

**STATE OF CALIFORNIA
CALIFORNIA OCCUPATIONAL SAFETY AND HEALTH APPEALS BOARD
MINUTES OF THE PUBLIC MEETING & CLOSED SESSION
Held on December 4, 2013
Sacramento, California**

PRESENT:

Art Carter, Chairperson
Ed Lowry, Member
Judith Freyman, Member
Ursula Clemons, Presiding Administrative Law Judge
Martin Fassler, Presiding Administrative Law Judge
Kari Johnson, Executive Officer
Jeff Mojcher, Chief Counsel
Autumn Gonzalez, Industrial Relations Counsel
Lee Berlin, Executive Secretary

The meeting start time was delayed until 10 a.m. Member Lowry arrived at 11 a.m., following the public meeting.

MINUTES OF NOVEMBER 20, 2013 MEETING:

(Approve or amend minutes of previous Board meeting)

ACTION: Member Freyman moved that the Board approve the draft minutes of the November 20, 2013 Board Meeting. Chair Carter seconded. The Board voted to approve the draft minutes of the November 20, 2013 Board meeting.

ADMINISTRATIVE MATTERS:

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

EXPEDITED PROCEEDINGS:

(Report on general administration of expedited proceedings)

ACTION: The Board reviewed the current caseload within the Expedited Proceedings program. Since the program's inception on July 1, 134 cases were reviewed for entry into the Expedited Proceedings program, 88 qualified out of a total of 857 appeals filed during the same time frame. The Board also discussed benchmarks to measure the success of the program.

NEW BUSINESS:

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

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: The Board briefly discussed AB326, a two-year bill which has been forwarded to the L & E committee for review in January.

CHAIRPERSON'S REPORT:

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

ACTION: Chair Carter reported on some informal discussions he has attended recently with DOSH and DIR personnel regarding abatement issues and 1BY reporting.

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)

OASIS PROJECT:

ACTION: Executive Officer Johnson reported on progress of OASIS, the project to enhance the Board's docketing, calendaring and reporting capabilities. An RFO was released to find a vendor to write the business process analysis for the project. Responses to the RFO are expected before the end of the year.

STAFF REPORTS:

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

ACTION: Chief Counsel Mojcher reported that two briefs are due within the next month for upcoming hearings on writs filed in Sacramento and Orange Counties.

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 adjournment.

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:

BELLINGHAM MARINE INDUSTRIES, INC., 12-R2D2-3144 THROUGH 3146
CALFIRE – DEPT. FORESTRY/FIRE PROTECTION, ALDER CONSERVATION CAMP,
12-R2D3-2578
CONTAIN-A-WAY, INC DBA NEXCYCLE, 12-R2D1-2358 AND 2359

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

J K ENTERPRISES, 12-R3D2-1079 AND 1080

ACTION: The Board took no action on this matter.

PETITIONS FOR RECONSIDERATION:

DIEGO COBIAN DBA COBIAN'S TAQUERIA, 13-R6D7-0299

ACTION: The Board took no action on this matter.

IRWIN INDUSTRIES, 13-R6D4-9063

TAD VAN NGUYEN, 13-R1D1-9163

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 PETITIONS FOR RECONSIDERATION (DRAFT):

ACE COMMERCIAL PLASTERING, INC., 13-R2D2-9154

Member Lowry moved that the Board vote to approve this Draft Denial of Petition for Reconsideration for signature. Member Freyman seconded. The Board voted to approve this draft Denial of Petition for Reconsideration for signature.

GARDNER TRUCKING, INC., 12-R3D2-0782

HILL CRANE SERVICE, INC., 12-R4D1-2475 THROUGH 2477

Member Lowry moved that the Board vote to approve these Draft Denials of Petition for Reconsideration for signature. Member Freyman seconded. The Board voted to approve these draft Denials of Petition 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.)

CALIFORNIA OCCUPATIONAL SAFETY AND HEALTH APPEALS BOARD

Minutes of the Public Meeting and Closed Session

December 4, 2013

Page 4

A-1 PROTECTIVE SERVICES, INC., 10-R1D1-1592
AGRI-VALLEY IRRIGATION, INC., 07-R2D5-3785 AND 3786
ARMOUR STEEL CO., INC., 08-R2D1-2649 THROUGH 2655

BAY AREA RAPID TRANSIT DISTRICT, 12-R1D1-3056 THROUGH 3058 (DOSH)
BAY AREA RAPID TRANSIT DISTRICT, 12-R1D1-3056 THROUGH 3058
(THIRD PARTY - SEIU)

ACTION: The Board discussed these matters.

