

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

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

**Wednesday, November 19, 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: November 7, 2025**  
**RE: Closed Session of the Board to be held on November 19, 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.)*

1446266 Creative Packaging

1484149 International Line Builders, Inc.

1469097 Lowe's Home Centers, LLC

**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.)*

1811001 Advanced Textile Manufacturing

1599318 LA Police Department

1675024 Elite Stone Group Inc

**Orders Dismissing Appeal:**

1678056 American Custom Private Security, Inc.

1638742 Contra Costa Electric, Inc.

1718594 The Camp NR LLC

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

There are no Orders Denying Leave to File Late Appeal

**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.

1360156 CA Forestry and Fire Protection  
*Did the Decision of the Administrative Law Judge properly affirm a violation for failure to wear thermal protection for ears and neck during wildland fire fighting.*

1545777 Entact, LLC  
*Did the Decision of the Administrative Law Judge properly affirm violations for failure to ensure that employees operated industrial trucks in a safe manner by maintaining a safe distance from other vehicles, and for failure to ensure that employees traveled with the load trailing when the load being carried obstructed forward view.*

1488312 Indiana Finish Line, Inc.  
*Whether the cited employer established procedures adequate to protect employees from COVID-19.*

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.*

1692964 L & S Framing, Inc.

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*Whether Employer committed the violations alleged in the citations, including alleged violations of section 1704, subdivision (f) [failure to adopt a compliant Code of Safe Practices]; section 1704, subdivision (b)(2) [failure to ensure that nailers and staplers were operated in accordance with manufacturer's recommendations], and section 1704, subdivision (g), 1509, and section 3203 [inadequate safety training on the use of nailers and staplers].*

- 1581944 Marques General Engineering, Inc.
- 1235941 McCarthy Building Companies, Inc.  
*Whether the Division proved exposure to Valley Fever.*
- 1549611 Metcalf, Inc.  
*Whether Employer committed the violations alleged in the citations, including alleged violations of section 3203, subdivision (a)(6) [failure to correct an unsafe condition]; section 1621, subdivision (b) [failure to provide toeboards on scaffolding]; and (3) section 3276, subdivision (e)(15)(B) [safe use of ladders], and whether Employer established its affirmative defense.*
- 1458699 Primula Mozzarella LLC.  
*Whether the Employer's petition for reconsideration was timely.*
- 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.*
- 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)?*
- 1703764 The Don Chapin Co., Inc.  
*Did the Decision of the Administrative Law Judge properly find that employees were exposed to the hazard of a failure to provide a swinging gate or equivalent protection at the entrance to a ladder opening on a platform.*
- 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. USA Waste of California, Inc., 34-2022-80003841 (1384029)
2. Arana Residential and Commercial Painting, Inc., 24CV104142 (1568252)
3. Western Oilfields Supply Company, 24WM000169 (1498595)
4. The Geo Group, Inc., 25WM000023 (1609228)
5. Uber Technologies Inc, 30-2025-01462427 (1594663)
6. Employbridge Holding Company, 25CHCP00143 (1499137)
7. Sun Belt Rentals, 25CU041526C (1465119)
8. Drill Tech Drilling & Shoring, Inc. N25-1793 (1420923)

**Appellate Court:**

1. General Dynamics NASSCO, D085662, 37-2023-00024521, (1300984).
2. Waterproofing and Roofing Solutions, Inc. 24STCP03693 (1690885)

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

- |         |                           |
|---------|---------------------------|
| 1832183 | 4 X 8 Construction, Inc.  |
| 1806543 | AG-Weld, Inc.             |
| 1633062 | Argo Labor Services, Inc. |

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1759259	Argo Labor Services, Inc.
1704570	Amazing Grace Elder Care LLC
1652852	Angeles Contractor, Inc.
1798436	Antioch Building Materials, Co.
1616451	Arctic Glacier U.S.A., Inc.
1795774	Auto-Chlor System, LLC
1796412	Bartlett Painting, Inc.
1829091	Brasswood Estate
1834986	California Building & Roofing Supply Corporation
1727585	California Department of Forestry and Fire
1523261	Contract Office Installations Inc.
1794177	Crosno Construction, Inc.
1710165	CRST Specialized
1530777	Cutwater Spirits, LLC
1826370	Domus Management Company
1710098	DPI, Inc.
1783887	Dreamspace Builders Inc.
1759447	Dunn Right Painting Inc.
1804604	Durden Construction, Inc.
1775097	Early Morning LLC
1683956	Employbridge, LLC
1780928	Enrique A. Cruz Masonry, Inc.
1617063	Esparza Enterprises, Inc.
1795120	Five Engineering and Plumbing, Inc.
1819426	G and J Logging

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1626318	GD Tile and Stone, LLC
1625620	High Light Electric, Inc.
1569265	Hughson Nut, Inc.
1658514	Hughson Nut, Inc.
1796821	IGS Solutions LLCu
1777182	J. Talley Corp DBA Talley Metal Fabrication
1801132	Jim Bootsma Jr. Dairy LP
1616533	Kern County Superintendent of Schools, Edison
1795301	L & HR Inc
1574729	Level 10 Construction, LP
1797131	Marcon Engineering Inc
1602432	MC Painting, Inc.
1673722	Mitchell Repair Information Company, LLC
1783760	Mulholland Security & Patrol Inc.
1845084	North Valley Tree Service
1794851	Pacific Gas and Electric Company
1819229	Pacific Tire #6
1729707	Patrica Thomas
1828436	Polar Air Heating and Cooling
1756531	Precise Company
1598680	Primus Marble, Inc.
1678482	Primus Marble, Inc.
1804130	Rar Hotel Management Inc
1801347	Recology Inc.
1751910	Regan Roofing Inc.

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1796572	Rick Hamm Construction, Inc.
1818598	Rojas Builders Corp
1817194	Sacramento County Sheriff's Department
1740466	Safeway, Inc.
1783859	Salinas BW Enterprises, LLC
1781344	San Francisco Foods, LLC
1851120	Satkaar Group Investments Corp
1833218	Shaw Bakers, LLC
1493422	Sierra Pacific Industries
1711298	Simply Fresh, LLC
1689595	Skillset Group Inc.
1825492	Skyline Tree Enterprise, Inc.
1686774	Solar Turbines Incorporated
1758267	Sony Pictures Entertainment
1792430	Starbucks Corporation
1745330	Steelscape, LLC
1845445	Sunny Creek Solar and Maintenance
1829712	Synergy Power
188993	The HMC Group Cold Storage, Inc.
1768545	The Open Door Network
1780577	TRG Construction Inc.
1821090	Trinity River Timber Company
1808017	UC Merced
1671518	Universal Protection Service LPP
1775668	Vegtask, LLC

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1832602 Wash Depot Holdings, Inc.

1594920 Xebec Building Company

1780161 XL Concrete Masonry, LLC

**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 adjourn.