

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 11, 2026

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 27, 2026

RE: Closed Session of the Board to be held on March 11, 2026

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.)

1692164	L & S Framing, Inc.
1642084	Los Angeles County Probation Department
1532781	TSU/Tree Service Unlimited, Inc.

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.)

1844225	Ali Reza Tehranian
1628750	Tad Van Nguyen
1660543	West Coast Drywall & Paint

Orders Dismissing Appeal:

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| 1784241 | Bluewater Marine & Dock Specialties, Inc. |
| 1732936 | National Builders & Services, Inc. |
| 1487570 | Raul Mariscal |

Orders Denying Leave to File Late Appeal:

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| 1741142 | Marblewest Stoneworks Inc. |
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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.

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| 1296297 | Alliance Diversified Enterprises, Inc.
Whether Employer committed the violations alleged in the citations, including alleged violations of section 1509, subdivision (b) [failure to adopt code of safe practices]; section 1511, subdivision (b) [failure to survey the worksite]; and (3) section 1541.1 [failure to provide adequate protective system in excavation], and whether the Division established the repeat classification for one of the citations. |
| 1824578 | Allied Express Logistics, Inc. |
| 1040471 | Blue Diamond Growers
<i>Whether or not the Unforeseeable Extreme Departure Defense applies to vacate the citations?</i> |
| 1573582 | CA Department of Corrections & Rehab
Whether several of the ALJ's findings of fact are supported by the record, and whether those findings support the decision. |
| 1360156 | CA Forestry and Fire Protection
<i>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.</i> |
| 1446266 | Creative Packaging |

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Whether the employer violated hazard energy control regulations as alleged.

- 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.
- 1518442 JT2, Inc.
- 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.*
- 1469097 Lowe's Home Centers, LLC
Whether there was exposure to foot injuries from falling objects, crushing, or penetrating actions. If so, whether the employer required appropriate foot protection.
- 1529748 Los Angeles Department of Water & Power
Did the Division cite the correct regulation section when it cited Employer for violating 8 CCR 2940.14, and was it established that under the stipulated facts that Employer violated that section?
- 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.
To whether the Employer's petition for reconsideration was timely.

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- 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)

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8. Drill Tech Drilling & Shoring, Inc. N25-1793 (1420923)
9. Metropolitan News Company, 25STCP04455 (1689021)
10. Los Angeles Police Department 25STCP05034 (1599318)
11. L & S Framing, Inc. (1692964)

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.)

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| 1768228 | Air Control Systems |
| 1786083 | Alena Foods, Inc. |
| 1835552 | AMPAM Parks Mechanical Inc. |
| 1818701 | Amrep Manufacturing Company, LLC. |
| 1750546 | Atlantic Solutions Group, Inc. |
| 1621493 | Ayers Landscape Services, Inc. |
| 1841770 | Barrera & Associates Construction, Inc. |
| 1813792 | Basin Enterprises, Inc. |
| 1813792 | Blower-Dempsey Corporation |
| 1804742 | Broyles Construction & Landscape Inc. |
| 1819022 | California Boiler Inc |
| 1816804 | California Industrial Refrigerator & Machines, |
| 1824252 | California Organic Treatment Center Inc. |

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1798296	Chedraui USA Inc.
1768221	City of Arcadia
1819846	Coastal Vineyard Care Associated
1809421	Diamond Landscaping LLC
1679242	Elite Show Services, Inc.
1701871	Employbridge LLC
1849181	Esparza Enterprises, Inc.
1510330	FedEx Ground Package System, Inc.
1823980	Fence Factory
1823254	Five Crowns, Inc.
1817030	Fortte Construction Inc.
1835818	Garden Grove Unified School District
1831696	Global AG Harvest, Inc.
1860129	Green AG Management, LLC
1864256	Guy Williams General Contractor
1841347	I.V. Mechanical, Inc.
1864349	JFR Trucking Inc
1827395	JR Construction Adviser, Inc
1827542	Kern Ridge Growers, LLC
1775312	Lakin Tire West, Inc
1822396	Las Montanas Hayward, Inc.
1759837	M&S Construction Services Inc.
1715565	M. B. Herzog Electric, Inc.
1604998	Marques General Engineering, Inc.
1704380	Meyers Constructors, Inc.

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1630327	OWB Packers, LLC
1797039	Parron-Hall Corporation
1804920	Platinum Construction Inc
1837957	PMR Construction
1760096	Production Framing, Inc.
1605672	Quick Quack Carwash
1697136	Quiring General LLC
1816786	Rain Gutter Pros Inc.
1653671	Riat Construction, Inc.
1841590	Roxbury Management Co
1760211	S and D Carwash Management, LLC
1644792	Safeway, Inc.
1746154	San Joaquin County
1844342	Santa Clara Water and Sewer Department
1802722	SBR, Inc.
1834976	SG Construction Company
1756920	Slaton & Son Roofing, Inc.
1616892	SSA Terminals (Oakland), LLC
1717437	Staples, Inc.
1773466	Stone Master Marble & Granite Inc.
1797424	Straub Distributing Company
1738698	Stronghold Climbing LLC
1845129	Sun Pacific Farming Cooperative, Inc.
1641155	Sun Pacific Shippers, L.P.
1619862	Super Center Concepts, Inc.

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1619862	Sysco Corporation
1832187	Tight Quarters Inc.
1715536	Torrance Refining Company LLC
1606869	Turner Construction
1667726	United Parcel Service
1853827	Unspotted, Inc.
1685117	VCA Sacramento Veterinary Referral Center
1602107	VCA Westside Animal Hospitals, Inc.
1663967	Vino Farms LLC
1819207	Weighmasters Murphy, Inc.
1685593	Wonderful Citrus Packing LLC
1794024	Wonderful Citrus Packing 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.