

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

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

Wednesday, August 19, 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: August 7, 2026
RE: Closed Session of the Board to be held on August 19, 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 may, in their discretion, decide to reconsider the ALJ Decision on their own motion.)

There are no Decision of Administrative Law Judges

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.)

1801688	Jose Firman, An Individual
1731627	City of Los Angeles Department of General Services
1701872	Costco Wholesale
1531603	San Francisco Bay Area Rapid Transit District
1869449	Sodexo America LLC

Orders Dismissing Appeal:

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1744696	Commercial Waterproofing Systems, Inc.
1844415	J.R. Stevens Mechanical, Inc
1851234	KC Landscape Development, Inc.
1860154	Stucco Specialties, Inc.

Orders Denying Leave to File Late Appeal:

1852051	Amrock Construction Inc.
1863003	JRT Roofing & Waterproofing

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.

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>
1625267	Boulay Construction
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.

- 1314977 Empire Equipment Service, Inc.
- 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)?
- 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?
- 1401587 Los Angeles Department of Water and Power
- 1469097 Lowe's Home Centers, LLC

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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.
- 1460793 Otis Elevator (DOSH)
- 1460783 Otis Elevator (ER)
- 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.
Whether the Employer's petition for reconsideration was timely.
- 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?
- 1552002 Tesla, Inc.
Did the evidence establish a "unexpected energization" or "start up" of the gear box machine under Section 3314, and if so, does the exception in Section 3314, subdivision (c)(1) apply?
- 1626309 Universal Dust Collector MFG. & Supply Corp.
- 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

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or both parties may apply to the California Superior Court for a writ of mandate. Below is a list of active court cases filed against the Board. Pursuant to Government Code section 11126, subdivision (e), the Appeals Board may confer with its Legal Unit for the purposes of receiving legal advice regarding the pending litigation and confer on litigation strategy.

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. Employbridge Holding Company, 25CHCP00143 (1499137)
5. Sun Belt Rentals, 25CU041526C (1465119)
6. Drill Tech Drilling & Shoring, Inc. N25-1793 (1420923)
7. Los Angeles Police Department 25STCP05034 (1599318)
8. L & S Framing, Inc. S-CV-0057345 (1692964)
9. L & S Framing, Inc. 26CV011326 (1720076)
10. M.C.M Construction, Inc. (1666933)
11. Fontenoy Engineering, Inc. (1847651)

Appellate Court:

1. Waterproofing and Roofing Solutions, Inc. 24STCP03693 (1690885)
2. Metropolitan News Company, 25STCP04455 (1689021)

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 may, in their discretion, decide if they will reconsider or remand the issued order.)

1868391 Accelerated Global Solutions Inc.

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1865766	Akal Sahi, Inc.
1865767	Akal Sahi, Inc.
1845150	Alta Los Angeles Hospitals, Inc.
1858782	ALZ Construction Inc
1588821	Apex Construction Group, Inc.
1800040	Ati Restoration LLC
1848539	Atticlean Insulation Inc.
1867508	Baco Realty Corporation
1758755	Bal Seal Engineering, LLC
1853148	Berco Ex Inc
1863000	Bravo Contracting Inc
1835816	Brookdale Senior Living, Inc.
1880027	Calvary Chapel of Costa Mesa
1850514	Caruso Management Company, LTD/Caruso
1852530	City of Los Angeles Department of Water and Power
1865236	CLCA-3-091218 LLLC
1856567	Colt Builders Corporation
1879179	Corona Nissan
1845534	CRD Machining, Inc.
1850663	Dad's Mobil Inc. (#305360)
1874609	Detherage Roofing Inc
1803018	Diana's Mexican Food Products, Inc.
1869125	Dreyer's Grand Ice Cream, Inc.
1782882	Ecology Control Industries, Inc.
1843872	Employee Force Provider Inc.

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1866254	Enco Structural Builders
1849454	Escalette LLC
1655182	Esparza Enterprises, Inc.
1854911	Excel Property Management Services, Inc.
1817518	Federal Express Corporation
1612546	Foster Poultry Farms, LLC
1826311	Free Creation Inc.
1778019	General Production Service of California, Inc.
1857351	George Jue Manufacturing Company, Inc.
1833886	Hacienda Contracting LLC
1863169	Holiday AL Management Sub LLC
1864579	JFG Plastering, Inc.
1846792	JSV Farm Labor, Inc.
1849346	Kumar Management Corp. II, Inc
1774105	McKesson Medical Surgical
1837638	Mesa Energy Systems, Inc.
1888637	Milan Corporation
1747060	Miller Environmental, Inc.
1762585	Mitsui Home America, LLC
1838144	Mr. Crane, Inc.
1769313	Nevada County-Department of Public Works
1854536	Oil Changer Inc
1768894	Pacific Crane Maintenance Company, LLC
1857348	Pasta Piccinini, Inc.
1789944	Professional Asbestos & Lead Services, Inc.

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1850308	Quikrete California, LLC.
1855016	Red Label Enterprises, Inc.
1565436	Sierra Wes Wall Systems, Inc.
1795329	Silverline Construction
1831188	Star Window Cleaner
1838141	Sun Valley Hay Inc.
1693853	Tejon Constructors Inc.
1852634	True North Designs
1791257	TXRH National City LLC
1751490	Tyko Sign Group
1605626	United Parcel Service, Inc
1859826	Urethane Products Corporation
1746425	Vertical Access Inc.
1853083	WBGC Inc DBA Western Banks General Contractors
1858396	Western Precooling Systems

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.