

## PRESS RELEASE

# Ohio Company Sentenced for Violating OSHA Rule Leading to Worker's Death

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### For Immediate Release

Office of Public Affairs

A Delaware corporation with a manufacturing facility in Ohio was sentenced today to pay a \$500,000 fine, the statutory maximum, after [pleading guilty](#) to willfully violating an Occupational Safety and Health Administration (OSHA) rule. In addition to the fine, Fabcon will serve two years of organizational probation and comply with a Safety Compliance Plan. The criminal charge is related to an incident where an employee was killed when a pneumatic door closed on his head.

Fabcon Precast LLC makes precast concrete panels at its facility in Grove City, Ohio. Batch operators were employees responsible for operating and cleaning the facility's only concrete mixer, which discharged concrete from its bottom through a pneumatic door. The mixer had an exhaust valve that, by design, released the pneumatic energy which powered the discharge door to make it inoperable.

The valve's handle broke off, and was not replaced, prior to June 6, 2020. On that day, batch operator Zachary Ledbetter was injured trying to close the discharge door due to the broken valve. Ledbetter was eventually freed from the door, but he died at a hospital five days later.

"Today's sentencing reflects Fabcon's willful failure to implement measures to protect its workers," said Acting Assistant Attorney General Adam Gustafson of the Justice Department's Environment and Natural Resources Division (ENRD). "Sadly, this led to Zachary's death. This tragedy shows the importance of following safety standards."

"Fabcon Precast LLC willfully failed to adhere to OSHA safety regulations which resulted in the tragic and preventable loss of a worker's life. This sentencing highlights our steadfast commitment to continue working with OSHA and our law enforcement partners to hold accountable those who jeopardize workers' safety," said Special Agent in Charge Megan Howell of the U.S. Department of Labor Office of Inspector General, Great Lakes Region.

Federal law makes it a class B misdemeanor to willfully fail to follow an OSHA safety standard, where the failure causes the death of an employee. The class B misdemeanor is the only federal criminal charge covering such workplace safety violations.

The Department of Labor's Office of Inspector General investigated the case.

Senior Trial Attorney and Special Assistant U.S. Attorney Adam Cullman, of ENRD's Environmental Crimes Section and for the Southern District of Ohio respectively, prosecuted the case.

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