citation and Notification of Penalty becomes a final order of the Commissioner which is not subject to review by any court or agency and the Occupational Safety and Health Division may file and enforce the penalty as a district court judgment without further notice or additional proceedings pursuant to Minnesota Statutes 16D.17.

The Notice of Contest form included in the citation packet was printed on a double-sided form, consistent with MNOSHA’s standard practice for returnable forms.⁴ Most documents in a citation packet are printed single-sided, but the Notice of Contest and Petition to Modify Abatement Date forms are printed double-sided so that each form is contained on a single physical document.

³ A copy of the Citation is attached to Brandt Decl. as Exhibit 1.

⁴ See Brandt Decl. ¶¶ 14–16.

Petitioner submitted a mandatory progress report form to the Department via email on February 19, 2026, which shows that it received the Citation no later than that day.⁵ MNOSHA had therefore initially calculated that the deadline for filing a Notice of Contest was March 11, 2026. At 5:32 p.m. on April 3, 2026, MNOSHA received email correspondence indicating that Pye-Barker Fire & Safety, LLC wished to contest the February 4, 2026 citation.⁶ Because it was received after 4:30 p.m., MNOSHA deemed the Notice of Contest to have been filed on April 4, 2026. *See* Minn. R. 5210.0070, subp. 2a (“Documents received electronically after 4:30 p.m. are deemed filed on the next business day.”).

Petitioner was served with the Commissioner’s Order on April 23, 2026.⁷ The Order determined that Petitioner’s Notice of Contest was late, and determined that the Citation became a final order of the Commissioner on March 12, 2026. The Commissioner’s Order also provided Petitioner with information related to filing a petition to vacate the determination that its Notice of Contest was late.

Petitioner submitted its Petition to the Board by mail on May 26, 2026. The Petition requests that the Commissioner’s Order be vacated and that the Notice of Contest be deemed timely filed. In support of its request, Petitioner generally asserts that it intended to contest the citation and its classification as a serious violation; that it did not receive a closing conference before the citation was issued; and that it did not receive the second page of the two-page notice of contest form. The submission also indicates that Petitioner did not secure legal representation until after the middle of March 2026. MNOSHA now responds in opposition to the Petition.

ARGUMENT

I. THE NOTICE OF CONTEST WAS LATE.

The Commissioner’s Order correctly determined that Petitioner’s Notice of Contest was late. Petitioner received the Citation on February 10, 2026. The law requires employers to file a

⁵ A copy of the mandatory progress report is attached to Brandt Decl. as Exhibit 2.

⁶ A copy of the correspondence is attached to Brandt Decl. as Exhibit 3. Although not submitted on a notice of contest form, MNOSHA will refer to the correspondence as the “Notice of Contest” for purposes of this response.

⁷ A copy of the Commissioner’s Order is attached to Brandt Decl. as Exhibit 4.

notice of contest within 20 days of receiving a citation. Minn. R. 5210.0536, subp. 2. Petitioner's Notice of Contest was therefore due by March 2, 2026.

Because the Notice of Contest was received by MNOSHA after 4:30 p.m. on April 3, 2026, Petitioner effectively filed it on April 4, 2026, well after the deadline. *See* Minn. R. 5210.0070, subp. 2a ("Documents received electronically after 4:30 p.m. are deemed filed on the next business day."). Even if Petitioner had received the Citation on February 19, 2026, the Notice of Contest still would have been over three weeks late. Accordingly, the Commissioner's determination that Petitioner's Notice of Contest was late should be affirmed, but the final order date should be changed to March 3, 2026.

II. THE BOARD SHOULD DENY THE PETITION BECAUSE PETITIONER HAS NOT ESTABLISHED GOOD CAUSE.

The Board should deny the Petition because Petitioner has not shown good cause to vacate the Commissioner's Order. Without a showing of good cause, the Board may not vacate a final order of the Commissioner. Minn. Stat. § 182.664, subd. 5. And "good cause is limited to fraud, mistake of fact by the commissioner, mistake of law by the commissioner, or newly discovered evidence." *Id.*

Petitioner does not successfully show that fraud, a mistake of fact by the Commissioner, a mistake of law by the Commissioner, or newly discovered evidence actually caused its Notice of Contest to be untimely. Even assuming that the reasons for which it seeks to vacate the Commissioner's Order fit into any of these categories, there would still be no good cause.

A. The Occurrence or Non-Occurrence of a Closing Conference Has No Bearing on The Statutory 20-Day Deadline.

Whether MNOSHA conducted a closing conference has no effect on the 20-day period to file a notice of contest. The statutory deadline runs from the date the employer receives the Citation. *See* Minn. Stat. § 182.661, subd. 1, Minn. R. 5210.0536, subd. 2. Petitioner admits that it received the Citation packet on February 10, 2026. Nothing in the Act or corresponding Rules makes the contest deadline contingent on the timing or holding of a closing conference. Moreover, Petitioner could have contacted MNOSHA during the 20-day period with any questions about contest rights or procedures.

Regardless, a closing conference is not a prerequisite to issuing a citation. Here, according to a note in the file, Petitioner stopped responding to the investigator. Allowing the absence of a closing conference to excuse an untimely filed notice of contest could create an incentive for employers to avoid participation in closing conferences. An employer cannot avoid receiving a citation, or extend the contest deadline, by declining to participate in a closing conference, whether deliberately or through inaction. The Petition's reference to an alleged January 15, 2026 email to the investigator does not change the outcome here. No such email appears in MNOSHA's file, no such email is attached to Petitioner's submission to the Board; and, in any event, it would not affect the statutory deadline.

B. If Petitioner Did Not See the Reverse Side of The Notice of Contest Form, It Should Have Promptly Taken Steps to Determine How to Contest.

Petitioner's assertion that it did not receive the second page of the Notice of Contest form also fails to establish good cause. MNOSHA prints the notice of contest form double-sided, with the instruction page on the front. If Petitioner did not review the reverse side of the form, it could have contacted MNOSHA to ask about how it could contest any portion of the citation it wished to contest, or to simply obtain a copy of the second page that it could not identify. But Petitioner did not contact MNOSHA about how it could contest the citation during the contest period. Instead, it submitted a mandatory progress report on February 19, 2026 and paid the penalty.

Petitioner's misunderstanding of a double-sided form is not a mistake of fact or law by the Commissioner, especially when it could have asked questions. MNOSHA gave clear instructions on how to contest the Citation, so Petitioner's failure to timely file the Notice of Contest "can only logically be construed as negligent and undeserving of pardon." *Secretary of Labor v. Barretto Granite Corp.*, 830 F.2d 396, 400 (1st Cir. 1987). Mere carelessness or negligence does not constitute good cause to vacate a final order of the Commissioner. *See Secretary of Labor v. Keefe Earth Boring Co.*, 14 O.S.H. Cas. (BNA) 2187, 2192 (Rev. Comm. 1991). In sum, Petitioner has not established good cause to vacate the Commissioner's Order through the existence of fraud, any mistake in law or fact by the Commissioner, or any newly discovered evidence.

C. A Late Notice of Contest Is Not a Minor Infraction of a Procedural Rule.

A weeks-late notice of contest is not a minor procedural infraction. As noted above, the Legislature has determined that employers have 20 days to file a completed Notice of Contest to an OSHA citation.

Petitioner's late filing is nothing like the circumstances in *Keefe v. Cargill* or *Firoved v. General Motors*, which are cited in the Petition. In *Keefe*, the Minnesota Court of Appeals addressed two scenarios in which the employer had timely filed a notice of contest, and the Review Board later dismissed the matter for post-filing procedural defects—first, a failure to certify posting or service of a notice of contest; and second, a failure to file an answer within the time required by agency rule. 393 N.W.2d 425, 426–27 (Minn. Ct. App. 1986). In *Firoved*, the Minnesota Supreme Court addressed a dismissal in a civil matter based on failure to prosecute after counsel refused to proceed to trial. 152 N.W.2d 364, 368–70 (Minn. 1967). Neither case involved a failure to timely initiate a contest at all.

Here, Petitioner simply failed to file a Notice of Contest within the 20-day statutory period, and neither *Keefe* nor *Firoved* authorizes the Board to disregard that mandate. Accordingly, the Petition should be denied.

CONCLUSION

For the reasons stated above, the Petition to Vacate should be denied. In addition, MNOSHA respectfully requests a determination by the Board that the final order date of the citation is March 3, 2026, instead of March 12, 2026. Petitioner is served with a copy of this letter as stated in the enclosed Certificate of Service.

Respectfully submitted,

/s/ **Ali P. Afsharjavan**

ALI P. AFSHARJAVAN
Attorney Reg. No. 0397357
General Counsel
Office of General Counsel
Minnesota Department of Labor and Industry
(651) 284-5019 (main)
(651) 284-5725 (fax)

COUNSEL FOR RESPONDENT

Enclosures

cc: Petitioner Pye-Barker Fire & Safety, LLC
James Krueger, MNOSHA

STATE OF MINNESOTA

DEPARTMENT OF LABOR
AND INDUSTRY

Nicole Blissenbach, Commissioner,
Minnesota Department of Labor and Industry,

Respondent,

**DECLARATION OF ELEANOR BRANDT IN SUPPORT
OF RESPONSE OPPOSING PETITION TO VACATE**

v.

Pye-Barker Fire & Safety, LLC,

Inspection No. 318232725

Petitioner.

