

**STATE OF CALIFORNIA  
CALIFORNIA OCCUPATIONAL SAFETY AND HEALTH APPEALS BOARD  
MINUTES OF THE PUBLIC MEETING & CLOSED SESSION  
Held on August 29, 2012  
Sacramento, California**

**PRESENT:**

Art R. Carter, Chairperson  
Ed Lowry, Member  
Judith Freyman, Member  
Michael Wimberly, Executive Officer  
Ursula Clemons, Presiding Administrative Law Judge  
Jeff Mojcher, Chief Counsel  
Kari Johnson, Industrial Relations Counsel III  
Thomas Song, Industrial Relations Counsel II  
Lee Berlin, Executive Secretary

**MINUTES OF AUGUST 15, 2012:**

*(Approval of minutes recording actions of previous Board meeting)*

ACTION: Member Lowry moved that the Board approve the draft minutes of the August 15, 2012 Board Meeting. Member Freyman seconded. The Board voted to approve the draft minutes of the August 15, 2012 Board Meeting.

**ADMINISTRATIVE MATTERS:**

*(Information regarding the general administration of cases pending before the Appeals Board)*

1. STATISTICS

*(Review and discuss most current Board statistics)*

ACTION: No report.

2. 2012 RULEMAKING MATTERS

*(Discuss potential Board rulemaking changes)*

ACTION: Counsel Johnson discussed planning for the September 17 public hearing to hear comments on the Board's rulemaking package.

**NEW BUSINESS:**

*(The Appeals Board hears and discusses new reports presented by staff.)*

1. 2012/2013 BUDGET

*(Review and discuss budget issues for the fiscal year)*

ACTION: No report.

**OLD BUSINESS:**

*(The Appeals Board hears and/or discusses matters on a follow-up basis.)*

ACTION: No report

**LEGISLATION:**

*(Review and discuss current legislation which may affect the Appeals Board)*

ACTION: Chairperson Carter reported on the status of AB 2346.

**CHAIRPERSON'S REPORT:**

*(Hear report from the Chairperson on activities and issues affecting the Appeals Board.)*

ACTION: Chairperson Carter welcomed new Member Judith Freyman to the Board.

**BOARD MEMBERS' REPORTS:**

*(Hear reports from Board Members on activities and issues affecting the Appeals Board.)*

ACTION: No report.

**EXECUTIVE OFFICER'S REPORT:**

*(Report regarding administrative matters and news from the Department and Appeals Board.)*

ACTION: Executive Officer Wimberly provided updates on the progress of several current projects, including the ORACLE update/conversion, the West Covina telephone system upgrade and office reconfiguration, and the toll-free telephone number for initiating appeals.

**STAFF REPORTS:**

*(Reports from the Presiding ALJ and the Chief Counsel regarding matters from the Hearing Operations and Legal Units.)*

ACTION: No report.

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

**PUBLIC COMMENT:**

*(Public comment will be entertained during the discussion of each agenda item of the Open Meeting.)*

ACTION: No report.

The Board recessed to its Closed Session.

**DECISIONS OF ADMINISTRATIVE LAW JUDGES:**

C AND L BLUE INC., 11-R4D1-2942 AND 11-R4D1-2943 THROUGH 2945

ACTION: Member Lowry moved that the Board grant reconsideration of this matter on its own motion. Member Freyman seconded. The Board voted to grant reconsideration of this matter on its own motion.

CLARK PACIFIC PRECAST, LLC., DONALD G. CLARK CORP. & ROBERT E. CLARK CORP. DBA CLARK PACIFIC, 09-R2D1-0282 AND 0283

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ACTION: Member Lowry moved that the Board approve this Decision of an Administrative Law Judge. Member Freyman seconded the motion. The Board voted to approve this Decision of an Administrative Law Judge.

