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

Government Code § 11126 (a), (c)(3), (e) and (f)
for
Wednesday, November 18, 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: **November 6, 2026**
RE: **Closed Session of the Board to be held on November 18, 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.)

1220329 Mannington Mills, 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.)

1714193 FEI Enterprises Inc.

1844415 J.R. Stevens Mechanical, Inc

1854500 Lyons Magnus, LLC

Orders Dismissing Appeal:

1806785 JL Contractors Inc

1758744 JM Marble & Granite Inc.

Orders Denying Leave to File Late Appeal:

1862785 UP Developments Inc.

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.
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.

1625267 Boulay Construction

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
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.

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
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.

1633708 Mountain F. Enterprises, Inc.

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 "startup" 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 West, Inc. (1355061)
10. Tesla, Inc. 26CV210230 (1454931)

Appellate Court:

1. Metropolitan News Company, 25STCP04455 (1689021)
2. Uber Technologies, Inc, (1594663)

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.)

1879801 AAA Brothers LLC

1891204 Airworks, Inc.

1869679 Alan Yeates and Gaspar Mendoza, A General Partnership

1875099 Albert Max, Inc.

1762350 AMP United LLC

1870694 Arturo D Serioza

1833504 Auto- Chlor System, LLC

1737346 B&D Litho California, Inc.

1873386 Babe Farms Inc

1832286 BakeMark USA LLLC

1873394 BFI Harvesting, Inc.

1833997 CA Motor Vehicles dba DMV

1677767 California Department of Forestry and Fire (CAL FIRE)

1874606 Cannacraft Inc.

1825776 Capital Concrete Solutions Inc.

1711826 Contra Costa County Fire Protection District

1838134 Crandall Roofing, Inc.

1748458 CVS Health Corporation

1905182 Diablo Roofing Inc.

1697207 Divergent Technologies Inc

1901384 Diversified Thermal Services

1853743 DLN Properties, Inc.

1829498 Federal Express Corporation

1639632 Gruma Corporation

1883641 H Mart Logistic, Inc

1869719 High Winds LLC

1870458 Jal Construction Inc.

1899131 Jet Delivery LLC

1560356 Land O'Lakes, Inc.

1846765 Layton Construction Company LLC

1846772 Layton Construction Company LLC

1798822 Lendlease (US) Construction Inc.

1728345 Los Angeles City Fire Department

1699571 M&M Labor, Inc.

1711942 Martin Marietta Northern California Aggregates

1866957 Medinas Cleaning Janitorial

1858178 Motor Body Company, Inc.

1864478 Nunes Cooling Inc

1867270 O & M Industries

1733876 Pasadena Playhouse State Theatre of California

1801313 Plymouth Sand & Gravel

1722032 R Dub Foods LLC

1863257 Recovery Survival Network

1858381 RHR, Inc.

1747320 Rising Green, Inc.

1891617 San Diego County Department of Parks and Recreation

1843607 San Quentin Rehabilitation Center

1857279 Scream Park California LLC

1840686 Skyline Framing, Inc.

1878207 Soleeva Energy

1778224 SOLV Energy, LLC

1805536 Sublime Intertrade

1890337 Sudarshan LLC

1886158 Synergy Power

1897083 Take Us for Granite

1858900 Thatcher Company of California, Inc.

1742141 The Image Group LLC

1871269 TLG Enterprises, Inc.

1853093 Town House Cleaners, Inc.

1869339 UG2 LLC

1912993 Under the Sun Solar & Electric

1706724 Universal Protection Service, LP

1836080 Valero Refining Company- California

1869898 Wehah Farms Inc.

1897108 Willoughby Farms, Inc.

1883167 Win Woo Trading 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.