I, Eleanor Brandt, declare as follows:

1. I am over 18 years of age and I submit this declaration based on my personal knowledge and review of the inspection file in this matter.
2. I am currently the Office Services Supervisor for the Minnesota Occupational Safety and Health Compliance Unit ("MNOSHA"). I supervise the administrative staff working for MNOSHA, and have done so since December 1, 2021.
3. MNOSHA uses software called OSHA Express to maintain its files. I am familiar with and use OSHA Express.
4. I am familiar with MNOSHA's policies and procedures.
5. I am familiar with inspection file 318232725 and this matter generally.
6. Attached as Exhibit 1 is a true and correct copy of the citation issued in this matter on February 4, 2026.
7. Attached as Exhibit 2 is a true and correct copy of the progress report received by MNOSHA in this matter on February 19, 2026, with a corresponding email.
8. Attached as Exhibit 3 is a true and correct copy of correspondence received by MNOSHA in this matter on April 3, 2026, indicating that Pye-Barker Fire & Safety, LLC wished to contest the February 4, 2026 citation.

9. Attached as Exhibit 4 is a true and correct copy of the Commissioner's Order Determining Late Filing in this matter, dated April 23, 2026, with a corresponding cover letter and certificate of service.
10. Attached as Exhibit 5 is a true and correct copy of an email received by investigator Eddie Hulet on January 7, 2026 at 11:15 a.m.
11. Attached as Exhibit 6 is a true and correct copy of an email sent by investigator Eddie Hulet on January 7, 2026 at 4:00 p.m.
12. OSHA Express maintains a notes tab. A January 15, 2026 entry in the notes tab in this inspection file states the following:

01/15/2026 18:51:52 ehulet

CSHO attempted to contact ER on 1/5/26, 1/7/26, 1/9/26, and 1/12/2026. ER responded on 1/7. CSHO called ER back on 1/7/2026 and discussed items needed then send an email with items discussed. ER never responded to email or further calls.

13. When MNOSHA issues a citation to an employer, the citation is sent in a citation packet that includes several standard documents. These typically include a cover letter, the citation and notification of penalty, a penalty invoice, a mandatory progress report form, a petition to modify abatement date form, a notice of contest form, and, when the employer is eligible, an expedited informal settlement agreement form.
14. As a general practice, MNOSHA sends citation packet documents single-sided unless the item is a returnable form. If a returnable form is more than one page in length, MNOSHA prints it double-sided so that the entire document is contained in a single tangible item.
15. The petition to modify abatement date form and the notice of contest form are the only returnable forms that are sent double-sided. All other returnable forms routinely included in citation packets consist of a single page.
16. Based on MNOSHA's standard practice at the time of issuance, the notice of contest form included in the citation packet in this matter would have been printed on a double-sided form.

I am signing this document in Ramsey County, Minnesota on the 15th day of June, 2026. Pursuant to Minn. Stat. § 358.116, I declare under penalty of perjury that everything I have stated in this document is true and correct.



Eleanor Brandt
Office Services Supervisor
Minnesota OSHA

Minnesota Department of Labor and Industry

Occupational Safety and Health Division
443 Lafayette Road North
St. Paul, MN 55155-4307
Phone: 651-284-5050 FAX: 651-284-5741

Citation and Notification of Penalty

To:
Pye-Barker Fire & Safety LLC
405 County Rd E
Saint Paul, MN 55126
1/12/2026

Inspection Number: 318232725
CSHO ID: P6108
Optional Report No.: 05725
Inspection Date(s): 12/18/2025 -

Issuance Date: 2/4/2026

Inspection Site:
15555 English Ave
Apple Valley, MN 55124

The violation(s) described in this Citation and Notification of Penalty is (are) alleged to have occurred on or about the day(s) the inspection was made unless otherwise indicated within the description given below.

This Citation and Notification of Penalty (this Citation) describes violations of the Minnesota Occupational Safety and Health Act of 1973 (the Act). The penalty amounts listed herein are based on these violations. You must abate the violations referred to in this Citation by the dates listed and pay the penalties, unless within 20 calendar days from your receipt of this Citation you file a Notice of Contest with the Commissioner of the Department of Labor and Industry. Your contestation rights and other employer and employee rights and responsibilities are set out in the first three pages of this Citation. The description of alleged violations begins on page 5 of this Citation.

EMPLOYER AND EMPLOYEE RIGHTS AND RESPONSIBILITIES

Posting - The Act requires that a copy of this Citation shall be promptly posted at or near each place that an alleged violation referred to in the citation occurred or, if not practicable, in a prominent place where it will be readily visible by all affected employees. If uncontested, this Citation must remain posted until all alleged violations cited therein are corrected, or for 20 days, whichever is longer. If contested, this Citation must remain posted until the contestation is resolved.

Penalty Payment - Payment of all penalties can be made online at www.dli.mn.gov/paycenter or by check or money order payable to "Minnesota Department of Labor and Industry, MNOSHA", and remitted to the Occupational Safety and Health Division at 443 Lafayette Rd N, St. Paul, MN,

55155-4301, within 20 calendar days following receipt of this Citation. After 60 days, unpaid penalties shall increase 25 percent and shall accrue additional interest of 10 percent per month compounded monthly until the fine is paid in full or until the fine has accrued to 300 percent of the original assessed amount.

The minimum \$25,000 penalty issued to employers with fewer than 50 employees for serious citations connected to the death of an employee may be made in five payments of \$5,000. The first \$5,000 payment is due within 20 calendar days following receipt of this Citation. The 2nd-5th payments of \$5,000 are due on the next four anniversary dates of this Citation becoming a Final Order. The Commissioner may elect to waive the 2nd-5th \$5,000 payment if in the preceding year the employer receives no citations. MNOSHA will provide written notice of the 2nd-5th payments dates or of any penalty waiver.

Notification of Corrective Action - Progress reports on correction of alleged violations not immediately abated as observed by the occupational safety and health investigator shall be submitted on the Progress Report form provided with this Citation. Written progress reports must be mailed to the address shown on the top of page 1 of this Citation by the latest abatement date on the citation, or within 30 days after receipt of the citation, whichever is earlier. Reports must state the specific corrective action taken on each cited item, the date of such action and the anticipated abatement date of uncompleted items. Additional written progress reports shall be submitted every thirty days until the items are fully abated. Email and facsimile (FAX) transmittal is acceptable.

All alleged violations not contested must be corrected by the abatement date specified in this Citation. A follow-up inspection may be made for the purpose of ascertaining that the employer has corrected the alleged violations and posted this Citation as required by the Act. Failure to correct an alleged violation by the abatement date on this Citation may result in further penalties for each day the alleged violation has not been corrected.

Petition for Modification of Abatement Date (PMA) - If, due to factors beyond reasonable control, compliance cannot be achieved by the abatement day on the citation, the employer may file a Petition for Modification of Abatement Date (PMA) to obtain an extension of the abatement time period. The PMA must be in writing and received at the address shown on the top of page 1 of this Citation prior to the expiration of the abatement date on the citation. Facsimile (FAX) transmittal of a PMA is acceptable. A copy of the PMA must be posted for ten days in the location where this Citation is posted. A copy of the PMA must also be served upon authorized employee representatives.

The employer's written petition must describe:

- 1) The action that has been taken so far to achieve compliance;
- 2) The amount of additional time needed for compliance;
- 3) The reasons why additional time is needed;
- 4) A description of the interim steps that will be taken to safeguard employees against the cited hazard; and
- 5) A statement that employees have been notified of the PMA filing.

Employees have the right to file a written objection to the Commissioner regarding the employer's PMA request. A copy of the objection must be served on the employer within 10 days of the employer's posting of the PMA. The employee objection must be received by the Commissioner within 15 days of the employer's PMA request. Facsimile (FAX) transmittal is acceptable.

Employer Right to Contest - The employer has the right to a hearing to contest any or all parts of this Citation. If the employer wishes to contest, the employer must fully complete and notarize the attached NOTICE OF CONTEST AND SERVICE TO AFFECTED EMPLOYEES (Notice of Contest form) and file it with the Commissioner at the address shown on the top of page 1 of this Citation within 20 calendar days of receiving the citation.

Important: To be considered filed, all parts of the Notice of Contest form must be completed and the completed form must be deposited in the United States mail and postmarked, or otherwise timely received by the Commissioner at the above address within 20 calendar days after the date this Citation is received by the employer. You may also file electronically at (contestation.dli@state.mn.us), by facsimile (FAX), or by hand-delivering the completed form to the Department, if received no later than 4:30 p.m. on the 20th calendar day. If the employer fails to file the Notice of Contest form on time, this Citation and Notification of Penalty becomes a final order of the Commissioner which is not subject to review by any court or agency and the Occupational Safety and Health Division may file and enforce the penalty as a district court judgment without further notice or additional proceedings pursuant to Minnesota Statutes 16D.17.

Employee Right to Contest - An employee or authorized representative of employees has the right to a hearing to contest this Citation by filing a letter with the Commissioner of the Department of Labor and Industry at the address shown on page 1 within 20 calendar days of the employer's receipt of this Citation.

Important: To be considered filed, an employee letter of contest must be deposited in the United States mail and postmarked, or otherwise timely received by the Commissioner at the above address within 20 calendar days after the date this Citation is received by the employer. You may also file electronically at (contestation.dli@state.mn.us), by facsimile (FAX), or by hand-delivering the completed form to the Department, if received no later than 4:30 p.m. on the 20th calendar day. If the employee fails to file a letter of contest on time, this Citation and Notification of Penalty becomes a final order of the Commissioner which is not subject to review by any court or agency and the Occupational Safety and Health Division may file and enforce the penalty as a district court judgment without further notice or additional proceedings pursuant to Minnesota Statutes 16D.17.

