

**State of California**  
**Department of Industrial Relations**  
**CALIFORNIA OCCUPATIONAL SAFETY AND HEALTH APPEALS BOARD**  
**PUBLIC MEETING AGENDA**

2520 Venture Oaks Way, Suite 300  
Sacramento, CA 95833  
&  
100 North Barranca Street, Suite 410  
West Covina, CA 91791

**Tuesday, April 16, 2019**

**9:30 a.m.**

**ROLL CALL:**

Ed Lowry, Chair  
Judith Freyman, Board Member

**MINUTES OF PREVIOUS MEETING(S):**

*(Approve or amend minutes of previous Board meeting)*

**NEW BUSINESS:**

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

**OLD BUSINESS:**

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

**LEGISLATION:**

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

**CHAIRPERSON'S REPORT:**

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

**BOARD MEMBERS' REPORTS:**

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

**EXECUTIVE OFFICER'S REPORT:**

*(Report regarding administrative matters)*

**STAFF REPORTS:**

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

1. REGULATIONS:

Discussion on proposed changes to regulations 347, 359.1, 361.3, 372.2, and 372.9 concerning (1) changes to rules regarding docketing and perfecting an appeal, (2) changes to rules regarding employer provision of the citation package, (3) changes to rules regarding subpoenas, allowing attorneys to issue subpoenas and providing the board time to process subpoena requests, and (4) repeal of rule 372.9 requiring the Division's automatic production of evidence. Discussion regarding current status of proposed rulemaking efforts and regarding current status of associated rulemaking documents.

2. LITIGATION UPDATE:

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.

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**PUBLIC COMMENT:**

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

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

The next Board Meeting is scheduled  
**Thursday, May 9, 2019**

Cal/OSHA Appeals Board  
2520 Venture Oaks Way, Suite 300  
Sacramento, CA 95833  
&  
100 North Barranca Street, Suite 410  
West Covina, CA 91791

**ACCESSIBILITY OPTIONS AND ACCOMMODATIONS:** Disability accommodation is available upon request. Any person with a disability requiring an accommodation, auxiliary aid, service, or modification of policies or procedures should contact the above listed office or the Statewide Disability Accommodation Coordinator at 1-866-326-1616 (toll free). The coordinator can also be reached through the California Relay Service by dialing 711 or 1-800-735-2929 (TTY) or 1-800-855-3000 (TTY-Spanish).

Accommodations can include, but are not limited to, an Assistive Listening System (ALS), a Computer-Aided Transcription System or Communication Access Real-time Translation (CART), a sign language interpreter, documents in Braille, large print or on computer disk, and audiocassette recording. Accommodation requests should be made as soon as possible. Requests for an ALS or CART should be made no later than five (5) days before the conference.

**For Further Information Contact:**

Cal/OSHA Appeals Board  
2520 Venture Oaks Way, Suite 300  
Sacramento, CA 95833  
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