COMBS CONSTRUCTION, 11-R2D3-2194 AND 2195

ACTION: Member Lowry moved that the Board approve this Decision of an Administrative Law Judge. Member Freyman seconded the motion. The Board voted to approve this Decision of an Administrative Law Judge

IN THE POCKET, INC., DBA BRENTWOOD BOWL, 11-R1D3-2272

ACTION: Member Lowry moved that the Board hold this matter over until the next meeting. Member Freyman seconded. The Board voted to hold this matter over until the next meeting.

**DECISION AFTER REMAND:**

CITY OF LOS ANGELES; HOUSING AUTHORITY (HACLA), 05-R4D2-2541

ACTION: Member Lowry moved that the Board approve this Decision After Remand of an Administrative Law Judge. Member Freyman seconded the motion. The Board voted to approve this Decision After Remand of an Administrative Law Judge

**ORDERS OF ADMINISTRATIVE LAW JUDGES:**

ACCOR NORTH AMERICA CORP DBA MOTEL 6, 11-R2D1-1152 \*

ACE ROOFING SUPPLIES, INC., 12-R1D1-0107 THROUGH 0111

ADVANCED ENTERPRISES, INC. DBA ALL CLEAR WINDOW CLEANING,  
11-R1D1-1097 THROUGH 1099

AERODYNE PRECISION MACHINING INC., 11-R3D1-2531 AND 2532

AL INDUSTRIES INC., 11-R3D1-2970 THROUGH 2972

ALL SEASONS ROOF COATINGS, 12-R2D3-1562 AND 1563

AMERICAN COOLING, INC., 11-R6D3-0465 AND 0466

ANCON MARINE SERVICE, 11-R2D4-1504 AND 1505

KATHLEEN BAN, DDS DBA PARK SARATOGA DENTAL, 12-R1D2-0112  
THROUGH 0114

BARCELO ENTERPRISES, 11-R6D1-1321 THROUGH 1323 \*

BAY FLEET SUPPLY, INC., 12-R6D7-0035 AND 0036

CHARLES BOURASSA DBA A.B. AIR CONDITIONING & HEATING,  
12-R6D7-0840

BRS ROOFING INC., 12-R3D3-1835

BRW CONCRETE INC, 10-R2D1-3526 AND 3527

CA CORRECTIONS & REHAB HIGH DESERT STATE PRISON, 10-R2D1-4010  
THROUGH 4012

CA DEPT. OF CORRECTIONS & REHABILITATION, 12-R4D3-0454

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CAMPBELL SOUP SUPPLY CO., LLC., 10-R2D1-2066 AND 2067  
CAPISTRANO UNIFIED SCHOOL DISTRICT, 12-R3D1-1494  
CHICO SCRAP METAL INC., 11-R2D3-2027 AND 2028  
