

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

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

Wednesday, June 03, 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: May 22, 2026
RE: Closed Session of the Board to be held on June 3, 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.)

1599850 ASI Builders, Inc.

1626309 Universal Dust Collector MFG. & Supply Corp.

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.)

1805515 D-Line Constructors, Inc.

1691261 The J.F. Will Company, Inc.

Orders Dismissing Appeal:

1773500 Bogh Engineering LLC

1797835 Deckers Brands

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| 1756078 | Hoogasian Flowers, Inc. |
| 1777078 | Imperial Scaffolding Inc |
| 1782223 | JB Granite & Marble, LLC |

Orders Denying Leave to File Late Appeal:

- | | |
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| 1874727 | County of Los Angeles- Department of Social |
| 1854500 | Lyons Magnus, LLC. |
| 1844194 | Reds General Construction Inc. |
| 1844771 | Zeta Investments LLC |

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. |
| 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> |

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- 1446266 Creative Packaging
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
Was the ALJ correct in granting employer's appeal of an alleged violation of electrical safety order section 2943, subdivision (e)?
- 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.
- 1692164 L & S Framing, Inc.
- 1642084 Los Angeles County Probation Department
- 1652861 Los Angeles County Probation Department
*Did the evidence support the finding that it was appropriate for Employer not to report an incident causing a serious injury where a guard received facial cuts that left him with visible scarring?
Did the evidence support the finding that Employer implemented its established IIPP procedures?*
- 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.

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- 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.
- 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.
- 1235941 McCarthy Building Companies, Inc.
- 1547223 Perry C. Thomas Construction, Inc.
Did employer commit a serious violation of section 1541, subdivision (j)(2) [trenching], as alleged?
- 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).

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1660543 West Coast Drywall & Paint
1563307 XL Concrete Masonry, LLC

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)
9. Metropolitan News Company, 25STCP04455 (1689021)
10. Los Angeles Police Department 25STCP05034 (1599318)
11. L & S Framing, Inc. S-CV-0057345 (1692964)
12. L & S Framing, Inc. 26CVo11326 (1720076)

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

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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.)

1832131	Advanced Environmental Landscape
1697884	Allied Framers, LLC
1773783	Allstate Roofing Specialists, Inc.
1881193	American Masonry Specialist
1831360	Ampco Contracting, Inc.
1802250	ATA Abrishami DVM, Inc.
1863260	Atlantic Refrigeration LLC
1837879	Atwater Metal Fabrication, Inc.
1820818	Balance Point Home Performance
1799625	Berkeley Cement, Inc.
1850350	Black Box Security Inc.
1719856	Burton Design & Construction, LLC
1858774	C.B.F., Inc.
1845953	California Expanded Metal Products Company
1845479	California Gold Development Company, LLC
1542802	California Spectra Instrumentation, Inc.
1604634	Carollo Engineers, Inc.
1725224	Cisco Systems Inc.
1865781	Daart Engineering Co. Inc.
1851215	Dash Dream Plant, Inc.
1536229	Davis Development Company, Inc.
1879723	De Graff Development, Inc.
1744554	Desert Gate Management
1621009	Dragados USA, Inc. and Flatiron West, Inc.

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1643753	Dragados USA, Inc. and Flatiron West, Inc.
1846126	Farm Labor Service of Central Cal, Inc.
1798142	Foster Poultry Farms, LLC
1853978	Gama Building Corporation
1689986	Golden Era Productions
1861033	Harpreet Sekhon A Professional Veterinary Corp
1857527	Heritage Roofing Company
1865660	Inspec Machining, LLC
1748603	Interstate Management Company, L.L.C.
1855030	Jaguar Farm Labor Contracting, Inc.
1635989	JB Hunt Transport
1880470	JKD Construction
1850378	Jorge Salinas Tree Service
1614412	Kenyon Plastering of Southern California, Inc.
1819806	LAUSD- Braddock Drive Elementary School and Gifted Magnet
1847840	Laviniu Blaj
1837928	Level 3 Construction, Inc.
1645274	M and D Home Improvement
1874311	Madera Welding & Manufacturing, Inc.
1847375	Manuel Quezada, FLC
1762224	Onni Contracting (California) Inc.
1785883	Outdoor Living Supply, LLC
1775083	Paragon Personnel
1786304	Pitman Farms
1702550	PNC Bank, National Association

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1854687	Precise Air Systems Inc.
1825765	Premier Packing of California, Inc.
1775033	Prinsco, Inc.
1841477	Prompt Food Service Inc
1846755	Ralphs Grocery Company
1852521	Real Time Staffing Services
1852032	Rentokil North America, Inc.
1856821	Ricmaro Hospitality, Inc.
1831251	Rimma Construction Inc.
1675200	S Porter, Inc.
1839032	San Francisco Public Utilities Commission
1642150	Semper Solaris, Inc.
1862253	Shoreline Golf Links
1779685	Siemens Mobility Inc. Rolling Stock
1770130	Siemens Mobility Inc. Rolling Stock
1810528	Spire Hospitality LLC
1780929	Thomas R. Butler, Inc.
1785639	Torrance Refining Company LLC
1816237	Trademark Staffing, Inc.
1833463	Universal Labor Solutions, Inc.
1862064	Vereschagin Farms, Inc.
1728752	Waterproofing Associates Inc.
1848286	Zelvaggio Inc

Personnel:

(Issues regarding staff.)

Any matter not completed at this meeting may be continued to subsequent meetings.

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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.