Employee Right to Party Status - Affected employees or their authorized employee representatives may elect to participate as parties in the formal contested case hearing by filing written notice with the Commissioner at the address shown above at least 45 days before the start of the hearing. The notice must contain the employees' names and addresses; authorized employee representatives, if any; and a statement that they are affected employees of the cited employer.

Employer Discrimination Unlawful - Employees who believe that they have been discharged or otherwise discriminated against by any person because the employees have exercised any right authorized under the provisions of Minnesota Statutes 182.669, may, within 30 days after such alleged discrimination occurs, file a complaint with the Commissioner of the Department of Labor and Industry at the address shown above, alleging the discriminatory act.

PENALTY INFORMATION

Types of Violations - There are 5 types of violations that may be cited by MNOSHA. They are: Nonserious, Serious, Willful, Repeat and Failure to Abate.

Penalties - In cases not involving the death of an employee, the law allows the following maximum penalties: Nonserious, \$16,550; Serious, \$16,550; Willful, \$165,514; Repeat, \$165,514; and Failure to Abate, \$16,550 per day the violation remains unabated. If a Willful or Repeat violation caused or contributed to the death of an employee, however, MNOSHA is compelled by law to assess the employer a total non-negotiable penalty of at least \$50,000 for all citations connected to the employee's death. If there are no Willful or Repeat violations among the violations that caused or contributed to the employee's death, MNOSHA must assess the employer a non-negotiable penalty of at least \$25,000 for each citation connected to the employee's death. The following violations are not subject to these minimums and will be processed according to MNOSHA's ordinary penalty system: (a) any serious violations issued to an employer with fewer than 50 employees when the victim of a workplace fatality owned a controlling interest in the business unless the Commissioner determines that a fine shall be assessed; (b) any violations found during a fatality investigation but determined not to be connected to the death of an employee; and (c) a violation of section 182.653 subdivision 2.

Credits - A penalty for a violation may be credited by as much as 95 percent, depending on the employer's good faith (up to 30%), size of business (up to 55%), and previous violation history (up to 10%). The penalties which appear on the Citation and Notification of Penalty have been reduced by the credits described.

Minnesota
Department of Labor and Industry
1/12/2026
Occupational Safety and Health Division

Inspection Number: 318232725
Inspection Date(s): 12/18/2025 -
Issuance Date: 2/4/2026
CSHO ID: P6108
Optional Report No.: 05725

Citation and Notification of Penalty

Company Name: Pye-Barker Fire & Safety LLC
Inspection Site: 15555 English Ave, Apple Valley, MN 55124

Citation 01 Item 001

Type of Violation: **Serious**

Minn. Stat. 182.653 subd. 8: A written Workplace Accident and Injury Reduction (AWAIR) Program that promotes safe and healthful working conditions and is based on clearly stated goals and objectives for meeting those goals was not established; specifically:

The employer failed to provide a written Workplace Accident and Injury Reduction (AWAIR) Program for review.

Abatement Guidelines: The program must describe:

- 1) How managers, supervisors, and employees are responsible for implementing the program and how continued participation of management will be established, measured, and maintained;
 - 2) The methods used to identify, analyze, and control new or existing hazards, conditions, and operations;
 - 3) How the plan will be communicated to all affected employees so that they are informed of work-related hazards and controls;
 - 4) How work place accidents will be investigated and corrective action implemented;
 - 5) How safe work practices and rules will be enforced.
-

An employer must conduct and document a review of the work place accident and injury reduction program at least annually and document how procedures set forth in the program are met.

Date By Which Violation Must Be Abated:
Penalty:

2/23/2026
\$350.00

Nicole Blissenbach, Commissioner
MN Department of Labor and Industry

Minnesota Department of Labor and Industry Occupational Safety and Health Division 443 Lafayette Road N. St. Paul, MN 55155 Phone: 651-284-5050 or 800-342-5354 Fax: 651-284-5741 Email: citation.progress@state.mn.us	Inspection no.	CSHO I.D. no.	Optional report no.
	JAY LINDHOLM - BRANCH SUPERVISOR PYE-BARKER FIRE & SAFETY LLC 405 COUNTY RD E ST PAUL MN 55126 318232725 P6108 05725		
	FEB 19 2026		

Mandatory progress report

MINNESOTA OSH DIVISION

In accordance with Minnesota Rules 5210.0532, this report must be returned to the mailing or email address listed above. The completed Mandatory Progress Report form should be received by the abatement due-date indicated on the citation. This form is required by the latest abatement date of all citations or within 30 days after receipt of the citation, whichever is earlier. Multiple reports are necessary to verify abatement of citations with abatement periods longer than 30 days. Failure to submit all required progress reports will result in an additional citation, an additional penalty and/or a follow-up inspection.

Citation and Item no.	Action taken	Abatement date on citation	Date abated (corrected)	Anticipated completion date
318232725	A complete AWAIR program has been developed and implemented to meet MNOSHA requirements	2/4/2025	2/19/2025	

Note: If the anticipated completion date is beyond the abatement date on the citation, you must submit a separate written Petition for modification of abatement date (PMA) form to request an extension of time allowed for completion. See the instructions for a PMA form on page 2 of the Citation and Notification of Penalty.

A copy of this form must be posted for 15 days where the Citation and Notification of Penalty is posted and all affected employees and their representatives must be informed of their right to examine and copy all abatement documents submitted to the commissioner.

I hereby certify this information is accurate and that I have posted this form as described above.

Completed by Kelly Swiecinski	Title EHS Manager
Phone 264-464-1247	Date 2/19/2025

Jones, Tonya (DLI)

From: Kelly Swiecinski <Kelly.Swiecinski@PyeBarkerFS.com>
Sent: Thursday, February 19, 2026 12:18 PM
To: Progress, Citation (DLI)
Cc: Jeremy Grandstrand
Subject: Mandatory progress report - Inspection # 318232725
Attachments: Progress Report - Inspection 318232725.pdf

You don't often get email from kelly.swiecinski@pyebarkerfs.com. [Learn why this is important](#)

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Do not select links or open attachments unless verified. Report all suspicious emails to Minnesota IT Services Security Operations Center.

Attn: Jay Lindholm

Attached is the Mandatory progress report for Inspection # 318232725.

Please let me know if any additional information or documentation is needed.

Thank you,

Kelly Swiecinski

EHS Manager



Branch: (800) 927-8610

Direct: (267) 464-1247

Mobile: (770) 372-0381

Email: Kelly.Swiecinski@PyeBarkerFS.com

Pye-Barker Fire & Safety
2500 Northwinds Pkwy Ste. 200
Alpharetta, GA 30009

www.pyebarkerfs.com 



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DIRECT DIAL: (908) 795-2970
EMAIL: Douglas.Solomon@jacksonlewis.com

Jackson Lewis P.C.
200 Connell Drive
Suite 2000
Berkeley Heights, NJ 07922
Phone: 908-795-5200
jacksonlewis.com

April 3, 2026

VIA EMAIL

Minnesota Department of Labor and Industry
Occupational Safety and Health Division
443 Lafayette Road North
St. Paul, MN 55155-4307
E-mail: constestation.dli@state.mn.us

RE: Notice to Contest – Inspection No. 318232725

To Whom it may Concern:

Please accept this letter on behalf of Pye-Barker Fire & Safety LLC ("Company") as our Notice of Contest to the Citation and Notification of Penalty issued by the Department for Inspection No. 318232725. Please also accept this correspondence as our firm's notice of appearance on behalf of the Company. Pursuant to this Notice, the Company respectfully contests all the allegations in Citation 1, Item 001, including the type of violation (Serious). The Company does not contest the penalty amount (\$350) or abatement date, as the penalty has already been paid, and the abatement, to the extent is deemed required, has already occurred.

The Company respectfully seeks the Department to accept late Notice of Contest in this matter as the Company's failure to timely file the Notice of Contest is based on excusable neglect pursuant to the following extenuating circumstances:

1. The Investigator failed to hold a Closing Conference.
2. The Notice of Contest and Service to Affected Employees form that was included in the Citation was missing page 2. Thus, the Company has not been provided the appropriate form to complete and return.

Jackson Lewis PC will continue to represent the Company in this matter so please direct all future communications to my attention. If you have any questions, please do not hesitate to contact me. I will be in touch next week with more information but wanted to get this filed immediately. Thanks.

Warm Regards,

JACKSON LEWIS P.C.

Doug Solomon
Douglas E. Solomon

Healy, Sue (DLI)

From: Solomon, Douglas E. (Berkeley Heights) <Douglas.Solomon@jacksonlewis.com>
Sent: Friday, April 3, 2026 5:24 PM
To: MN_DLI_Contestation
Subject: Pye Barker - Notice of Contest (Inspection 318232725)
Attachments: 04-03-26 Notice to Contest - Pye-Barker - Inspection 318232725.pdf

You don't often get email from douglas.solomon@jacksonlewis.com. [Learn why this is important](#)

This message may be from an external email source.

Do not select links or open attachments unless verified. Report all suspicious emails to Minnesota IT Services Security Operations Center.

Hello,

Please see attached correspondence on behalf of Pye-Barker in the above-referenced matter.