CITY OF BENECIA DBA CITY OF BENECIA WATER TREATMENT PLANT,  
10-R6D3-3796 THROUGH 3800  
RONALD CLARK & THOMAS CLARK DBA CLARKLIND FARMS, 10-R2D5-3477  
CONSTELLATION ENERGY PAC - ULTRAPOWER CHINESE STN, 11-R6D3-3265  
CURT MANUFACTURING, INC., 12-R6D7-0935 AND 0936  
DAL PINO QUALITY POOLS INC., 12-R6D7-1056  
DAVIS CONSTRUCTION PLUMBING, INC., 12-R4D1-0140  
DEL SECCO DIAMOND CORE & SAW INC., 10-R1D2-3349  
DURALUM PRODUCTS INC., 12-R3D3-1452 AND 1453  
EAST BAY MACHINE & HYDRAULICS, INC., 11-R2D1-1410  
E.E. HALL, INC., 12-R2D4-1385  
ROBERT EISHOOIE, 11-R6D7-3333  
ESAU CONCRETE INC., 11-R2D3-2403  
FARHAN INC. DBA CALIFORNIA TIRE & WHEELS, 11-R6D7-3281 THROUGH 3283  
FORTUNE FOODS COMPANY, LLC, 12-R6D7-0874  
FUTURE PLASTERING, INC., 11-R2D1-1733  
GENOA FARMS, 11-R2D1-2455  
GOLDEN BROTHERS FLC, 11-R6D7-2837  
GOLDEN STATE BULB GROWERS, 12-R1D2-0419  
GO NATIVE, INC., 11-R1D3-3021 THROUGH 3023  
HALL MANAGEMENT CORP., 12-R2D4-0982  
HAYWARD BAKER, 12-R4D3-0968  
HEALTH DEVICES CORP. DBA DOC JOHNSON ENTERPRISES, 11-R4D3-3242  
AND 12-R4D3-0249 \*  
HERGUTH LABORATORIES, INC., 11-R2D2-2052  
HOMESTEAD PASTA CO., 12-R6D7-0195  
HP COMMUNICATIONS INC, 11-R2D1-2703  
JA FARM LABOR, INC., 11-R6D7-2650 AND 2651 \*  
JAYCO GROUP INC., 12-R2D3-1591  
J.F. SHEA CONSTRUCTION, INC, DBA AGGREGATE PRODUCTS, 11-R2D1-0348  
JMB CONSTRUCTION, INC., 09-R1D5-3301 THROUGH 3304  
AMARJIT KANDOLA & BIKRAM KANDOLA DBA KANDOLA B,  
12-R2D4-0264 AND 0265  
RIZWAN KANWAL DBA THE CHEESE STEAK RESTAURANT, 12-R6D7-0906  
KHS & S OF CONCORD, INC., 09-R2D1-3254  
KNUTH HING CO., INC., 11-R2D1-1151  
ARIS LAMBIRIS DBA A&M WHEELS TIRE SERVICE, 11-R6D7-1139  
KANG Y LEE DDS, 10-R2D1-3474 THROUGH 3476  
LESCURE COMPANY, INC., 12-R1D2-0346  
LIBERTY UNION HIGH SCHOOL DISTRICT, 11-R2D2-0525  
LOS ANGELITOS BAKERY, 11-R6D2-3059  
LUPIN LODGE, 11-R1D2-0536 THROUGH 0539  
LUPIN LODGE, 11-R1D2-1365

