

**State of California**  
**California Occupational Safety and Health Appeals Board**  
**Closed Session Agenda**

Government Code § 11126 (a), (c)(3), (e) and (f)  
for

Wednesday, March 5, 2025

9:30 a.m.

Sacramento, California

Alternate locations:  
West Covina, California  
&

Held on Zoom

**To: Members of the California Occupational Safety & Health Appeals Board**  
**From: Aaron R. Jackson, Chief Counsel**  
**Date: February 21, 2025**  
**RE: Closed Session of the Board to be held on March 5, 2025**

**Pursuant to Government Code section 11126, subdivisions (a), (c)(3), (e) and (f) and the Labor Code sections 6609 and 6620, the Appeals Board will hear the following items in Closed Session.**

**Decisions of Administrative Law Judges:**

*(Written Decision issued by an Administrative Law Judge. The Decision summarizes the evidence received from the Division of Occupational Safety & Health and the Employer, makes findings of fact for all issues involved in the appeal and gives reasons and grounds for the Decision. The Board Members review the Decision and decide if they will reconsider the ALJ Decision on their own motion.)*

There are no Decisions.

**Petitions for Reconsideration:**

*(The Division of Occupational Safety & Health and the Employer each has the right to petition the Appeals Board to reconsider a decision or order of an Administrative Law Judge. The Appeals Board must decide to grant or deny each petition.)*

1684649	Hasa, Inc.
1692964	L & S Framing, Inc.
1549611	Metcalf, Inc.
1724957	San Bernardino County Fire Protection District

**Orders Dismissing Appeal:**

1696478	AV Guys
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1643391	Category Construction LLC
1659384	Crown Precision
1237935	D'Ybanag Construction Company
1677508	DFA Dairy Brands Fluid, LLC
1493320	Gonzalo Luis Jimenez
1638538	H Interiors
1524348	Higuera Tree Care
1768865	Industrial Container Services Inc
1525727	Kingsborough Atlas Tree Surgery, Inc.
1614581	William Little Real Estate Rental Agency

**Orders Denying Leave to File Late Appeal:**

1698203	Jasbir Singh
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**Matters Pending Reconsideration:**

*(If the Appeals Board orders reconsideration of an Order or Decision, it reviews the record and then affirms, rescinds, alters, or amends the Order or Decision being reconsidered.)*

The following list is intended to inform stakeholders and members of the public of what the Board believes is the issue of most interest to the general public presented in each of the following matters. The issues are listed to assist those interested in research or public information, and not litigation, and are not necessarily or exclusively the only issue or issues presented in each matter. The issues identified are not positions of the Board. Further, the Board may add and decide issues not Included in the list or decide the matter on other grounds, under the authority provided in Labor Code sections 6620 through 6623.18.

1431672	A. Teichert & Son, LLC <i>Whether the cited employer was in violation of lockout/tagout requirements.</i>
1473644	Amazon.com Services, LLC <i>Whether the employer's training program was in compliance with the applicable safety order.</i>
1466722	Bragg Investment Company, Inc. <i>Whether the Employer violated the crane operating safety order as alleged while repositioning a crane at a construction site.</i>

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- 1647115      Concord Farms, Inc.  
*Whether there was good cause for the late appeal.*
- 1420923      Drill Tech Drilling & Shoring, Inc.  
*Whether the Employer failed to enforce its IIPP as required.*  
*Whether the Employer violated the lockout/tagout requirements of section 3314 as alleged.*
- 1488312      Indiana Finish Line, Inc.  
*Whether the cited employer established procedures adequate to protect employees from COVID-19.*
- 1436480      Interline Brands, Inc.  
*Whether the employer violated foot protection standards.*
- 1371294      KPRS Construction Services, Inc.  
*Whether the employer violated section 1632 as alleged?*  
*Whether the ALJ's ruling that the Division did not meet its burden of proof regarding the employer's IIPP was correct.*
- 1486257      Kroger Company  
*Whether the cited employer adequately trained employees regarding workplace hazards.*
- 1235941      McCarthy Building Companies, Inc.  
*Whether the Division proved exposure to Valley Fever.*
- 1355061      Republic Electric West, Inc.  
*Whether fall protection requirements apply to the work. Whether the IEAD was established. Whether penalties were duplicative. Whether the Employer exercised reasonable diligence. Whether it was an error to reduce the classification of the violations and reduce the penalties.*
- 1760736      RJS Electric  
*Was the ALJ's Order Denying Late Appeal correctly decided?*
- 1465119      Sun Belt Rentals  
*Whether certain information accepted into evidence was inadmissible hearsay, and whether the evidence supports a finding that Employer violated sections 3203 and 3328, as alleged.*
- 1483438      Sutter Bay Hospitals dba Mills-Peninsula Medical Center  
*Was the ALJ correct in granting Employer's appeals of the citations alleging violations of section 342, subdivision (a) and section 5199, subdivision (i)?*

