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DeMoulas Super Markets agrees to correct hazards, enhance employee safety at all Market Basket stores in Massachusetts and New Hampshire
Enterprisewide settlement with US Labor Department follows legal actions

BOSTON – The U.S. Department of Labor has reached a settlement with DeMoulas Super Markets Inc. in which the Tewksbury grocery chain has agreed to correct all hazards and take substantive steps to enhance safety and health measures for employees at all of the chain's more than 60 Market Basket stores in Massachusetts and New Hampshire. The settlement resolves litigation that followed citations carrying \$589,200 in fines issued by the department's Occupational Safety and Health Administration in October 2011 after OSHA inspections identified widespread fall and laceration hazards at the stores.

"This enterprisewide settlement is significant because DeMoulas has agreed not only to correct the hazards cited during OSHA's inspections but also to enact effective and ongoing systemic changes that will benefit all its employees," said Assistant Secretary of Labor for Occupational Safety and Health Dr. David Michaels.

DeMoulas initially contested the citations to the independent Occupational Safety and Health Review Commission. The Labor Department's regional solicitor's office subsequently filed a complaint with the commission asking for enterprisewide correction of the hazards. As the result of settlement discussions with the solicitor's office, DeMoulas has signed the agreement to correct the cited hazards and take additional preventive actions.

"DeMoulas has agreed to a comprehensive and responsible settlement that corrects past hazards and paves the way for improvements which, effectively implemented and

maintained, will significantly minimize hazards and enhance workplace safety and health for employees throughout the company," said Michael Felsen, the department's regional solicitor for New England.

These improvements include a full-time safety and health director with the full authority and responsibility to develop, implement, monitor and enforce the requirements of the company's safety and health program; a written safety and health program for each workplace that will include inspections to monitor and evaluate the program's effectiveness as well as provisions to identify, document and remedy any hazards or violations; a written disciplinary program for all workplaces and all employees, including management; a safety and health liaison for each supermarket department; formal safety and health training for all new employees and all new and existing employees on an annual basis; and the inclusion of a safety and health evaluation as a material element in annual performance reviews of all store and department managers. The company also has paid a total of \$400,000 in fines.

Under the Occupational Safety and Health Act of 1970, employers are responsible for providing safe and healthful workplaces for their employees. OSHA's role is to ensure these conditions for America's working men and women by setting and enforcing standards, and providing training, education and assistance. For more information, visit <http://www.osha.gov>.

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