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MACY'S INC., 11-R1D1-0247  
PHIL MAKIN DBA NORTH BAY PAINTING & WOOD PRESERVING, 10-R1D5-0066  
MANJIT MANN DBA MANN RANCH, 11-R6D7-2589  
MANPOWER, 11-R1D2-0433  
MERRITT CONSTRUCTION INC., 11-R6D7-2648  
MICHAELS/JAY DEE/COLUCCIO JOINT VENTURE, 12-R5D1-0175  
MIDWAY MUFFLER AND BRAKE, 11-R2D2-2318  
MODERN AIR MECHANICAL, 12-R2D5-1420  
MONTEREY MUSHROOMS, INC., 11-R1D2-1488  
MOUNTANOS BROTHERS COFFEE COMPANY, 12-R6D7-0837  
THROUGH 0839  
MPM BUILDING SERVICES, INC., 12-R4D1-0094  
NEMATZADEH ENTERPRISES DBA JACK IN THE BOX, 12-R4D1-0143  
NOR-CAL SCAFFOLDING, INC., 11-R1D1-2019  
PA-SONS INC., 11-R2D3-2029  
PEPSICO DBA PEPSI BEVERAGES COMPANY, 12-R1D2-0345  
PHILLIPS 66 COMPANY, 11-R6D3-2478 THROUGH 2481  
POLYCELL INTERNATIONAL CORPORATION, 12-R3D6-1121  
THROUGH 1126  
PRESIDENTIAL ROOFING, INC., 11-R1D3-2605 AND 2606  
PROPARK AMERICA WEST, LLC., 12-R1D4-1558  
RICHARD N. PUKATCH, 11-R1D4-3164  
ZAHIR QUDDUS DBA ZAHIR'S, 10-R6D7-4099  
REPUBLIC BAG INC., 12-R3D3-1265  
RUDOLPH AND SLETTEN, 12-R1D3-0974 \*  
SACRAMENTO FLOORMASTERS, INC., 12-R6D7-1055 \*  
MANAS & CRUZ SAGHDEJIAN DBA CMC FARMS, 11-R6D7-1808  
SALINAS FARM LABOR CONTRACTOR, INC., 11-R6D7-2044  
SALINAS FARM LABOR CONTRACTOR, INC., 11-R6D7-2814 THROUGH 2816  
SALINAS TOYOTA SCION HYUNDAI, 11-R1D2-1403 THROUGH 1405  
SAM'S CLUB, 12-R4D1-0015  
RONALD R SAMUELSON DBA SAMUELSON FARMS, 11-R6D7-2649  
SAN FRANCISCO WINDOW/DOOR COMPANY INC., 12-R6D7-0145  
SANTA FE AGGREGATES, INC., 11-R5D1-2909  
SANTIAGO J. RENTERIA FLC INC., 11-R6D7-1967 AND 1968  
SF PUBLIC UTILITIES COMMISSION – WASTE WATER ENTERPRISE,  
12-R1D1-0258  
SIERRA PACIFIC INDUSTRIES, 11-R2D1-1731  
SIERRA PACIFIC RECYCLING, INC., 11-R1D3-1974 THROUGH 1975  
SIMPLOT GROWER SOLUTIONS BRITZ SIMPLOT GROWER SOLUTIONS  
LLC, 12-R6D4-0510  
LOKPREET SINGH DBA SMOG MASTER, 12-R6D7-0072  
SKY PARK HEALTH CARE, INC. DBA ACACIA PARK NURSING, 12-R6D1-0243  
SOCAL PACIFIC CONST. CORP. DBA NATIONAL COATING AND LINING  
CO., 12-R1D2-0356 AND 12-R1D2-2294  
SOUTHLAND/TUTOR PERINI JV, 11-R5D1-1516

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SOUTHLAND/TUTOR PERINI JV, 11-R5D1-2074  
SOUTHLAND/TUTOR PERINI JV, 11-R5D1-2446  
SOUTHLAND/TUTOR PERINI JV, 12-R5D1-0458  
SOUTHLAND/TUTOR PERINI JV, 12-R5D1-0617  
SOUTHLAND/TUTOR PERINI JV, 12-R5D1-1135 \*  
SOUTHWEST AIRLINES, 11-R1D3-1872  
SPA LALE INC., 11-R2D1-2500  
SPECTRUM CARE LANDSCAPE & IRRIGATION MANAGEMENT, 12-R3D1-0484  
SUBURBAN PROPANE LP, 11-R1D5-3207 AND 3208  
SUPER SQUIRREL NUT, INC., 10-R2D1-1984 AND 1985  
SYGMA NETWORK, INC., 11-R4D3-3123  
TANNER MASONRY, 11-R2D1-1500 THROUGH 1502  
TEICHERT CONSTRUCTION, 11-R2D1-0047  
TESTORFF CONSTRUCTION, INC., 12-R1D2-0344  
THE HOME DEPOT, 11-R2D4-2736  
THE PRODUCE COMPANY, INC., 12-R6D7-0037 AND 0038  
TIGER LINES, 11-R2D3-0413  
TRINET CONSTRUCTION, 12-R5D1-0583  
UNIVERSITY OF CALIFORNIA, DAVIS, 11-R2D1-1193  
UNIVERSITY OF CALIFORNIA, MERCED, 11-R2D4-3081 AND 3082  
USS-POSCO INDUSTRIES, LLC, 11-R2D2-1734  
VAN ACKER CONSTRUCTION ASSOCIATES, INC., 11-R1D5-0007 AND 0008  
VAN GRONINGEN & SONS, INC., 11-R6D7-2792  
AKASH DIRK VON RUEBEN DBA NEW DIMENSION, 11-R1D5-2958  
WESTECH INDUSTRIES INC., 08-R2D3-2717  
WOODSMITH ARCHITECTURAL CASEWORK & MILLWORK DBA  
WOODSMITHS, 10-R2D1-2968 AND 2969 \*  
YIP HOLDINGS, INC., DBA YIP HOLDINGS THREE, 11-R2D1-1046 THROUGH 1048  
YOUNGRIM KIM, DDS DBA CITY DENTAL, 12-R1D2-0148 THROUGH 0151