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- 1454931      Tesla, Inc.  
*Whether the ALJ properly affirmed the citations and, if so, whether Employer established the due diligence defense?*
- 1486176      Tutor Perini Corporation and O&G Industries, Inc.  
*Whether Employer committed a serious accident-related violation of section 3328, subdivision (a).*

**Matters Pending Litigation:**

*(If the Division of Occupational Safety & Health or the Employer disagrees with a decision after reconsideration or a denial of a petition for reconsideration, either one or both parties may apply to the California Superior Court for a writ of mandate. The Appeals Board receives legal advice from its Legal Unit and provides policy direction regarding pending litigation.)*

**Superior Court:**

1. United Parcel Service, Inc. dba UPS, 34-2019-80003174 (1116529)
2. Davis Development Company, 34-2020-80003373 (1226084)
3. Hill Crane Service Inc., 34-2021-80003744 (1135350)
4. USA Waste of California, Inc., 34-2022-80003841 (1384029)
5. Angelus Block Co., Inc., CIVSB2417796 (1113026)
6. Hamilton Iron Works, Inc., 24WM000100 (1497263)
7. Arana Residential and Commercial Painting, Inc., 24CV104142 (1568252)
8. Western Oilfields Supply Company, 24WM000169 (1498595)
9. Waterproofing and Roofing Solutions, Inc., 24STCP03693, (1690885)
10. The Geo Group, Inc., 25WM000023 (1609228)

**Appellate Court:**

There are no cases currently filed with the Appellate Court.

**Other Items:**

There are no Other Items.

**Orders of Administrative Law Judges:**

*(Written orders issued by an Administrative Law Judge after a pre-hearing conference in which the Division of Occupational Safety & Health and the Employer agree to settle an appeal without a hearing. The Board Members review the order*

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*and decide if they will reconsider or remand the issued order.)*

1552796	180 Snacks, Inc
1713270	Alexia Maria LLC
1261322	Alhambra Foundry Company LTD
1751031	Alia Corp
1567464	American Civil Constructors West Coast, LLC
1516789	American Mobile Nurses Inc.
1758043	Aqua Hero, Inc
1757085	Baldwin Contracting Company, Inc.
1772636	Beachwood Car Wash
1729069	Bob Marshall Construction Company, Inc.
1763878	Braga Ranch, Inc.
1322074	BWM, Inc.
1698792	California Drywall
1686022	California Solar Integrators, Inc.
1576930	Central Valley Meat Co., Inc.
1627886	City of Los Angeles- Department of General
1663953	City of Private Security Inc.
1669191	Consolidated Electrical Distributors, Inc.
1760320	Cook's Custom Painting Inc
1467946	Davey Tree Surgery Company
1711442	Del Monte Foods, Inc.
1586623	Euro Cabinet and Woodworking
1638531	G & M Mattress and Foam Corporation
1649817	General Dynamics

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1588189	GP Builders, Inc.
1760207	GQ Plastering Inc.
1603305	Granite Store Building Supply
1721439	H N S Services Inc.
1508758	Hanson Aggregates Pacific Southwest, LLC
1746045	Harding RV Inc.
1555648	Infinity Service Group, Inc.
1736523	IO7 Management, Inc.
1750166	J and A Dairy, LLC.
1659411	JCM Engineering Corp
1596958	JD2 Inc
1763599	Jetro Holdings Inc.
1631940	Kaiser Foundation Hospitals
1763751	KCI Newport Inc
1737795	Kelly Services, Inc.
1710109	Labella's Pool Service & Supplies
1699530	Landmarc Environmental Systems, LLC
1658829	Largo Concrete Inc.
1751166	Lathrop Construction Associates, Inc.
1694128	Major Plumbing Co Inc.
1680846	Mark Kim
1774996	MGP Caliper Covers LLC
1731679	Nexsentio
1760712	Nitricity Inc.
1510385	Oleander Holdings, LLC

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1596624	Orion Plastics Corporation
1749447	Pacifica Hotel Company
1705454	Phillips 66 Company
1706534	Producers Dairy Foods, Inc.
1633091	Schiller Roofing, Inc.
1623106	Shimmick Construction
1621582	Shimmick Construction Co., Inc.
1669851	Solano County General Services Facilities Division
1667394	Sonesta International Hotels Corp
1723025	Staples Construction Company, Inc.
1380493	Suren Karapetyan
1586611	TDG Operations, LLC
1535452	The Model Bakery LLC
1775034	The Peterson Family
1565008	Thompson Pipe Ground, Inc.
1778684	Tractor Supply Company
1733313	United Rock Products Corporation
1785099	Unity Forest Products Inc.
1754416	Valley View Foods Inc.
1753591	Vode Lighting LLC
1723729	West Coast Drywall & Company Inc
1743734	Westtech Roofing Inc.
1591050	Westech Systems, LLC
1753120	Yoda Painting Inc.
1659399	Zillo Inc

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**Personnel:**

*(Issues regarding staff.)*

Any matter not completed at this meeting may be continued to subsequent meetings. If the closed session agenda is not completed on the scheduled day, the closed session will continue from day to day until completion and adjournment.