I will be in touch early next week with additional information.



Douglas E. Solomon
Attorney at Law

Jackson Lewis P.C.
200 Connell Drive
Suite 2000
Berkeley Heights, NJ 07922
Direct: (908) 795-2970 | Main: (908) 795-5200
Douglas.Solomon@jacksonlewis.com | www.jacksonlewis.com

**m DEPARTMENT OF
LABOR AND INDUSTRY**

April 23, 2026

Douglas E Solomon, Attorney for Respondent
Jackson Lewis P.C.
200 Connell Drive, Suite 200
Berkely Heights, NJ 07922

Pye-Barker Fire & Safety, LLC
Corporation Service Company
2780 Snelling Avenue N, Suite 101
Roseville, MN 55113

Re: Pye-Barker Fire & Safety, LLC
Inspection No. 318232725
ORDER DETERMINING LATE FILING

Dear Mr. Solomon:

The Department has issued an Order Determining Late Filing related to this inspection by the Occupational Safety and Health Division (MNOSHA). It is attached to this letter.

While I cannot give you legal advice, I can tell you the following:

You have the right to file a Petition to Vacate this Order Determining Late Filing. The procedures for filing a Petition to Vacate are explained in Minnesota Statutes, section 182.664, subdivision 5, and Minnesota Rules, parts 5215.0700 and 5215.5350, which are available at www.revisor.mn.gov. As the statute and rules clearly state, any Petition to Vacate must be filed within 30 days following service by mail of this Order Determining Late Filing. If you would like to appear before the OSH Review Board, you may make a request for oral argument in the Petition to Vacate.

The statute sets forth the grounds under which the Board may grant a Petition to Vacate this Order. The Board may only vacate this Order upon a showing of good cause. Good cause is limited to fraud, mistake of fact by the Commissioner, mistake of law by the Commissioner, or newly discovered evidence. At this time, the Board may only review the determination that the Notice of Contest was late.

The Petition to Vacate must be filed with the Board by mail or personal delivery to: Peggy Charpentier, Executive Secretary, OSH Review Board, 443 Lafayette Road N., St. Paul, Minnesota, 55155. Additionally, a copy of the Petition to Vacate must be served on the Department by mail or personal delivery to: Occupational Safety and Health Division, Department of Labor & Industry, 443 Lafayette Road N., St. Paul, Minnesota 55155.

Sincerely,

/s/ Ryan P. Anderson
RYAN P. ANDERSON
General Counsel for the
Occupational Safety and Health Division
Minnesota Department of Labor and Industry
(651) 284-5019

RPA/msg

Enclosures

Equal Opportunity Employer

Office of General Counsel, 443 Lafayette Road North, St. Paul, MN 55155
(651) 284-5019 | www.dli.mn.gov | Fax (651) 284-5725

Exhibit 4

Certificate of Service

I, MICHAEL GRAY, hereby declare that in the City of St. Paul, County of Ramsey and State of Minnesota on the 23rd day of April, 2026, I served the attached ORDER DETERMINING LATE FILING by depositing in the United States mail with postage prepaid, a true and accurate copy of it, properly enveloped, and addressed to:

Douglas E. Solomon, Attorney for Respondent
Jackson Lewis P.C.
200 Connell Drive, Suite 200
Berkely Heights, NJ 07922

Pye-Barker Fire & Safety, LLC
Corporation Service Company
2780 Snelling Avenue N, Suite 101
Roseville, MN 55113

I am signing this document in Ramsey County, Minnesota on the 23rd day of April, 2026. Pursuant to Minn. Stat. § 358.116, I declare under penalty of perjury that everything I have stated in this document is true and correct.

Michael Gray
Michael Gray

STATE OF MINNESOTA

DEPARTMENT OF LABOR
AND INDUSTRY

Nicole Blissenbach, Commissioner,
Minnesota Department of Labor and Industry,

Complainant,

ORDER DETERMINING
LATE FILING

v.

Pye-Barker Fire & Safety, LLC,

Inspection No. 318232725

Respondent.

On February 4, 2026, the Occupational Safety and Health Division, on behalf of Nicole Blissenbach, Commissioner, Minnesota Department of Labor and Industry, issued a Citation and Notification of Penalty ("Citation") Pye-Barker Fire & Safety, LLC ("Respondent") for inspection number 318232725. (Attached as Exhibit A). Respondent submitted its mandatory progress report form to the Department via email on February 19, 2026, showing that Respondent received the Citation no later than February 19, 2026. (Attached as Exhibit B). On April 3, 2026, the Department of Labor and Industry received a letter from Respondent's attorney via email requesting "the Department to accept [a] late Notice of Contest in this matter as the Company's failure to timely file the Notice of Contest is based on excusable neglect . . ." (Attached as Exhibit C).

Minnesota Statutes, section 182.661, subdivisions 1 and 3b, and Minnesota Rules, part 5210.0007, require that a notice of contest and certification of service be filed on a form provided by the commissioner and postmarked, faxed, emailed, or hand-delivered within twenty (20) calendar days from the date the Citation was received. This requirement is clearly stated on both the Citation and the Notice of Contest form.

Respondent did not file a completed Notice of Contest within the 20-day time period, so the Notice of Contest was late. As a result, pursuant to Minnesota Statutes, section 182.661, subdivision 1, and Minnesota Rules, part 5210.0536, subpart 2, the Citation became a final order of the Commissioner on March 12, 2026.

Dated: April 23, 2026

/s/ Ryan P. Anderson
RYAN P. ANDERSON
Attorney Reg. No. 0399092
Department of Labor and Industry
Office of General Counsel
443 Lafayette Road N.
St. Paul, Minnesota 55155
651-284-5019 (main)
651-284-5725 (fax)

Minnesota Department of Labor and Industry

Occupational Safety and Health Division

443 Lafayette Road North

St. Paul, MN 55155-4307

Phone: 651-284-5050 FAX: 651-284-5741

Citation and Notification of Penalty

To:

Pye-Barker Fire & Safety LLC

405 County Rd E

Saint Paul, MN 55126

1/12/2026

Inspection Number: 318232725

CSHO ID: P6108

Optional Report No.: 05725

Inspection Date(s): 12/18/2025 -

Issuance Date: 2/4/2026

Inspection Site:

15555 English Ave

Apple Valley, MN 55124

The violation(s) described in this Citation and Notification of Penalty is (are) alleged to have occurred on or about the day(s) the inspection was made unless otherwise indicated within the description given below.

This Citation and Notification of Penalty (this Citation) describes violations of the Minnesota Occupational Safety and Health Act of 1973 (the Act). The penalty amounts listed herein are based on these violations. You must abate the violations referred to in this Citation by the dates listed and pay the penalties, unless within 20 calendar days from your receipt of this Citation you file a Notice of Contest with the Commissioner of the Department of Labor and Industry. Your contestation rights and other employer and employee rights and responsibilities are set out in the first three pages of this Citation. The description of alleged violations begins on page 5 of this Citation.

EMPLOYER AND EMPLOYEE RIGHTS AND RESPONSIBILITIES

Posting - The Act requires that a copy of this Citation shall be promptly posted at or near each place that an alleged violation referred to in the citation occurred or, if not practicable, in a prominent place where it will be readily visible by all affected employees. If uncontested, this Citation must remain posted until all alleged violations cited therein are corrected, or for 20 days, whichever is longer. If contested, this Citation must remain posted until the contestation is resolved.

Penalty Payment - Payment of all penalties can be made online at www.dli.mn.gov/paycenter or by check or money order payable to "Minnesota Department of Labor and Industry, MNOSHA", and remitted to the Occupational Safety and Health Division at 443 Lafayette Rd N, St. Paul, MN,

Minnesota
Department of Labor and Industry
1/12/2026
Occupational Safety and Health Division

Inspection Number: 318232725
Inspection Date(s): 12/18/2025 -
Issuance Date: 2/4/2026
CSHO ID: P6108
Optional Report No.: 05725

Citation and Notification of Penalty

Company Name: Pye-Barker Fire & Safety LLC
Inspection Site: 15555 English Ave, Apple Valley, MN 55124

Citation 01 Item 001

Type of Violation: **Serious**

Minn. Stat. 182.653 subd. 8: A written Workplace Accident and Injury Reduction (AWAIR) Program that promotes safe and healthful working conditions and is based on clearly stated goals and objectives for meeting those goals was not established; specifically:

The employer failed to provide a written Workplace Accident and Injury Reduction (AWAIR) Program for review.

Abatement Guidelines: The program must describe:

- 1) How managers, supervisors, and employees are responsible for implementing the program and how continued participation of management will be established, measured, and maintained;
 - 2) The methods used to identify, analyze, and control new or existing hazards, conditions, and operations;
 - 3) How the plan will be communicated to all affected employees so that they are informed of work-related hazards and controls;
 - 4) How work place accidents will be investigated and corrective action implemented;
 - 5) How safe work practices and rules will be enforced.
-

An employer must conduct and document a review of the work place accident and injury reduction program at least annually and document how procedures set forth in the program are met.