BODEGA LATINA CORP., DBA EL SUPER, 12-R2D2-3500
BRUNTON ENTERPRISES DBA PLAS-TAL MFG. CO., 09-R6D2-2239
THROUGH 2241
BURBANK RECYCLING, INC., 10-R4D3-0562 AND 0563
CABRILLO ECONOMIC DEVELOPMENT CORP., 11-R4D3-3185 & 318
C.C. MYERS, INC, 08-R1D1-0952 THROUGH 0955

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

CLARK PACIFIC PRECAST, LLC, ET AL, 09-R2D1-0282
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
DISH NETWORK CAL. SVC. CORP., 12-R4D3-0455
FERMA CORPORATION, 12-R2D2-1669
GMAC ELECTRIC, INC., 13-R6D5-9138
HARRIS CONSTRUCTION, 03-R2D5-3914
IN THE POCKET, INC. DBA BRENTWOOD BOWL, 11-R1D3-2272
KANA PIPELINE, INC., 13-R3D3-9108
KELLY GLOBAL LOGISTICS, INC., 12-R3D5-0014
K H S & S OF CONCORD, INC., 11-R2D2-0374 and 0375
LABOR READY, 13-R3D2-0164
LA CITY BUILDING AND SAFETY, 13-R4D1-9110
LAND O' LAKES PURINA FEED LLC, 08-R2D4-1843 AND 1844
LIQUIVISION TECHNOLOGY, INC., 08-R2D1-1712 THROUGH 1714
L & S CONSTRUCTION, INC., 10-R3D1-1821 AND 1822
M1 CONSTRUCTION, INC., 12-R4D1-0222 AND 0223
MARIA DE LOS ANGELES COLUNGA DBA MERCED FARM LABOR,
08-R2D1-3093 THROUGH 3098
McCARTHY BUILDING CO., INC., 11-R4D2-1706 AND 2406

CALIFORNIA OCCUPATIONAL SAFETY AND HEALTH APPEALS BOARD

Minutes of the Public Meeting and Closed Session

December 4, 2013

Page 5

MORE GUSTO CATERING DBA EL CHOLO CATERING, 10-R4D1-1298
MORROW MEADOWS CORP., 09-R3D3-2295
NATIONAL STEEL AND SHIPBUILDING COMPANY, 10-R6D2-3791
NEWSTAR FRESH FOODS, LLC., 12-R6D3-3183 THROUGH 3186
ONESTOP INTERNET, INC., 11-R4D2-2636 AND 2637
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
PERSONNEL PLUS, INC., 11-R3D5-1302
ROEBBELEN CONTRACTING, INC., 12-R2D2-3248
ROLLED STEEL PRODUCTS CORP., 10-R6D2-4047 AND 4048
JOSH AND CARRIE SALAZAR DBA CJ MANUFACTURING, 09-R6D2-1710
SHIMMICK-OBAYASHI, 08-R3D3-5023 THROUGH 5025
SIERRA FOREST PRODUCTS, 09-R2D5-3979
MARTIN J. SOLIS DBA SOLIS FARM LABOR CONTRACTOR, 08-R2D1-3414
THROUGH 3418
SONIC DRIVE-IN, 12-R2D5-2734
STAFFCHEX, 10-R4D3-2456 THROUGH 2458
STARBUCKS DBA STARBUCK'S COFFEE #5867, 12-R3D2-3675
THROUGH 3678
SUNRISE GROWERES FROZUN FOODS, 09-R4D3-2850
TEICHERT & SON, INC. DBA TEICHERT AGGREGATES, 09-R5D1-2443
TL PALVICH CONSTRUCTION, INC., 11-R3D6-1303 THROUGH 1310
TRADEMARK CONSTRUCTION CO., INC., 12-R4D1-0096 AND 0097

MATTERS HELD OVER FROM PREVIOUS MEETINGS:

(If the Board is unable to conclude its deliberations and/or if any matter(s) is (are) put over from a previous meeting, they will be further discussed.)