YUBA RIVER MOULDING AND MILLWORK, INC., 10-R2D3-2890 AND 2891\*

ACTION: Member Lowry moved that the Board approve these Orders of Administrative Law Judges. Member Freyman seconded. The Board voted to approve these Orders of Administrative Law Judges. Orders with asterisks are deemed approved as amended.

**ORDERS DISMISSING APPEALS:**

CYCLE GEAR, INC., 10-R1D4-4061  
SATCO CONSTRUCTION, INC., 11-R1D4-1521 THROUGH 1523

ACTION: Member Lowry moved that the Board approve these Orders Dismissing Appeal from Administrative Law Judges. Member Freyman seconded. The Board voted to approve these Orders Dismissing Appeal from Administrative Law Judges.

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**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.)*

GOD BLESS TIRE SHOP, INC., 11-R6D7-0972 & 0973

ACTION: Member Lowry moved that the Board vote to accept the Legal Unit's recommendation to deny this Petition for Reconsideration. Member Freyman seconded. The Board voted to accept the Legal Unit's recommendation to deny this Petition for Reconsideration.

McDINIS RESTAURANT CORPORATION, 12-R6D5-9092

ACTION: This matter was placed on the agenda in error.

NATIONAL STEEL AND SHIPBUILDING COMPANY, 10-R6D2-3793 AND 3794

ACTION: Member Lowry moved that the Board vote to accept the Legal Unit's recommendation to deny this Petition for Reconsideration. Member Freyman seconded. The Board voted to accept the Legal Unit's recommendation to deny this Petition for Reconsideration.

NCA ENTERTAINMENT, INC. DBA GREG'S RIDES, 11-R3D2-2740

NCA ENTERTAINMENT, INC. DBA GREG'S RIDES, 11-R3D2-2774

ACTION: Member Lowry moved that the Board vote to accept the Legal Unit's recommendation to deny these Petitions for Reconsideration. Member Freyman seconded. The Board voted to accept the Legal Unit's recommendation to deny these Petitions for Reconsideration.

**DENIAL OF PETITION FOR RECONSIDERATION (DRAFT):**

PRESTON PIPELINES, INC., 09-R6D7-3345

SHIRO SHIOZAWA DBA SHIRO'S AUTO BODY, 12-R6D7-9086

ACTION: Member Lowry moved that the Board vote to approve these draft Denials of Petitions for Reconsideration for signature. Chairperson Carter seconded. Member Freyman recused herself from taking action on these matters. The Board voted to approve these draft Denials of Petitions for Reconsideration for signature.