Date By Which Violation Must Be Abated: **2/23/2026**
Penalty: **\$350.00**

Nicole Blissenbach, Commissioner
MN Department of Labor and Industry

Minnesota Department of Labor and Industry Occupational Safety and Health Division 443 Lafayette Road N. St. Paul, MN 55155 Phone: 651-284-5050 or 800-342-5354 Fax: 651-284-5741 Email: citation.progress@state.mn.us	Inspection no.	CSHO I.D. no.	Optional report no.
	JAY LINDHOLM - BRANCH SUPERVISOR PYE-BARKER FIRE & SAFETY LLC 405 COUNTY RD E ST PAUL MN 55126 318232725 P6108 05725		
	FEB 19 2026		

Mandatory progress report

MINNESOTA OSH DIVISION

In accordance with Minnesota Rules 5210.0532, this report must be returned to the mailing or email address listed above. The completed Mandatory Progress Report form should be received by the abatement due-date indicated on the citation. This form is required by the latest abatement date of all citations or within 30 days after receipt of the citation, whichever is earlier. Multiple reports are necessary to verify abatement of citations with abatement periods longer than 30 days. Failure to submit all required progress reports will result in an additional citation, an additional penalty and/or a follow-up inspection.

Citation and Item no.	Action taken	Abatement date on citation	Date abated (corrected)	Anticipated completion date
318232725	A complete AWAIR program has been developed and implemented to meet MNOSHA requirements	2/4/2025	2/19/2025	

Note: If the anticipated completion date is beyond the abatement date on the citation, you must submit a separate written Petition for modification of abatement date (PMA) form to request an extension of time allowed for completion. See the instructions for a PMA form on page 2 of the Citation and Notification of Penalty.

A copy of this form must be posted for 15 days where the Citation and Notification of Penalty is posted and all affected employees and their representatives must be informed of their right to examine and copy all abatement documents submitted to the commissioner.

I hereby certify this information is accurate and that I have posted this form as described above.

Completed by Kelly Swiecinski	Title EHS Manager
Phone 264-464-1247	Date 2/19/2025

Jones, Tonya (DLI)

From: Kelly Swiecinski <Kelly.Swiecinski@PyeBarkerFS.com>
Sent: Thursday, February 19, 2026 12:18 PM
To: Progress, Citation (DLI)
Cc: Jeremy Grandstrand
Subject: Mandatory progress report - Inspection # 318232725
Attachments: Progress Report - Inspection 318232725.pdf

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Attn: Jay Lindholm

Attached is the Mandatory progress report for Inspection # 318232725.

Please let me know if any additional information or documentation is needed.

Thank you,

Kelly Swiecinski
EHS Manager



Branch: (800) 927-8610
Direct: (267) 464-1247
Mobile: (770) 372-0381
Email: Kelly.Swiecinski@PyeBarkerFS.com

Pye-Barker Fire & Safety
2500 Northwinds Pkwy Ste. 200
Alpharetta, GA 30009

www.pyebarkerfs.com 



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JacksonLewis

DIRECT DIAL: (908) 795-2970
EMAIL: Douglas.Solomon@jacksonlewis.com

Jackson Lewis P.C.
200 Connell Drive
Suite 2000
Berkeley Heights, NJ 07922
Phone: 908-795-5200
jacksonlewis.com

April 3, 2026

VIA EMAIL

Minnesota Department of Labor and Industry
Occupational Safety and Health Division
443 Lafayette Road North
St. Paul, MN 55155-4307
E-mail: constestation.dli@state.mn.us

RE: Notice to Contest – Inspection No. 318232725

To Whom it may Concern:

Please accept this letter on behalf of Pye-Barker Fire & Safety LLC ("Company") as our Notice of Contest to the Citation and Notification of Penalty issued by the Department for Inspection No. 318232725. Please also accept this correspondence as our firm's notice of appearance on behalf of the Company. Pursuant to this Notice, the Company respectfully contests all the allegations in Citation 1, Item 001, including the type of violation (Serious). The Company does not contest the penalty amount (\$350) or abatement date, as the penalty has already been paid, and the abatement, to the extent is deemed required, has already occurred.

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Jackson Lewis PC will continue to represent the Company in this matter so please direct all future communications to my attention. If you have any questions, please do not hesitate to contact me. I will be in touch next week with more information but wanted to get this filed immediately. Thanks.

Warm Regards,

JACKSON LEWIS P.C.

Doug Solomon
Douglas E. Solomon

Exhibit C

Healy, Sue (DLI)

From: Solomon, Douglas E. (Berkeley Heights) <Douglas.Solomon@jacksonlewis.com>
Sent: Friday, April 3, 2026 5:24 PM
To: MN_DLI_Contestation
Subject: Pye Barker - Notice of Contest (Inspection 318232725)
Attachments: 04-03-26 Notice to Contest - Pye-Barker - Inspection 318232725.pdf

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Hello,

Please see attached correspondence on behalf of Pye-Barker in the above-referenced matter.

I will be in touch early next week with additional information.



Douglas E. Solomon
Attorney at Law

Jackson Lewis P.C.
200 Connell Drive
Suite 2000
Berkeley Heights, NJ 07922
Direct: (908) 795-2970 | Main: (908) 795-5200
Douglas.Solomon@jacksonlewis.com | www.jacksonlewis.com

**Minnesota
Department of Labor and Industry**

Occupational Safety and Health Division
443 Lafayette Road North
St. Paul, MN 55155-4307

Phone: 1-800-DIAL-DLI (1-800-342-5354)
(651) 284-5050
FAX: (651) 284-5741
www.dli.mn.gov

Inspection Number	CSHO ID	Optional Report No.:
Employer's Name and Mailing Address: JAY LINDHOLM - BRANCH SUPERVISOR PYE-BARKER FIRE & SAFETY LLC 405 COUNTY RD E ST PAUL MN 55126 318232725 P6108 05725		

NOTICE OF CONTEST AND SERVICE TO AFFECTED EMPLOYEES

PURPOSE OF THIS FORM

e-mailed 4-3-2026

If you have received a Citation and Notification of Penalty from the Minnesota Occupational Safety and Health Division (MNOSHA) and you wish to contest any part of the Citation, including the penalty, you must complete this form. For your contest to be valid, you must file this form within 20 calendar days by 4:30pm of the date the employer received the Citation.

If you only wish to obtain an extension of time to correct the violation, you may file a Petition for Modification of Abatement Date according to the instructions on the Citation and Notification of Penalty.

By filing this Notice of Contest form, you are initiating a formal contested case proceeding before an administrative law judge of the parts of the Citation and Notification of Penalty you are contesting. This form must be filed in good faith and not solely for delay or avoidance of penalties.

HOW TO FILE THIS FORM

- This Notice of Contest form must be filed with the Commissioner of the Department of Labor and Industry at the above address within 20 calendar days after the date the employer received the Citation and Notification of Penalty. To be considered filed, all parts of the Notice of Contest form must be completed and the completed form must be mailed and postmarked, within 20 calendar days after the date the employer received the Citation and Notification of Penalty. You also have the option to file electronically (at contest@state.mn.us), by facsimile (FAX), or by hand-delivering the completed form to the Department, if received no later than 4:30 p.m. on the 20th calendar day.
- If you fail to file the fully completed Notice of Contest form on time, the Citation and Notification of Penalty becomes a final order of the Commissioner that is not subject to review by any court or agency.

APPEAL PROCESS

Upon receipt of a timely filed Notice of Contest form, MNOSHA will contact you and schedule a date, time and location for an informal conference. The purpose of the informal conference is to allow you to discuss with a MNOSHA representative the Citation and Notification of Penalty and the basis for your contest. The goal of the informal conference is to reach an early resolution of the contest. If you and MNOSHA are unable to reach a resolution at the informal conference then the contest will proceed to a formal contested case hearing.

COMPLETING THIS FORM

1. HOW TO IDENTIFY THE INSPECTION BEING CONTESTED.

Complete the box at the top of this form using the Inspection Number, CSHO ID, Optional Report Number and Employer's Mailing Address from the Citation and Notification of Penalty being contested.

2. HOW TO CONTEST THE CITATION AND NOTIFICATION OF PENALTY.

Indicate in the boxes on the next page which part(s) of the Citation and Notification of Penalty you wish to contest. Identify the citations you are contesting by indicating the citation and item numbers. Then indicate which part(s) of each item is being contested. Finally, state your reasons for contesting in the space provided below the boxes.

- Check the box CITATION if you wish to contest that the violation occurred.
- Check the box TYPE OF VIOLATION if you wish to contest the characterization of the violation as non-serious, serious, willful or repeat.
- Check the box ABATEMENT DATE if you wish to contest the date by which you must abate the violation. The abatement date is the deadline to correct the violation and has no effect on the contestation deadline.
- Check the box PENALTY if you wish to contest the amount of the penalty.

Minnesota Department of Labor and Industry
Occupational Safety and Health Division
443 Lafayette Road N.
St. Paul, MN 55155
Phone: 651-284-5050 or 800-342-5354
Fax: 651-284-5741
Email: citation.progress@state.mn.us

Inspection no.	CSHO I.D.	Optional report no.
JAY LINDHOLM - BRANCH SUPERVISOR PYE-BARKER FIRE & SAFETY LLC 405 COUNTY RD E ST PAUL MN 55126 318232725 P6108 05725		

Petition for modification of abatement date

Purpose of this form

If additional time to abate one or more items is needed after receiving a Citation and Notification of Penalty from the Minnesota Occupational Safety and Health Administration (MNOSHA), complete this form. **Do not** file this form if you filed a Notice of Contest form and contested the abatement date.

How to request more time for abatement

This form must be filed in good faith and not solely for delay. The form must be filed at the above address no later than the next working day after the original (or previously modified) abatement date. **To be considered, all parts of the form must be completed and the form must be postmarked, emailed, faxed or hand-delivered on or before the due date. Forms filed by fax, email or hand delivery must be received no later than 4:30 p.m. on the due date.**

If this form is received late, the abatement date on the citation becomes a final order and requests for changes will not be reviewed.