ORDERS DISMISSING APPEAL:

BIRRIERIAS TLAQUEPAQUE, INC., 13-R6D5-0147 THROUGH 0149
DECTON, INC., 12-R3D2-3780 AND 3781
FERNANDO FLORES MARTINEZ, FLC, 12-R3D2-3040
VOLT INFORMATION SCIENCE INC DBA VOLT WORKFORCE SOLUTIONS,
13-R3D2-1037

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

ORDERS DENYING LEAVE TO FILE LATE APPEAL:

AUTOTEK, INC., 13-R6D7-9191

L.A. EXPRESS ONE, INC., 13-R3D1-9176

L.A. EXPRESS ONE, INC., 13-R3D1-9177

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

LEGISLATION:

ACTION: No report

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. M.C.M. CONSTRUCTION, INC., 34-2009-80000378 (09-9230)
2. CLARK PACIFIC, A GENERAL CALIFORNIA PARTNERSHIP, 34-2010-80000640 (08-R2D1-0027 THROUGH 0030)
3. SMUD, 34-2010-80000723 (08-R2D1-4887)
4. BAY AREA RAPID TRANSIT DISTRICT, 34-2011-80000819 (08-R1D1-5170)
5. MASCON, INC., 34-2011-80000820 (08-R2D1-4178 AND 4279)
6. CLARK PACIFIC DBA PACIFIC EMBEDDED PRODUCTS, 34-2011-80000965 (10-0188~0191)
7. CA PRISON INDUSTRY AUTHORITY, CIV 1105778 (09-R1D5-2459 THROUGH 2461)
8. FLATIRON CONSTRUCTION CORP, 34-2012-80001029 (10-R4D1-2789)
9. SECA EQUIPMENT REMOVAL & DISMANTLING, INC., 12CV01039 (07-R2D3-0275)
10. JENSEN PRECAST, 34-2012-80001120 (05-R2D1-2377)
11. THE HERRICK CORPORATION, 34-2012-80001118 (07-0495)
12. UNDERGROUND CONSTRUCTION, 34-2012-80001124 (09-3518)

CALIFORNIA OCCUPATIONAL SAFETY AND HEALTH APPEALS BOARD

Minutes of the Public Meeting and Closed Session

December 4, 2013

Page 7

13. DUININCK BROS., INC., 34-2012-80001129 (06-2871)
14. SHERWOOD MECHANICAL, INC., 37-2012-00101466 (08-R3D2-4690 ~ 4693)
15. C.A. RASMUSSEN, INC., 34-2012-80001241-CU-WM-GDS (08-R4D5-0219 AND 0220)
16. SHIMMICK CONSTRUCTION CO., INC., 34-2012-80001248 (09-R2D3-0399)
17. A TEICHERT & SON, DBA TEICHERT CONSTRUCTION, 34-2012-80001258 (05-R2D4-2650 AND 2651)
18. CA DEPT OF FORESTRY, 34-2012-80001263 (10-R2D1-0728)
19. A. TEICHERT & SON, 34-2012-80001265 (05-R2D5-2650 AND 2651)
20. PRESTON PIPELINES, INC., 34-2012-80001277 (09-R6D7-3345)
21. BLUE DIAMOND GROWERS, 34-2012-80001308 (10-R2D1-1280/1281)
22. CLARK PACIFIC PRECAST LLC, et al, 34-2012-80001319 (09-R2D1-0282/0283)
23. A. TEICHERT & SON, DBA TEICHERT CONSTRUCTION, 34-2012-80001332 (09-R4D5-0459 & 0460)
24. A. TEICHERT & SON, DBA TEICHERT AGGREGATES, RG12 659881 (10-R5D1-3029)
ACTION: The Board discussed this matter.
25. HOME DEPOT USA, INC., BS141301 (10-3284)
26. PRESTON PIPELINES, INC., 34-2013-8001381 (11-2530)
27. ORANGE COUNTY FIRE AUTHORITY, 30-2013-00628178 (10-3667)
28. THYSSENKRUPP ELEVATOR CORP., 34-2013-80001456 (11-2217 ~ 2219)
29. BIG LOTS STORES, INC., 37-2013-00045936 (11-R3D2-1929 ~ 1931)
30. GUARDSMARK, LLC, 30-2013-00651094 (12-R3D1-0056)
31. ORANGE COUNTY FIRE AUTHORITY, 30-2013-00652023 (12-0439)
32. ORANGE COUNTY FIRE AUTHORITY, 30-2013-00651875 (12-0440)

CALIFORNIA OCCUPATIONAL SAFETY AND HEALTH APPEALS BOARD

Minutes of the Public Meeting and Closed Session

December 4, 2013

Page 8

33. AC TRANSIT, RG13687314 (08-R1D4-0135)
34. DSS COMPANY DBA KNIFE RIVER CONSTRUCTION, 34-2013-80001575
(12-R5D1-337)
35. BAY AREA RAPID TRANSIT DISTRICT, RG13689346 (09-R2D2-1219 & 1221)

APPELLATE COURT:

1. XL CONSTRUCTION, C074514 (2008-R1D2-1191-1193)

ORDERS OF ADMINISTRATIVE LAW JUDGES:

(Written order 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 decide if they will reconsider or remand the issued order.)

