Date: July 28, 2025

To:

Directorate of Enforcement Programs (DEP)

Office of Health Enforcement (OHE)

U.S. Department of Labor – OSHA

Fax: (202) 693-1681

From:

Kyle Douglas Moring

Former Asset Protection Investigator – Walmart Store #131

[redacted]

Representative of Multiple Current Walmart Store #131 Employees (by request)

Phone: [redacted]

Email: [redacted]

Subject: Formal Enforcement Complaint & Imminent Hazard Referral – Walmart Store #131 (Mount Pleasant, TX)

Total Pages: 9

To the Directorate of Enforcement Programs and Office of Health Enforcement:

Please find attached a formal enforcement complaint and referral submission concerning ongoing imminent hazards and occupational health violations at Walmart Store #131 in Mount Pleasant, Texas, related to an ongoing roof replacement project. This complaint is submitted:

[redacted]

These employees have verbally authorized me to submit this complaint and have requested that their identities remain confidential. I am formally invoking that request under Section 8(f)(1) of the OSH Act and Chapter 9, Section J.1 of the Field Operations Manual (FOM).

[redacted]

[redacted]

On July 28, 2025, Brad Falls, a Compliance Officer at the OSHA Dallas Area Office, contacted me by phone at approximately 11:20 am regarding my complaint. Mr. Falls informed me that only current employees may submit a formal complaint via the online portal, and that I could not represent current employees unless I were a legal representative or a union representative. This contradicts FOM Chapter 9, § I.A.7, which affirms that any person acting in a bona fide representative capacity—including former coworkers—may submit a complaint when employees have requested or approved it. That standard has been fully met in this case.

I have also preserved an audio recording of my conversation with Mr. Falls, in which he stated that I could not file a formal complaint on behalf of current employees. This recording supports the summary provided here and further illustrates the procedural barrier encountered at the Area Office level. I am not including the recording at this time, but it is available upon request for verification or review.

[redacted]

[redacted]

Given these conflicts and documented hazards, I respectfully request that this submission be recognized as a formal enforcement complaint and/or referral and that an on-site inspection be initiated. The conditions described clearly meet OSHA's definition of imminent danger under FOM Chapter 11, § I.A.2, and involve:

- Respiratory hazards (dust, insulation fibers, metal shavings);
- Food contamination and unsanitary conditions;
- Electrical risks due to water intrusion into powered systems;
- Falling debris risks and roof flashing failures;
- A complete absence of OSHA-compliant barriers, signage, or hazard communication.

Please confirm receipt of this submission. I remain available to provide supplemental documentation, including photographs, temperature records, permitting inconsistencies, and a timeline of agency reporting.

Submitted in good faith and on behalf of multiple current employees requesting anonymity,

Kyle Douglas Moring
Former Asset Protection Investigator
Walmart Store #131 – Mount Pleasant, Texas
[redacted]