Complete the chart and other information below. In the first column, list only the citations that need more time. For example: "Citation 1, Item 2" or "1-2." Add additional pages if needed.

Citation and item no.	Abatement date on citation	Anticipated completion date	Reason for additional abatement period	Interim steps taken to safeguard employees, including dates

Posting: The employer certifies completed copies of this form were posted on _____ (date) at the locations where the Citation and Notification of Penalty is posted. The form must remain posted for 10 days. (This is required for all employers.)

Employee Objection: Employees or their authorized employee representatives who file an objection (to this petition) in writing with the Commissioner must serve a copy of the objection on the employer. Failure to serve and file an objection within ten days of the date of posting of the petition or of service upon an authorized employee representative shall constitute a waiver of any further right to object to the petition. The objection must state the reasons for opposing the petition.

Minnesota Department of Labor and Industry Occupational Safety and Health Division 443 Lafayette Road N. St. Paul, MN 55155 Phone: 651-284-5050 or 800-342-5354 Fax: 651-284-5741 Email: citation.progress@state.mn.us	Inspection no.	CSHO I.D. no.	Optional report no.
	JAY LINDHOLM - BRANCH SUPERVISOR PYE-BARKER FIRE & SAFETY LLC 405 COUNTY RD E ST PAUL MN 55126 318232725 P6108 05725		

Mandatory progress report

In accordance with Minnesota Rules 5210.0532, this report must be returned to the mailing or email address listed above. The completed Mandatory Progress Report form should be received by the abatement due-date indicated on the citation. This form is required by the latest abatement date of all citations or within 30 days after receipt of the citation, whichever is earlier. Multiple reports are necessary to verify abatement of citations with abatement periods longer than 30 days. Failure to submit all required progress reports will result in an additional citation, an additional penalty and/or a follow-up inspection.

Citation and item no.	Action taken	Abatement date on citation	Date abated (corrected)	Anticipated completion date

Note: If the anticipated completion date is beyond the abatement date on the citation, you must submit a separate written Petition for modification of abatement date (PMA) form to request an extension of time allowed for completion. See the instructions for a PMA form on page 2 of the Citation and Notification of Penalty.

A copy of this form must be posted for 15 days where the Citation and Notification of Penalty is posted and all affected employees and their representatives must be informed of their right to examine and copy all abatement documents submitted to the commissioner.

I hereby certify this information is accurate and that I have posted this form as described above.

Completed by	Title
Phone	Date

Minnesota Department of Labor and Industry

Occupational Safety and Health Division

443 Lafayette Road North

St. Paul, MN 55155-4307

Phone: (651) 284-5050 FAX: (651) 284-5741

INVOICE 8318232725X

Company Name: Pye-Barker Fire & Safety LLC
Inspection Site: 15555 English Ave, Apple Valley, MN 55124
Mailing Address: 405 County Rd E, Saint Paul, MN 55126
Issuance Date: 2/4/2026
CSHO ID#: P6108
Optional Report No.: 05725
Summary of Penalties for Inspection Number: 318232725

Citation 1, Serious = \$350.00
TOTAL PENALTIES = \$350.00

Penalty Payment - Payment of all penalties is to be made online, by check or money order payable to the order of "Minnesota Department of Labor and Industry" and remitted with a copy of this invoice to the Occupational Safety and Health Division, 443 Lafayette Rd N, St. Paul, MN, 55155-4301, within 20 calendar days following receipt of this Citation. After 60 days, unpaid penalties shall increase 25 percent and shall accrue an additional interest of 10 percent per month compounded monthly until the fine is paid in full or until the fine has accrued to 300 percent of the original assessed amount.

SAVE TIME AND PAY ONLINE AT WWW.DLLMN.GOV/PAYCENTER

If any portion of this Citation and Notification of Penalty is contested, that portion of the penalty is not due and payable until the resolution of the contestation. However, you are still obligated to pay the penalty on the uncontested portion of the citation within 20 calendar days following receipt of this Citation.

If the employer fails to file the Notice of Contest form on time, this Citation and Notification of Penalty becomes a final order of the Commissioner which is not subject to review by any court or agency and the Occupational Safety and Health Division may file and enforce the penalty as a district court judgment without further notice or additional proceedings pursuant to Minnesota Statutes § 16D.17.

NOTE: The penalties shown above have already been adjusted for Good Faith, Size and History credits.

Making Online Payments

Go to: https://www.dli.mn.gov/paycenter Click on MAKE A PAYMENT																						
Click PAY YOUR INVOICE	PAYMENT CENTER PAY YOUR INVOICE You can pay some agency invoices online by credit card or from a checking or savings account. If your invoice number doesn't work, view tips below.																					
- Enter invoice number. (Invoice number is this format: 8InspNumberX ie: 8318123456X) Click Continue.	MAKE A PAYMENT TO THE N Invoice number Continue																					
- If paying in full, click Make payment. - Email confirmation number to oshapenalties.dli@state.mn.us with the Inspection number.	<table border="1" style="width: 100%; border-collapse: collapse; text-align: center;"> <thead> <tr> <th>Edit/update</th> <th>Ref. line number</th> <th>Description</th> <th>Amount billed</th> <th>Previous amount paid</th> <th>Balance due</th> <th>Amount to be paid</th> </tr> </thead> <tbody> <tr> <td> Edit </td> <td>1</td> <td></td> <td>\$800.00</td> <td>\$0.00</td> <td>\$800.00</td> <td>\$800.00</td> </tr> <tr> <td></td> <td></td> <td>Total</td> <td>\$800.00</td> <td>\$0.00</td> <td>\$800.00</td> <td>\$800.00</td> </tr> </tbody> </table> If the information above is correct, click the Make payment button to provide your credit card or electronic-check information. Clicking the Make payment button will direct you to the US Bank for online payment. Accepted methods of payment are Visa, MasterCard and electronic-check (money is taken from your checking account). \$30 service charge will be added to all dishonored electronic checks. Additional civil penalties will be imposed for dishonored electronic checks if not paid within 30 days. MS 604.113 and 609.535 Make payment Cancel	Edit/update	Ref. line number	Description	Amount billed	Previous amount paid	Balance due	Amount to be paid	Edit	1		\$800.00	\$0.00	\$800.00	\$800.00			Total	\$800.00	\$0.00	\$800.00	\$800.00
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		Total	\$800.00	\$0.00	\$800.00	\$800.00																
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Edit	1		\$800.00	\$0.00	\$800.00	\$800.00																
		Total	\$800.00	\$0.00	\$800.00	\$800.00																
- Enter the amount to be paid, click Update on the left, then click make a payment. - If EISA is being accepted and timely, email completed form and payment confirmation number to Citation.progress@state.mn.us.	<table border="1" style="width: 100%; border-collapse: collapse; text-align: center;"> <thead> <tr> <th>Edit/update</th> <th>Ref. line number</th> <th>Description</th> <th>Amount billed</th> <th>Previous amount paid</th> <th>Balance due</th> <th>Amount to be paid</th> </tr> </thead> <tbody> <tr> <td> Update Cancel </td> <td>1</td> <td></td> <td>\$800.00</td> <td>\$0.00</td> <td>\$800.00</td> <td> </td> </tr> <tr> <td></td> <td></td> <td>Total</td> <td>\$800.00</td> <td>\$0.00</td> <td>\$800.00</td> <td>\$800.00</td> </tr> </tbody> </table> If the information above is correct, click the Make payment button to provide your credit card or electronic-check information. Clicking the Make payment button will direct you to the US Bank for online payment. Accepted methods of payment are Visa, MasterCard and electronic-check (money is taken from your checking account). \$30 service charge will be added to all dishonored electronic checks. Additional civil penalties will be imposed for dishonored electronic checks if not paid within 30 days. MS 604.113 and 609.535 Make payment Cancel	Edit/update	Ref. line number	Description	Amount billed	Previous amount paid	Balance due	Amount to be paid	Update Cancel	1		\$800.00	\$0.00	\$800.00				Total	\$800.00	\$0.00	\$800.00	\$800.00
Edit/update	Ref. line number	Description	Amount billed	Previous amount paid	Balance due	Amount to be paid																
Update Cancel	1		\$800.00	\$0.00	\$800.00																	
		Total	\$800.00	\$0.00	\$800.00	\$800.00																



Citation and notification of penalty for alleged occupational safety and health violations

An inspection of your company has resulted in the enclosed Citation and Notification of Penalty.

What happens next?

- Follow the citation's instructions under "employer and employee rights and responsibilities" for next steps.

If you are not contesting the citation, you must:

- correct the violation(s) by the date(s) shown;
- pay the penalty,
- send us a Progress Report explaining how you corrected the violation, and
- post a copy of the citation in the workplace for at least 20 days, or until all items are corrected, if longer.

If you are contesting the citation, you must:

- submit a Notice of Contest form within 20 calendar days of receiving this citation,
- post a copy of the Notice of Contest form in your workplace, and
- correct any items or pay any penalties that you are not contesting.

Questions?

Contact us at (651) 284-5050, at the address shown above or at osha.compliance@state.mn.us. Please remember, even if you contact us with questions, you still must file your Notice of Contest within 20 calendar days of receiving the citation.