AERO DYNAMIC MACHINING, INC., 13-R3D1-2815 AND 2816
ALCO IRON & METAL CO., 13-R1D4-0301 AND 0302
ALLIED CONTAINER SYSTEMS INC., 13-R3D3-2858 AND 2859 *
ALL INTERCITY PLUMBING, 13-R3D3-0321 THROUGH 0323
ASV WINES, INC., 13-R1D2-1165
ATASCADERO STATE HOSPITAL, 11-R4D3-0208
A TEICHERT & SON INC DBA TEICHERT AGGREGATES, 13-R5D1-2666
BARRERA AG SERVICES, 13-R2D5-2974
BAVERSTOCK CONSTRUCTION DBA RHINO CONCRETE PUMPING, 13-R3D1-0692*
BCM CONSTRUCTION COMPANY INC., 13-R2D4-1514
BEADOR CONSTRUCTION COMPANY INC., 13-R3D3-0215 THROUGH 0218
BLUE OLIVE LLC DBA CAFE BLISS, 13-R6D7-0909
BLU HOMES INC., 12-R1D5-3245 AND 3246
BUILDING MATERIALS CONSTRUCTION SERVICES, INC., 13-R6D7-2099
BUILDING MATERIALS HOLDING CORP. DBA BMC, 13-R4D3-0142
CA DEPARTMENT OF MOTOR VEHICLES, VALLEJO, 13-R2D2-3217
CALIFORNIA MEDICAL FACILITY, 13-R2D2-0688
CARUSO'S LLC DBA FISH RESTAURANT, 13-R1D5-0264 AND 0265
CA STATE METROPOLITAN STATE HOSPITAL, 12-R3D6-0066
CEILINGS PLUS, 13-R6D2-0807 THROUGH 0809
SEBASTIAN CIPPONERI DBA CIPPONERI ORCHARDS, 13-R6D7-2574
DIEGO COBIAN DBA COBIAN'S TAQUERIA, 13-R6D7-0299
COLE SUPPLY CO. INC., 13-R2D2-2696
CONCRETE EXPRESS, INC., 13-R4D3-2609
COSTCO WHOLESALE CORPORATION, 13-R2D4-3373 AND 3374
C P KELCO, 13-R6D4-2306
DAN ELLIOTT EQUIPMENT REPAIR, 13-R2D3-0313
DECKER ELECTRIC CO INC ELECTRICAL CONTRACTORS, 12-R1D1-3594
AND 3595

