

KNOWINGLY MAKING A FALSE [STATEMENT] [REPRESENTATION] [CERTIFICATION] IN A(N) [APPLICATION] [RECORD] [REPORT] [PLAN] [DOCUMENT] REQUIRED TO BE [FILED] [MAINTAINED] PURSUANT TO THE OCCUPATIONAL SAFETY AND HEALTH ACT OF NORTH CAROLINA. G.S. § 95-139. MISDEMEANOR.

The defendant has been charged with knowingly making a false [statement] [representation] [certification] in a(n) [application] [record] [report] [plan] [document] required to be [filed] [maintained] pursuant to the Occupational Health and Safety Act of North Carolina (OSHANC)¹.

For you to find the defendant guilty of this offense, the State must prove two things beyond a reasonable doubt:

First, that the defendant knowingly made a false [statement] [representation] [certification] in a(n) [application] [record] [report] [plan] [document] required to be [filed] [maintained] pursuant to the Occupational Health and Safety Act of North Carolina (OSHANC).

Second, that the false [statement] [representation] [certification] pertained to an employee that was [eighteen years of age or older] [under eighteen years of age].²

If you find from the evidence beyond a reasonable doubt that on or about the alleged date, the defendant knowingly made a false [statement] [representation] [certification] in a(n) [application] [record] [report] [plan] [document] required to be [filed] [maintained] pursuant to the Occupational Health and Safety Act of North Carolina (OSHANC), it would be your duty to return a verdict of guilty. If you do not so find or have a reasonable doubt as to one or more of these things, it would be your duty to return a verdict of not guilty.

1. See Chapter 95, Article 16 of the North Carolina General Statutes.

2. There is a higher penalty if the false [statement] [representation] [certification] was made pertaining to an employee under eighteen years of age.

