

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

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

Wednesday, April 22, 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: April 10, 2026
RE: Closed Session of the Board to be held on April 22, 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.)

1643382 S and J Interiors, 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.)

1819474 Hormel Foods Operations, LLC

1666933 M.C.M. Construction, Inc

1692164 L & S Framing, Inc.

1536798 Underground Construction Company, Inc.

Orders Dismissing Appeal:

1816464 Free Creation Inc

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| 1802407 | Juliet Marie Perry |
| 1811259 | KPC Health Global Medical Centers, Inc. |
| 1655516 | Sabor Mexican Grill, Inc. |

Orders Denying Leave to File Late Appeal:

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| 1815852 | Able Sheet Metal, 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.
<i>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.</i> |
| 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
<i>Whether several of the ALJ's findings of fact are supported by the record, and whether those findings support the decision.</i> |
| 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.
- 1644980 Herman Weissker Power, Inc
- 1488312 Indiana Finish Line, Inc.
Whether the cited employer established procedures adequate to protect employees from COVID-19.
- 1518442 JT2, Inc.
How should the term “issue” or “issued” as used in Labor Code section 6317, subdivision (e)(1) be interpreted. How should the notice requirements of Labor Code 6319 be interpreted.
- 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.
- 1642084 Los Angeles County Probation Department
- 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.
- 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.

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- 1458699 Primula Mozzarella LLC.
To 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).
- 1660543 West Coast Drywall & Paint

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)

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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)
9. Metropolitan News Company, 25STCP04455 (1689021)
10. Los Angeles Police Department 25STCP05034 (1599318)
11. L & S Framing, Inc. S-CV-0057345 (1692964)

Appellate Court:

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

Other Items:

1. Yuba County Sheriff's Office (1820991)

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.)

1855945	Alternative Retail, Inc.
1475234	Amazon.com Services, LLC
1819745	Apex Remediation Corp
1759366	Aries Builders, Inc.
1833445	B & S Farms, Inc.
1850519	Blast Tech Because Rust Never Sleeps
1624658	Burrtec Waste Industries, Inc.
1848301	California Conservation Corps
1685371	Capital Concrete Solutions Inc.
1727636	Cheek Engineering and Stamping

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1809046	China Cargo Airlines
1728612	Coast Aggregates
1847919	Davis Wire Corporation
1511882	Diversified Utility Services, Inc.
1841302	Driver SPG, LLC
1827171	Durkin Tree Service Inc.
1856156	Durkin Tree Service Inc.
1678164	Ecobat Resources California, Inc.
1755587	Ecology Recycling Services LLC
1697834	Ghilotti Construction, Inc.
1774688	Grapes FLC
1864248	Harding Enterprizes Inc
1813130	Hollandia Dairy, Inc.
1849992	Ingomar Packing Company, LLC
1858023	J.A. Ramos Farming
1789927	Jackson Family Wines
1778430	Kenyon Plastering of Southern California, Inc.
1835538	KV Construction 1, Inc.
1738582	Performance Swing Stage, Inc.
1841343	Porschwerks, Inc.
1736663	Portola Construction Inc.
1729485	Pottorff
1687586	Precision Contractors, Inc.
1761718	Prime Matter Labs
1782857	Pundir Group, Inc.

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1822662	Quality Steel Inc.
1821326	R &T Farm Management, Inc.
1817010	RH Peterson Co.
1836433	San Diego Gas and Electric
1824857	Santa Clara County Communications
1812100	See's Candy Shops
1853765	Sergio Tornell and Sergio Ramon Tornell, A Partnership
1557466	Solarm, Inc.
1837233	Square One Staffing
1827096	Statewide Traffic Safety and Signs Inc
1802724	Sunview Vineyards of California, Inc.
1848514	Terrakotta, Inc.
1718063	Tesla, Inc.
1763341	Tesla, Inc.
1834009	The Habit Restaurants, LLC
1833632	The Plastering Company, Inc.
1686938	Vin Lux Fine Wine Transport LLC
1858723	World Telecom & Surveillance, Inc.

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.