CALIFORNIA OCCUPATIONAL SAFETY AND HEALTH APPEALS BOARD

Minutes of the Public Meeting and Closed Session

December 4, 2013

Page 9

DEOME 2 BUILDERS INC., 12-R2D1-3417 AND 2418
DIEGO COBIAN DBA COBIAN'S TAQUERIA, 13-R6D7-0299
DIESTEL TURKEY RANCH, 13-R2D4-1389
DNC PLUMBING DBA HYDRO-TECH PLUMBING CORP, 13-R4D1-0795 AND 0796
THINH TIEN DO, 13-R6D7-0150 THROUGH 0156
EAGLEWARE MG., CO., INC., 12-R6D2-1971 THROUGH 1978
ELEMENTAL ENERGY, INC., 13-R3D3-2165
ENKI HEALTH & RESEARCH SYSTEMS, INC., 13-R3D5-2024
ESPARZA ENTERPRISES, INC., 13-R4D7-1870
EXPRESS CONTRACTORS INC., 13-R3D3-2857
GENERAL FINISHING WORKS, INC., 13-R4D1-0110
GRANITE CONSTRUCTION CO., 13-R1D2-2378
JIM GUERTIN DBA NORCAL PLASTERING, 13-R6D7-1981 THROUGH 1984
HEARTWOOD INC DBA ALEXANDER WOODWORKS, 13-R2D1-1495
INLAND BOBCAT, INC., 13-R3D3-3020
INLAND ERECTORS, INC., 13-R3D5-0100
J & R GIESBRECHT TRUCKING, 13-R2D1-2318
KAISER PERMANENTE, 13-R2D2-0126 AND 13-R2D2-1010 AND 1011
KEECO, LLC, 13-R1D4-1166 AND 1167 *
KING CONCRETE & CONSTRUCTION, INC., 13-R6D7-1924
KING ISLAND GROWERS LLC, 13-R6D7-2181 THROUGH 2183
KLOECKNER METALS CORPORATION, 12-R3D6-3616
LAFAYETTE SCHOOL DISTRICT, STANLEY MIDDLE SCHOOL, 13-R2D2-1930
LAMINATING COMPANY OF AMERICA, 13-R3D1-2212
L.L. CHRISTIAN CONSTRUCTION, INC., 13-R2D1-0687
MAGORIAN MINE SERVICES, 13-R5D1-2273 *
MAZT, INC DBA MCDONALDS RESTAURANT, 13-R2D1-2188
MAZT, INC DBA MCDONALDS RESTAURANT, 13-R2D1-2720
MENTAL HEALTH – PATTON STATE HOSPITAL, 12-R6D2-0800 THROUGH 0807 *
RANDOLPH MEZA DBA SOLRISE ELECTRIC, 13-R6D7-2374 AND 2375
MJM ENGINES, INC., 13-R6D5-2585 THROUGH 2587
OCEAN COMMERCIAL SUPPLY, INC., 13-R4D4-1063
ORANGE COURIER, INC., 13-R3D1-1302
PACHECO BROTHER'S INC., 13-R4D7-1871
PACIFIC BELL TELEPHONE COMPANY DBA AT&T CALIFORNIA, 12-R3D6-3790
PENSKE TRUCK LEASING CORP, 13-R2D1-2672
PLANT CONSTRUCTION COMPANY, L.P., 12-R1D1-3702 THROUGH 3704
QTECH AUTO REPAIR, INC., 13-R6D7-0198
NORMA L QUINTERO, 13-R6D7-2440 AND 2441
RUDYWORKS INC., 13-R6D7-2648 AND 2649
SAFEWAY INC., 12-R1D3-2877 *
SANDBERG FURNITURE, 13-R6D2-1484 THROUGH 1486
SAN FRANCISCO AUTO BODY, INC., 13-R6D7-0202 AND 0203
PARKASH SINGH SHAHI, 13-R2D1-2735
SOLEX CONTRACTING INC., 13-R3D5-0324

CALIFORNIA OCCUPATIONAL SAFETY AND HEALTH APPEALS BOARD

Minutes of the Public Meeting and Closed Session

December 4, 2013

Page 10

STEELHEAD SEEMLESS GUTTERS, INC., 12-R2D1-2221 THROUGH 2223
SLM STAFFING & ASSOCIATES, 13-R4D7-1954 AND 1955
STILES CUSTOM METAL, INC., 13-R2D4-2256
SUN COUNTRY BUILDERS INC. DBA SUN COUNTRY BUILDERS, 13-R3D2-3102
TORRANCE STEEL WINDOW CO., INC., 13-R6D2-0363 THROUGH 0376 *
TRIANGLE COATINGS, INC., 13-R1D4-1799 AND 2463
TRIPLE D CO, INC DBA EARL SCHEIB, 13-R2D2-3033
UNIVERSAL ALLOY CORPORATION, 13-R3D1-0691
URBAN OUTFITTERS WEST LLC., DBA URBAN OUTFITTERS, 13-R2D1-1120
THROUGH 1122
VESTAS AMERICAN WIND TECHNOLOGY, INC., 13-R4D7-2865
WESTERN BADGE & TROPHY COMPANY, 13-R4D1-0107 THROUGH 0109
WEST-WORLD MFG INC. DBA WEST-WORLD COMPANY, 13-R6D2-2530
THROUGH 2534
WOODSMITHS ARCHITECTURAL CASEWORK & MILLWORK, INC., 12-R2D1-2891
YMCA OF SILICON VALLEY, 13-R1D2-3301

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.

PERSONNEL:

(Issues regarding staff)

ACTION: The Board discussed personnel matters.

The Closed Session adjourned at 12:53 p.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 12:54 p.m.