

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

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

Wednesday, October 7, 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: September 25, 2026
RE: Closed Session of the Board to be held on October 7, 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.)

1512604 Cerca Trova Steakhouse LP

1597182 Maxim Crane Works, LP

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.)

1624601 Caltrol, Inc.

1677669 Festival Trading Inc.

1854500 Lyons Magnus, LLC.

Orders Dismissing Appeal:

1790261 Artcad Builders, Inc.

California Occupational Safety & Health Appeals Board
Closed Session Agenda
Posted September 25, 2026

1875064	California Concrete Cleaning Inc
1872663	Gardner Roofing Company
1778667	Multisteps (US) Limited
1843877	Penaloza's Food Inc
1813954	Sacramento City Unified School District
1647844	Sunland Scaffold Inc.
1858383	Valley AG Enterprise, Inc.

Orders Denying Leave to File Late Appeal:

1861274	Salida Union School District
---------	------------------------------

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

California Occupational Safety & Health Appeals Board
Closed Session Agenda
Posted September 25, 2026

- 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?*
- 1731627 City of Los Angeles Department of General Services
- 1446266 Creative Packaging
Whether the employer violated hazard energy control regulations as alleged.
- 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?
- 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?

California Occupational Safety & Health Appeals Board
Closed Session Agenda
Posted September 25, 2026

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
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.
- 1460783 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)?
- 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 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. Drill Tech Drilling & Shoring, Inc. N25-1793 (1420923)
6. L & S Framing, Inc. S-CV-0057345 (1692964)
7. L & S Framing, Inc. 26CV011326 (1720076)
8. M.C.M Construction, Inc., 26WM000146 (1666933)
9. Republic Electric Court West, Inc. (1355061)
10. Tesla, Inc. (1454931)

Appellate Court:

1. 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.)

1877822 3G Rebar, Inc.

California Occupational Safety & Health Appeals Board
Closed Session Agenda
Posted September 25, 2026

1759713	A Teichert & Sons, Inc.
1815852	Able Sheet Metal, Inc.
1866391	ABR Quality Resources Inc
1858520	Adept Moving and Storage, Inc.
1860713	Affordable Roof Supply
1870832	Agro Labor Services, Inc.
1798140	Aiden's Classic Grill
1863704	Al Pak Labor, Inc.
1872637	Ambrose Construction Inc
1896109	AMN Healthcare Allied, Inc.
1860822	Arena Staffing
1866508	Ark Roofing & Construction
1854009	AT&T Services, Inc.
1844732	ATI Restoration, LLC
1733384	BY Marble Inc
1888630	B.F. Roddco, Inc.
1834361	Basecamp Construction Co.
1648326	Bluescope Coated Products, LLC
1895697	Bud Antle, LLC
1652257	California Department of Forestry and Fire
1881286	Calleguas Municipal Water District
1893589	Camino Real Foods Inc
1699134	CAN II AG management, Inc
1710497	CB Manufacturing Inc.
1873093	Centeno FLC Inc

California Occupational Safety & Health Appeals Board
Closed Session Agenda
Posted September 25, 2026

1786632	Central Contra Costa Sanitary District
1812924	Cesar Garcia Tree Service
1879240	Chevron U.S.A. Inc.
1735597	Chris Nelson & Associates, Inc.
1777707	College Oak Roadside Solutions, LLC.
1831714	Costco Wholesale Corporation
1872183	County of Humboldt Sheriff's Department
1662345	Cubework.com, Inc.
1758699	DAA Draexlmaier Automotive of America LLC
1895923	Del Sol Harvesting, Inc.
1882384	Del Sol Harvesting, Inc.
1830290	El Don Farm Contracting, Inc.
1849334	Flo Engineering Inc
1853139	Frontier Cooling Inc
1898472	Giovann Meija, An Individual
1837925	Glass House Farm, LLC
1871141	Glenair Inc.
1668839	Gonsalves & Santucci, Inc.
1844208	Hansen Steel Services, LLC.
1792556	Harris Ranch Beef Company
1838138	Hathaway Dinwiddie Construction Co
1858698	Hilltop Springs Senior Living
1836749	Howmet Aeropsace Inc.
1820230	Hughes Brothers Aircrafters Inc
1867927	Imperial CFS, Inc

California Occupational Safety & Health Appeals Board
Closed Session Agenda
Posted September 25, 2026

1790270	Industrial Controls Group, Inc.
1870573	J.N.S. United Auto Body Shop, Inc.
1685955	JAJ Roofing
1537872	Jr Filanc Construction Company, Inc.
1837302	Kinder Care earning Companies
1840380	KSC & Son Corporation
1840670	Laxmi Narayan Investments, LLC
1852826	Leopoldo's Farm Service, Inc., A California Corporation
1866811	Lida Prachinbory Leng, An Individual dba Fosters Freeze #23
1616481	M.C.M. Construction, Inc.
1895441	Mar-Val Food Stores Inc.
1862813	Martin Screen Shop Inc.
1857330	Mary Ann's Baking Co, Inc.
1805571	MGM Granite and Marble Inc
1884470	MSB Tires, Inc.
1865702	Nathan and Sons LLC
1869991	Nin Construction LLC
1868302	Nor-Cal Pipeline Services
1853396	O'Connell Landscape Maintenance Inc.
1879227	Oak Tree Ag Mgt., Inc.
1837555	One Silver Serve, LLC
1844722	Oregon Pacific Building Products (Sand) Inc.
1593234	Pacific Gas and Electric Company
1850964	Pape Material Handling
1824851	Partners Personnel – Management Services, LLC.

California Occupational Safety & Health Appeals Board
Closed Session Agenda
Posted September 25, 2026

1880095	Paul Jacobs Construction, Inc.
1615596	Pauley Construction, LLC
1842862	Pro AG Harvesting, Inc.
1775573	Pryor Enterprises LLC
1908174	R&R Horn Contractors Inc.
1758230	Randstand US, LLC
1715257	Raymond Handling Concepts Corporation
1753008	Raytheon Company
1857976	Reasonable Tree Services Inc.
1893974	Rescue 42, Inc
1766848	Richard Joseph Construction Inc
1831213	S.J. General Building Maintenance, Inc.
1834978	SCS Engineers
1851156	Sisler & Sisler Construction, Inc.
1619724	Solaris Paper, Inc.
1853430	Steelhead Constructors Inc
1875273	Tawa Services, Inc.
1866885	The Valley Heights, Inc.
1881949	Tree Care Incorporated
1894320	Trinity River Lumber Company
1664363	U.S. Foodservice, Inc.
1536937	United Parcel Service, Inc.
1802037	Valley Fabrication Unlimited Inc.
1849766	Walgreen Co.
1837283	Ward & Burke Tunneling Inc.

California Occupational Safety & Health Appeals Board
Closed Session Agenda
Posted September 25, 2026

1649457	Western Tube & Conduit Corporation
1870590	Whitney Auto Service, Inc.
1881291	Wildfire Services LLC
1831194	Winco Foods, LLC. Store #53
1847173	Womenhaven Inc
1854464	Worldwide Flight Services Inc.
1881251	X- Act Finish & Trim Inc
1869867	Yun Liang, 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.