

Workplace Safety Co-Chair Discusses the Fourth Circuit's Decision in the North Carolina OSHA 'Incentive' Suit

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In an interview with *Law360*, **Travis Vance** shared his insight on the Fourth Circuit's ruling in the North Carolina OSHA 'incentive' suit, in which North Carolina labor officials are accused of incentivizing state inspectors to issue workplace safety citations.

He explains that the Fourth Circuit's ruling is significant in that it essentially rejects any argument that North Carolina is not subject to the federal OSH Act merely because it has adopted its own state plan. And he adds that "such a decision could impact any of the other nearly two dozen states with their own OSHA plans that might try to raise similar defenses."

He also notes that given the relief they're seeking could result in a judge ordering the North Carolina OSHA plan to no longer pursue citations under the current system, Tuesday's opinion marks a "significant decision for employers."

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Travis W. Vance
Regional Managing Partner

Regional Managing Partner
704.778.4164
Email

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Workplace Safety and Catastrophe Management

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