**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.)*

A-1 PROTECTIVE SERVICES, INC., 10-R1D1-1592

ALLIED SALES & DISTRIBUTION, INC., 11-R6D2-0480

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AC TRANSIT, 08-R1D4-0135  
AGRI-VALLEY IRRIGATION, INC., 07-R2D5-3785 AND 3786  
ARMOUR STEEL CO., INC., 08-R2D1-2649 THROUGH 2655  
BAY AREA RAPID TRANSIT DISTRICT, 09-R2D2-1219 AND 1221  
BOBERG ENGINEERING & CONTRACTING, INC., 06-R3D3-4963  
BRUNTON ENTERPRISES DBA PLAS-TAL MFG. CO., 09-R6D2-2239  
THROUGH 2241  
BRUNTON ENTERPRISES, INC. DBA PLAS-TAL MFG. CO., 08-R3D3-3445  
AND 3448  
BURBANK RECYCLING, INC., 10-R4D3-0562 AND 0563  
C.C. MYERS, INC., 08-R1D1-952 THROUGH 955  
CENTRAL VALLEY ENGINEERING & ASPHALT, INC. 08-R2D1 5001 AND 5002  
COFFMAN SPECIALTIES, INC., 10-R3D3-3532  
COMMERCIAL METAL FORMING, 09-R3D1-1592  
CONTRA COSTA ELECTRIC, INC., 09-R1D4-3271, 3272 AND 3960  
CORONADO IRRIGATION SERVICES, 09-R4D2-0385 THROUGH 0387  
CROP PRODUCTION SERVICES, 09-R6D4-4036 THROUGH 4038  
DAVIS DEVELOPMENT COMPANY, 10-R3D1-3360 THROUGH 3362  
DENIO'S ROSEVILLE FARMERS MARKET & AUCTION INC. 11-R2D1-2431  
DISTRIBUTION CENTER MANAGEMENT GROUP (DCMG), 11-R3D3-2896  
DUKE PACIFIC, INC., 08-R3D3-574

ACTION: Member Lowry moved that the Board vote to approve this draft Decision After Reconsideration for signature as amended. Member Freyman seconded. The Board voted to approve this draft Decision After Reconsideration for signature as amended.

ECO BAY SERVICES, INC., 10-R1D1-1233 THROUGH 1236  
EPSILON ELECTRONICS, INC. DBA POWER ACOUSTIK ELECTRONICS,  
09-R6D2-2325 THROUGH 2332  
EZ MIX, INC., 08-R4D3-1898  
FORTUNA IRON WORKS 06-R2D3-4222

ACTION: Member Lowry moved that the Board vote to approve this draft Decision After Reconsideration for signature. Member Freyman seconded. The Board voted to approve this draft Decision After Reconsideration for signature.

GRANITE ROCK COMPANY, 08-R1D3-3675 THROUGH 3687  
HOME DEPOT, 10-R3D6-3284  
HYDRO-SCIENCE OPERATIONS INC., 10-R1D2-0389  
IRWIN INDUSTRIES, 08-R6D4-1454  
LAND O' LAKES PURINA FEED LLC, 08-R2D4-1843 AND 1844  
LIQUIVISION TECHNOLOGY, INC., 08-R2D1-1712 THROUGH 1714  
LION RAISINS, INC., 08-R2D5-2253 AND 2254  
MARINE TERMINALS, 08-R6D2-1920  
MORE GUSTO CATERING DBA EL CHOLO CATERING, 10-R4D1-1298  
NATIONAL STEEL AND SHIPBUILDING COMPANY, 10-R6D2-3791

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ORANGE COUNTY FIRE AUTHORITY, 10-R3D1-3667  
OWENS-ILLINOIS GLASS CONTAINER, INC., 09-R1D4-2021 AND 2022  
PARAMOUNT FARMS, KING FACILITY, 09-R4D3-0864  
PERFORMANCE CONTRACTING GROUP DBA PERFORMANCE CONTRACTING,  
INC., 08-R2D1-0025 AND 0026  
POUK & STEINLE, INC., 09-R3D3-0491  
ROLLED STEEL PRODUCTS CORP., 10-R6D2-4047 AND 4048  
JOSH AND CARRIE SALAZAR DBA CJ MANUFACTURING, 09-R6D2-1710

SAN FRANCISCO FIRE DEPARTMENT, 09-R1D1-3128 THROUGH 3131

ACTION: Member Lowry moved that the Board approve an Order Rescinding the Order of Reconsideration in this matter. Member Freyman seconded. The Board voted to approve this Order Rescinding the Order of Reconsideration.