Inspection results online

Federal OSHA posts the information related to your inspection online 30 calendar days after the citation is issued to your company. You can search for and review the inspection records at <https://www.osha.gov/pls/imis/establishment/html>.

A handwritten signature in black ink, appearing to read 'Kevin Sundet', written over a horizontal line.

Kevin Sundet
Supervisor
Occupational Safety and Health Division

(Rev. 12/2014)

Minnesota Department of Labor and Industry

Occupational Safety and Health Division

443 Lafayette Road North

St. Paul, MN 55155-4307

Phone: 651-284-5050 FAX: 651-284-5741

Citation and Notification of Penalty

To:

Pye-Barker Fire & Safety LLC

405 County Rd E

Saint Paul, MN 55126

1/12/2026

Inspection Number: 318232725

CSHO ID: P6108

Optional Report No.: 05725

Inspection Date(s): 12/18/2025 -

Issuance Date: 2/4/2026

Inspection Site:

15555 English Ave

Apple Valley, MN 55124

The violation(s) described in this Citation and Notification of Penalty is (are) alleged to have occurred on or about the day(s) the inspection was made unless otherwise indicated within the description given below.

This Citation and Notification of Penalty (this Citation) describes violations of the Minnesota Occupational Safety and Health Act of 1973 (the Act). The penalty amounts listed herein are based on these violations. You must abate the violations referred to in this Citation by the dates listed and pay the penalties, unless within 20 calendar days from your receipt of this Citation you file a Notice of Contest with the Commissioner of the Department of Labor and Industry. Your contestation rights and other employer and employee rights and responsibilities are set out in the first three pages of this Citation. The description of alleged violations begins on page 5 of this Citation.

EMPLOYER AND EMPLOYEE RIGHTS AND RESPONSIBILITIES

Posting - The Act requires that a copy of this Citation shall be promptly posted at or near each place that an alleged violation referred to in the citation occurred or, if not practicable, in a prominent place where it will be readily visible by all affected employees. If uncontested, this Citation must remain posted until all alleged violations cited therein are corrected, or for 20 days, whichever is longer. If contested, this Citation must remain posted until the contestation is resolved.

Penalty Payment - Payment of all penalties can be made online at www.dli.mn.gov/paycenter or by check or money order payable to "Minnesota Department of Labor and Industry, MNOSHA", and remitted to the Occupational Safety and Health Division at 443 Lafayette Rd N, St. Paul, MN,

Dear Minnesota Employer:

To help you handle all the documents in this mailing, we have prepared this summary. Please refer to the actual document for complete details.

1. **Citation and Notification of Penalty** – This document describes the alleged safety or health violation(s), including the deadline for correction and any penalty. You must post this entire document until the item(s) is corrected or 20 calendar days, whichever is longer.
2. **Invoice** – You do not have to post this sheet. Penalty payments are due within 20 calendar days of receipt (unless contested). Save time and pay online at WWW.DLI.MN.GOV/PAYCENTER
3. **Mandatory Progress Report (form)** – With this form you tell us how you corrected the alleged violation. This is a required form. You must submit and post this form according to the directions on the form. This form is not required if all items on the citation are indicated as "Corrected During Inspection". This completed form must be sent to Citation.Progress@state.mn.us
 - **Documentation of Abatement** – If the citation indicates documentation of abatement is required, you must submit pictures, receipts, etc. that demonstrate the abatement is completed. Documentation of abatement must be submitted by mail to the St. Paul OSHA office or by email to Citation.Progress@state.mn.us.
4. **Petition for Modification of Abatement Date (form)** – If you wish to request an extension of time to abate one or multiple items, you must complete this form and return it no later than the next working day following the date on which the abatement was originally required. You must post this form for 10 days.
5. **Notice of Contest (Optional)** – If you wish to appeal the Citation, you must complete this form. Incomplete and/or incorrect forms will be required to be redone, resubmitted and may result in delays. It must be received by our office within 20 calendar days of receipt. Please be advised that weekends and holidays *count* as calendar days. However, if the 20th day is a Saturday, Sunday, or legal holiday, the Notice of Contest form must be received on the next day that is not a Saturday, Sunday, or legal holiday. *Minnesota Rule 5210.0007, subpart 3.* You must post this form. You may also file electronically at contestation.dli@state.mn.us.
6. **Expedited Informal Settlement Agreement (EISA) (Optional if eligible)** – If you qualify for this agreement, a letter of explanation will be included with your citation package. If you wish to accept the terms of this agreement, you must complete the steps on the EISA within 10 calendar days of receipt.

If you have any questions, please call the office at 651-284-5050 for further assistance.

Thank you.

(√)	Required Actions
	Post a copy of the Citation and Notification of Penalty
	Complete and return the Progress Report Form, Documentation of Abatement (if necessary) and/or Petition for Modification of Abatement Date (PMA) form
	Post the Progress Report and/or PMA form
	Pay your Citation (www.dli.mn.gov/paycenter) unless a Notice of Contest is filed

(√)	Optional Actions
	A. Complete EISA, if provided as an option • Sign and return the Expedited Informal Settlement Agreement (EISA) to Citation.Progress@state.mn.us AND submit payment within 10 days of receipt by paying online at www.dli.mn.gov/paycenter • Post EISA
	OR
	B. Complete and return Notice of Contest Form within 20 calendar days of receipt • Is the Dates of Posting and Serving section boxed in yellow completed? • Is the form notarized? • Did you post the form?

*Additional copies of forms are available on our web site at www.dli.mn.gov.

December 2025

Employees have the right to file a written objection to the Commissioner regarding the employer's PMA request. A copy of the objection must be served on the employer within 10 days of the employer's posting of the PMA. The employee objection must be received by the Commissioner within 15 days of the employer's PMA request. Facsimile (FAX) transmittal is acceptable.

Employer Right to Contest - The employer has the right to a hearing to contest any or all parts of this Citation. If the employer wishes to contest, the employer must fully complete and notarize the attached NOTICE OF CONTEST AND SERVICE TO AFFECTED EMPLOYEES (Notice of Contest form) and file it with the Commissioner at the address shown on the top of page 1 of this Citation within 20 calendar days of receiving the citation.

Important: To be considered filed, all parts of the Notice of Contest form must be completed and the completed form must be deposited in the United States mail and postmarked, or otherwise timely received by the Commissioner at the above address within 20 calendar days after the date this Citation is received by the employer. You may also file electronically at (contestation.dli@state.mn.us), by facsimile (FAX), or by hand-delivering the completed form to the Department, if received no later than 4:30 p.m. on the 20th calendar day. If the employer fails to file the Notice of Contest form on time, this Citation and Notification of Penalty becomes a final order of the Commissioner which is not subject to review by any court or agency and the Occupational Safety and Health Division may file and enforce the penalty as a district court judgment without further notice or additional proceedings pursuant to Minnesota Statutes 16D.17.

Employee Right to Contest - An employee or authorized representative of employees has the right to a hearing to contest this Citation by filing a letter with the Commissioner of the Department of Labor and Industry at the address shown on page 1 within 20 calendar days of the employer's receipt of this Citation.

Important: To be considered filed, an employee letter of contest must be deposited in the United States mail and postmarked, or otherwise timely received by the Commissioner at the above address within 20 calendar days after the date this Citation is received by the employer. You may also file electronically at (contestation.dli@state.mn.us), by facsimile (FAX), or by hand-delivering the completed form to the Department, if received no later than 4:30 p.m. on the 20th calendar day. If the employee fails to file a letter of contest on time, this Citation and Notification of Penalty becomes a final order of the Commissioner which is not subject to review by any court or agency and the Occupational Safety and Health Division may file and enforce the penalty as a district court judgment without further notice or additional proceedings pursuant to Minnesota Statutes 16D.17.

Employee Right to Party Status - Affected employees or their authorized employee representatives may elect to participate as parties in the formal contested case hearing by filing written notice with the Commissioner at the address shown above at least 45 days before the start of the hearing. The notice must contain the employees' names and addresses; authorized employee representatives, if any; and a statement that they are affected employees of the cited employer.

55155-4301, within 20 calendar days following receipt of this Citation. After 60 days, unpaid penalties shall increase 25 percent and shall accrue additional interest of 10 percent per month compounded monthly until the fine is paid in full or until the fine has accrued to 300 percent of the original assessed amount.

The minimum \$25,000 penalty issued to employers with fewer than 50 employees for serious citations connected to the death of an employee may be made in five payments of \$5,000. The first \$5,000 payment is due within 20 calendar days following receipt of this Citation. The 2nd-5th payments of \$5,000 are due on the next four anniversary dates of this Citation becoming a Final Order. The Commissioner may elect to waive the 2nd-5th \$5,000 payment if in the preceding year the employer receives no citations. MNOSHA will provide written notice of the 2nd-5th payments dates or of any penalty waiver.

Notification of Corrective Action - Progress reports on correction of alleged violations not immediately abated as observed by the occupational safety and health investigator shall be submitted on the Progress Report form provided with this Citation. Written progress reports must be mailed to the address shown on the top of page 1 of this Citation by the latest abatement date on the citation, or within 30 days after receipt of the citation, whichever is earlier. Reports must state the specific corrective action taken on each cited item, the date of such action and the anticipated abatement date of uncompleted items. Additional written progress reports shall be submitted every thirty days until the items are fully abated. Email and facsimile (FAX) transmittal is acceptable.

