

Department of Industrial Relations
**OCCUPATIONAL SAFETY
AND HEALTH APPEALS BOARD**

2520 Venture Oaks Way, Suite 300
Sacramento, CA 95833
(916) 274-5751
FAX (916) 274-5786



December 13, 2005

NOTICE OF SPECIAL MEETING

The Board is noticing a special meeting on December 21, 2005, to consider Decisions and Orders of Administrative Law Judges which will become final with Board review if not reviewed before the next general Board meeting on January 11, 2006.

The cases that will be reviewed by the Board at the December 21, 2005, special meeting are:

DECISIONS:

DTBM, INC. dba FORTUNE BAKERY, 03-R6D2-3359 THROUGH 3362, 03-R6D2-3363

ORDERS:

BENTEC INC., 03-R4D2-2440 THROUGH 2442

BIOSENSE WEBSTER, 05-R4D4-3694 AND 3695

CA JUSTICE-BUREAU OF NARCOTIC ENFORCEMENT, 04-R2D1-4371

CWC CONSTRUCTION SYSTEMS, INC., 04-R4D3-4199 AND 4200

CASTILLO CONSTRUCTION, 04-R3D2-3308

COMMERCIAL METAL FORMING, 03-R6D2-4273 THROUGH 4282

DELTA GRADING, 05-R3D3-3677 THROUGH 3679

ELITE METAL FINISHING, 04-R6D2-3880 THROUGH 3884

EAST WEST CLOTHING dba SOUP LOS ANGELES, 05-R4D1-3354

H & M FOUNDRY INC., 05-R4D2-3441 THROUGH 3444

HORSTMAN MANUFACTURING CO., INC., 04R-6D2-4140 THROUGH 4144

PERALTA COMMUNITY COLLEGE DISTRICT/MERRITT COLLEGE, 04-R1D4-2630 THROUGH 2636

SBC, 05-R1D5-2899

SIERRA NEVADA MEMORIAL HOSPITAL, 04-R2D1-4372

OTHER LEGAL MATTERS

Date and Time: December 21, 2005 at 10:00 a.m.

Place: 2520 Venture Oaks Way, Suite 300
Sacramento, CA 95833

75-376 August Drive
Indian Wells, CA 92210

100 North Barranca Street, Suite 410
West Covina, CA 91791

The next regularly scheduled meeting is Wednesday, January 11, 2006 at 10:00 a.m. in the Cal/OSHA Appeals Board's Sacramento office, 2520 Venture Oaks Way, Suite 300, Sacramento, CA 95833, 75-376 August Drive, Indian Wells, CA 92210 and 100 North Barranca Street, Suite 410, West Covina, CA 91791.

**For Further Information
Contact**

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(916) 274-5751
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<http://www.dir.ca.gov/oshappeals/>

State of California
CALIFORNIA OCCUPATIONAL SAFETY AND HEALTH APPEALS BOARD
SPECIAL MEETING AGENDA
Wednesday, December 21, 2005
Sacramento, California
Indian Wells, California
West Covina, California
10:00 A.M.

SPECIAL MEETING AGENDA

FOR

WEDNESDAY, DECEMBER 21, 2005

Held Concurrently with the Regularly Scheduled Meeting

10:00 A. M.

2520 Venture Oaks Way, Suite 300,
Sacramento, CA 95833
&
75-376 Augusta Drive
Indian Wells, CA 92210
&
100 N. Barranca Street, Suite 410
West Covina, CA 91791

The Occupational Safety and Health Appeals Board will meet in a Special Public Meeting and Closed Session on December 21, 2005 at 10:00 a.m. A special meeting is warranted under Government Code Section 11125.4 since compliance with the 10-day notice provisions of 11125 would impose substantial hardship on the Board's review of orders and decisions issued by the agency and immediate action is required to protect the public interest. The Board will consider issuance of legal opinions and to discuss potential and pending litigation.

PUBLIC MEETING

ROLL CALL:

Candice A. Traeger, Chairwoman
Robert Pacheco, Board Member
Marcy V. Saunders, Board Member

Recess to Closed Session to discuss matters pursuant to Government Code sections 11126 (a), (c) (3), and (e) and Labor Code sections 6609 and 6620.

CLOSED SESSION

DECISION OF ADMINISTRATIVE LAW JUDGE:

(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 decide if they will reconsider the ALJ decision on their own motion.)

1. DTBM, INC. dba FORTUNE BAKERY, 03-R6D2-3359 THROUGH 3362, 03-R6D2-3363

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.)

1. BENTEC INC., 03-R4D2-2440 THROUGH 2442
2. BIOSENSE WEBSTER, 05-R4D4-3694 AND 3695
3. CA JUSTICE-BUREAU OF NARCOTIC ENFORCEMENT, 04-R2D1-4371
4. CWC CONSTRUCTION SYSTEMS, INC., 04-R4D3-4199 AND 4200
5. CASTILLO CONSTRUCTION, 04-R3D2-3308
6. COMMERCIAL METAL FORMING, 03-R6D2-4273 THROUGH 4282
7. DELTA GRADING, 05-R3D3-3677 THROUGH 3679
8. ELITE METAL FINISHING, 04-R6D2-3880 THROUGH 3884
9. EAST WEST CLOTHING dba SOUP LOS ANGELES, 05-R4D1-3354
10. H & M FOUNDRY INC., 05-R4D2-3441 THROUGH 3444
11. HORSTMAN MANUFACTURING CO., INC., 04R-6D2-4140 THROUGH 4144
12. PERALTA COMMUNITY COLLEGE DISTRICT/MERRITT COLLEGE, 04-R1D4-2630 THROUGH 2636
13. SBC, 05-R1D5-2899

OTHER LEGAL MATTERS

Adjournment of Special Meeting.

The next Public Meeting/Closed Session is scheduled

Wednesday, January 11, 2006

10:00 A.M.

Cal/OSHA Appeals Board

2520 Venture Oaks Way, Suite 300

Sacramento, CA 95833

&

100 N. Barranca Street, Suite 410

West Covina, CA 91791

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