SDCCD – CONTINUING EDUCATION N C CENTER, 11-R3D2-1196  
SDUSD – PATRICK HENRY HIGH SCHOOL, 11-R3D2-1296 AND 1297  
SHEEDY DRAYAGE COMPANY, 06-R1D4-3053 THROUGH 3055  
SHIMMICK-OBAYASHI, 08-R3D3-5023 THROUGH 5025  
SMUD, 08-R2D1-4887 THROUGH 4889  
MARTIN J. SOLIS DBA SOLIS FARM LABOR CONTRACTOR,  
08-R2D1-3414 THROUGH 3418  
STAFFCHEX, 10-R4D3-2456 THROUGH 2458  
SUNRISE GROWERES FROZUN FOODS, 09-R4D3-2850  
A. TEICHERT & SON, INC. DBA TEICHERT AGGREGATES, 09-R5D1-2443  
TEICHERT & SON, INC. DBA TEICHERT CONSTRUCTION, 05-R2D4-2650 AND 2651  
A. TEICHERT & SON, INC. DBA TEICHERT CONSTRUCTION, 09-R4D5-0459  
AND 0460

**LEGISLATION:**

ACTION: No report.

**PENDING LITIGATION**

1. MCI WORLDCOM, 34-2008-00006043-CU-WM-GDS (DOSH v. OSHAB) (00-440)  
ACTION: Chief Counsel Mojcher provided an update on this matter.
2. XL CONSTRUCTION, 34-2009-80000300 (08- 1191/1193)  
ACTION: Chief Counsel Mojcher provided an update on this matter.
3. M.C.M. CONSTRUCTION, INC., 34-2009-80000378 (09-9230)
4. WEBCOR BUILDER, INC., 34-2010-80000439 (06-R1D1-3030/3032)
5. WPCS INTERNATIONAL SUISUN CITY, INC., 34-2010-80000430 (09- 9280/9281)  
ACTION: Chief Counsel Mojcher provided an update on this matter.

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6. GRANITE CONSTRUCTION CO., INC., (DOSH V OSHAB) 34-2010-800006047  
(07- R5D1-3611)
7. CLARK PACIFIC, A GENERAL CALIFORNIA PARTNERSHIP, 34-2010-80000640  
(08-R2D1-0027 THROUGH 0030)
8. SMUD, 34-2010-80000723 (08-R2D1-4887)
9. BAY AREA RAPID TRANSIT DISTRICT, 34-2011-80000819 (08-R1D1-5170)
10. MASCON, INC., 34-2011-80000820 (08-R2D1-4178 AND 4279)
11. CLARK PACIFIC DBA PACIFIC EMBEDDED PRODUCTS, 34-2011-80000965  
(10-0188~0191)
12. GUILLAUME GRAPEVINE NURSERY, INC., 34-2011-800001010  
(08-R2D1-3273)  
ACTION: Chief Counsel Mojcher provided an update on this matter
13. CA PRISON INDUSTRY AUTHORITY, CIV 1105778 (09-R1D5-2459  
THROUGH 2461)
14. FLATIRON CONSTRUCTION CORP, 34-2012-800001029 (10-R4D1-2789)
15. HOLLANDER HOME FASHION, BS-135444 (10-R4D2-3704)
16. SECA EQUIPMENT REMOVAL & DISMANTLING, INC., 12CV01039  
(07-R2D3-0275)
17. JENSEN PRECAST, 34-2012-80001120 (05-R2D1-2377)
18. THE HERRICK CORPORATION, 34-2012-80001118 (07-0495)
19. UNDERGROUND CONSTRUCTION, 34-2012-80001124 (09-3518)
20. DUININCK BROS., INC., 34-2012-80001129 (06-2871)
21. SHERWOOD MECHANICAL, INC., 37-2012-00101466 (08-R3D2-4690 ~ 4693)

**COURT OF APPEAL:**

1. JERLANE, INC., D060844 (2007-00056381) (01-4344 and 4345)  
ACTION: Chief Counsel Mojcher provided an update on this matter.

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**PERSONNEL:** *(Issues regarding staff)*

ACTION: No report.

The Closed Session adjourned at 11:58 a.m. and the Board returned to the Public Meeting. The Appeals Board incorporated by reference its ACTIONS in the Closed Session, as indicated above. The meeting was adjourned at 11:59 a.m.