All alleged violations not contested must be corrected by the abatement date specified in this Citation. A follow-up inspection may be made for the purpose of ascertaining that the employer has corrected the alleged violations and posted this Citation as required by the Act. Failure to correct an alleged violation by the abatement date on this Citation may result in further penalties for each day the alleged violation has not been corrected.

Petition for Modification of Abatement Date (PMA) - If, due to factors beyond reasonable control, compliance cannot be achieved by the abatement day on the citation, the employer may file a Petition for Modification of Abatement Date (PMA) to obtain an extension of the abatement time period. The PMA must be in writing and received at the address shown on the top of page 1 of this Citation prior to the expiration of the abatement date on the citation. Facsimile (FAX) transmittal of a PMA is acceptable. A copy of the PMA must be posted for ten days in the location where this Citation is posted. A copy of the PMA must also be served upon authorized employee representatives.

The employer's written petition must describe:

- 1) The action that has been taken so far to achieve compliance;
- 2) The amount of additional time needed for compliance;
- 3) The reasons why additional time is needed;
- 4) A description of the interim steps that will be taken to safeguard employees against the cited hazard; and
- 5) A statement that employees have been notified of the PMA filing.

Employer Discrimination Unlawful - Employees who believe that they have been discharged or otherwise discriminated against by any person because the employees have exercised any right authorized under the provisions of Minnesota Statutes 182.669, may, within 30 days after such alleged discrimination occurs, file a complaint with the Commissioner of the Department of Labor and Industry at the address shown above, alleging the discriminatory act.

PENALTY INFORMATION

Types of Violations - There are 5 types of violations that may be cited by MNOSHA. They are: Nonserious, Serious, Willful, Repeat and Failure to Abate.

Penalties - In cases not involving the death of an employee, the law allows the following maximum penalties: Nonserious, \$16,550; Serious, \$16,550; Willful, \$165,514; Repeat, \$165,514; and Failure to Abate, \$16,550 per day the violation remains unabated. If a Willful or Repeat violation caused or contributed to the death of an employee, however, MNOSHA is compelled by law to assess the employer a total non-negotiable penalty of at least \$50,000 for all citations connected to the employee's death. If there are no Willful or Repeat violations among the violations that caused or contributed to the employee's death, MNOSHA must assess the employer a non-negotiable penalty of at least \$25,000 for each citation connected to the employee's death. The following violations are not subject to these minimums and will be processed according to MNOSHA's ordinary penalty system: (a) any serious violations issued to an employer with fewer than 50 employees when the victim of a workplace fatality owned a controlling interest in the business unless the Commissioner determines that a fine shall be assessed; (b) any violations found during a fatality investigation but determined not to be connected to the death of an employee; and (c) a violation of section 182.653 subdivision 2.

Credits - A penalty for a violation may be credited by as much as 95 percent, depending on the employer's good faith (up to 30%), size of business (up to 55%), and previous violation history (up to 10%). The penalties which appear on the Citation and Notification of Penalty have been reduced by the credits described.

Minnesota
Department of Labor and Industry
1/12/2026
Occupational Safety and Health Division

Inspection Number: 318232725
Inspection Date(s): 12/18/2025 -
Issuance Date: 2/4/2026
CSHO ID: P6108
Optional Report No.: 05725

Citation and Notification of Penalty

Company Name: Pye-Barker Fire & Safety LLC
Inspection Site: 15555 English Ave, Apple Valley, MN 55124

Citation 01 Item 001.

Type of Violation: **Serious**

Minn. Stat. 182.653 subd. 8: A written Workplace Accident and Injury Reduction (AWAIR) Program that promotes safe and healthful working conditions and is based on clearly stated goals and objectives for meeting those goals was not established; specifically:

The employer failed to provide a written Workplace Accident and Injury Reduction (AWAIR) Program for review.

Abatement Guidelines: The program must describe:

- 1) How managers, supervisors, and employees are responsible for implementing the program and how continued participation of management will be established, measured, and maintained;
- 2) The methods used to identify, analyze, and control new or existing hazards, conditions, and operations;
- 3) How the plan will be communicated to all affected employees so that they are informed of work-related hazards and controls;
- 4) How work place accidents will be investigated and corrective action implemented;
- 5) How safe work practices and rules will be enforced.

An employer must conduct and document a review of the work place accident and injury reduction program at least annually and document how procedures set forth in the program are met.

Date By Which Violation Must Be Abated:
Penalty:

2/23/2026
\$350.00

Nicole Blissenbach, Commissioner
MN Department of Labor and Industry

Healy, Sue (DLI)

From: Solomon, Douglas E. (Berkeley Heights) <Douglas.Solomon@jacksonlewis.com>
Sent: Friday, April 3, 2026 5:32 PM
To: MN_DLI_Contestation
Subject: RE: Pye Barker - Notice of Contest (Inspection 318232725)
Attachments: 02-04-26 MN OSHA Citation.pdf

You don't often get email from douglas.solomon@jacksonlewis.com. [Learn why this is important](#)

This message may be from an external email source.

Do not select links or open attachments unless verified. Report all suspicious emails to Minnesota IT Services Security Operations Center.

Hello,

As support for our request to file a late Notice of Contest, please see the Citation that the Company received. You will notice that page 4 of the attached is page 1 of the "Notice of Contest and Service to Affected Employees." The instructions to complete the form all relate to filling out boxes "on the next page." However, page 2 of the form was not provided to the Company (as you can see from reviewing the attached). That page was missing from the package provided to the Company. I have therefore provided our Notice of Contest by correspondence. If the Department would like to send me the full version of the form, I am happy to fill it out and send it back to you.

Thank you for your cooperation and assistance.



Douglas E. Solomon
Attorney at Law

Jackson Lewis P.C.
200 Connell Drive
Suite 2000
Berkeley Heights, NJ 07922
Direct: (908) 795-2970 | Main: (908) 795-5200
Douglas.Solomon@jacksonlewis.com | www.jacksonlewis.com

From: Solomon, Douglas E. (Berkeley Heights) <Douglas.Solomon@jacksonlewis.com>
Sent: Friday, April 3, 2026 6:24 PM
To: contestation.dli@state.mn.us
Subject: Pye Barker - Notice of Contest (Inspection 318232725)

Hello,

Please see attached correspondence on behalf of Pye-Barker in the above-referenced matter.

I will be in touch early next week with additional information.



JL

Douglas E. Solomon

Attorney at Law

Jackson Lewis P.C.

200 Connell Drive

Suite 2000

Berkeley Heights, NJ 07922

Direct: (908) 795-2970 | Main: (908) 795-5200

Douglas.Solomon@jacksonlewis.com | www.jacksonlewis.com

Hulet, Eddie (He/Him/His) (DLI)

From: WIRELESS CALLER (External) <noreply@skype.voicemail.microsoft.com>
Sent: Wednesday, January 7, 2026 11:15 AM
To: Hulet, Eddie (He/Him/His) (DLI)
Subject: Voice Mail (16 seconds)
Attachments: audio.mp3

hello this is jay with ibarker fire and safety returning your call uh 952-254-1918 uh please give me a call back and we can uh get resolved whatever you're looking for thank you

You received a voice mail from WIRELESS CALLER.

Thank you for using Transcription! If you don't see a transcript above, it's because the audio quality was not clear enough to transcribe.

[Set Up Voice Mail](#)

Hulet, Eddie (He/Him/His) (DLI)

From: Hulet, Eddie (He/Him/His) (DLI)
Sent: Wednesday, January 7, 2026 4:00 PM
To: jay.lindholm@pyebarkerfs.com
Subject: Inspection on 12/18/2025
Attachments: Inspection Booklet 2025.pdf; Contact Sheet 2025.pdf

Hello,

Thank you for taking the time to talk to me today.

Attached is the MNOSHA contact sheet and the MNOSHA inspection booklet. My supervisor is Kevin Sundet and I was there for an activity generated inspection.

The only things I will need from you are a documentation of:

- Hazard Communication/Employee Right to know training - for any chemicals used
- an AWAIR (A workplace accident and injury reduction program) - general safety program

As we discussed I already got info on the safety committee. If you could get these by Friday I can close out the inspection.

Thanks and have a good day

Edmund "Eddie" Hulet

Safety Investigator | MNOSHA Compliance

Minnesota Department of Labor and Industry

443 Lafayette Road N., St. Paul, MN 55155

Phone: 651-284-5159 | Web: www.dli.mn.gov

 **DEPARTMENT OF
LABOR AND INDUSTRY**



Certificate of Service

1. I, MICHAEL GRAY, hereby declare that in the City of St. Paul, county of Ramsey, and State of Minnesota on 15th day of June, 2026, served the attached RESPONSE TO PETITION TO VACATE by U.S. mail by depositing in the United States mail, a true and accurate copy thereof, properly enveloped, with postage prepaid, and addressed to:

Janell M. Stanton
Jackson Lewis P.C.
150 South Fifth Street, Suite 3500
Minneapolis, MN 55402

2. I, MICHAEL GRAY hereby declare that in the city of St. Paul, county of Ramsey, and state of Minnesota on 15th day of June, 2026, served the attached RESPONSE TO PETITION TO VACATE on Peggy Charpentier, Executive Secretary to the OSH Review Board, by personally handing and leaving with her a true and correct copy thereof.

I am signing this affidavit in Ramsey County, Minnesota on the 15th day of June, 2026. Pursuant to Minn. Stat. § 358.116, I declare under penalty of perjury that everything I have stated in this document is true and correct.

Michael Gray
Michael Gray