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October 17, 2007

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VIA FACSIMILE: 202-693-1659

Assistant Secretary Edwin G. Foulke, Jr.
Occupational Safety & Health Administration
200 Constitution Avenue, NW
Washington, DC 202 10

Dear Assistant Secretary Foulke,

We are writing to follow up on your recent inspections of Cintas facilities and your letter of May 1, 2007 in which you responded to our letter of May 1, 2007 asking OSHA to launch a nationwide investigation of machinery safety hazards at the industrial laundries owned by the Cintas Corp., following the tragic death of Mr. Eleazar Torres-Gomez.

I want to begin by thanking you and the enforcement staffs in OSHA's national and field offices for their diligent work in identifying the egregious and repeated violations in Cintas's Tulsa, OK and for the multiple repeat violations in Columbus, OH.

With the tragic death of Mr. Torres-Gomez, and the discovery of repeated violations of machine – guarding and lockout standards in four different regions over three years, we feel that it is essential that OSHA uncover as quickly as possible other locations where workers may be at risk. We would therefore like information about the following items.

1. Enhanced Enforcement Program (EEP)

In your letter of May 1, 2007, you stated that:

An EEP case arises out of an inspection that meets one or more of the following criteria:

- A fatality inspection in which OSHA finds a high gravity serious (or willful or repeated) violation related to the death;
- An inspection that results in three or more high gravity serious violations classified as willful or repeat violations (or any combination of willfuls and repeats adding to three or more);

Not only does the Cintas Tulsa citation meet these criteria, but several other federal and state OSHA citations of Cintas facilities also indicate company-wide safety problems. Indeed, taken together, these violations would seem to indicate that Cintas, in OSHA's words, "may be indifferent to its Occupational Safety and Health Act (OSH Act) obligations."

We would like to inquire as to whether OSHA has launched a nationwide Enhanced Enforcement Program investigation of the Cintas Corporation. If you have launched a nationwide program, please describe the scope of that program and what Cintas facilities it will include.

2. Company Wide Safety Program

Your May 1, 2007 letter indicated that

As part of that investigation, OSHA is seeking to determine whether the accident may be related to a company-wide safety problem. Among other steps, OSHA has subpoenaed injury and illness records for the last five years for all Cintas laundering facilities located within federal OSHA states, as well as documents addressing the company's safety and health and training programs and related materials. OSHA is also seeking access to Cintas employees' medical information for the same time period. If it finds a company-wide problem, or if any of the EEP criteria are met, OSHA will take appropriate enforcement action.

Please let us know whether you have obtained all injury, illness and medical records, as well as documents addressing the company's safety and health and training programs and related materials. Please indicate whether you have found a company-wide problem, and if so, how you will be addressing it.

3. State Plan Programs

Regarding our request that you ensure that state plan states also address corporate-wide health and safety problems that may be present in facilities in their jurisdiction, you wrote that

When OSHA acts to address an employer's safety and health problems on a corporate-wide basis as, for example, in a corporate-wide settlement agreement or an action under the EEP, OSHA determines, on a case-by-case basis, whether state programs will be required or encouraged to adopt measures identical to those of federal OSHA.

Please let us know whether OSHA has determined whether state OSHA programs will now be required to adopt "measures identical to those of federal OSHA," and what criteria you are using to make that decision. Please inform us what, if any, state-plan inspections are currently being conducted.

4. Criminal Referral

Your letter states that

Under procedures instituted in 2003, the Department of Labor's Regional Solicitors must

evaluate every case that meets the minimum statutory elements for a criminal violation (a willful violation of an OSHA standard that causes the death of an employer's employee), and they must discuss the suitability for referral of each such case to the Department of Justice or the local office of the U.S. Attorney.

Please inform us as to the status of OSHA's referral to the Department of Justice.

5. Additional OSHA Actions To Prevent Similar Incidents

Has your investigation determined that Cintas Corporation at the corporate level had previous knowledge of the conditions that lead to the death of Mr. Torres-Gomez? Did OSHA evaluate Cintas's safety program at the corporate and local levels? What did OSHA determine about the ability or willingness of Cintas's corporate safety program to address these problems.

Given the findings of the completed investigations, please let us know what actions OSHA is taking to ensure that serious health and safety problems identified at one facility of this company are not repeated in the company's other facilities.

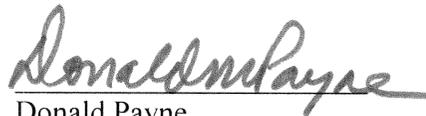
We would also like to know if OSHA has any plans to investigate similar hazardous conditions in other industrial laundry companies.

Thank you for your consideration of this request. Please respond to this letter by November 15.

Sincerely,



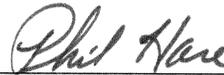
Lynn Woolsey
Chairwoman
Committee on Workforce Protections



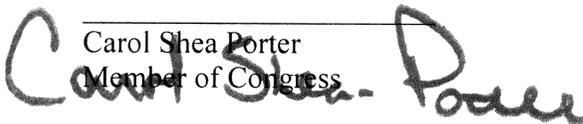
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