

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

Government Code § 11126 (a), (c)(3), (e) and (f)

for

Wednesday, March 25, 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: March 13, 2026

RE: Closed Session of the Board to be held on March 25, 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 decide if they will reconsider the ALJ Decision on their own motion.)

1568389 Caston, Inc.

1652861 Los Angeles County Probation Department

1603753 Tesla, 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.)

1847651 Fontenoy Engineering, Inc.

1644980 Herman Weissker Power, Inc.

1819474 Hormel Foods Operations, LLC

1820991 Yuba County Sheriff's Office

Orders Dismissing Appeal:

1811001	Advanced Textile Manufacturing
1757360	Anjia Construction
1821334	Cook Unity Los Angeles
1759125	Holcomb Engineering Contractors, Inc.
1791212	Medical Caregivers Company
1796319	Super Center Concepts Inc
1691261	The J.F. Will Company, Inc

Orders Denying Leave to File Late Appeal:

1835970	Amijot Trucking, LLC
1838095	Pacific Firewood & Lumber, Inc.
1836054	Rapid Services LLC

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. <i>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.</i>
1824578	Allied Express Logistics, Inc.

California Occupational Safety & Health Appeals Board
Closed Session Agenda
Posted March 13, 2026

- 1040471 Blue Diamond Growers
Whether or not the Unforeseeable Extreme Departure Defense applies to vacate the citations.
- 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.
- 1446266 Creative Packaging
Whether the employer violated hazard energy control regulations as alleged.
- 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.
- 1488312 Indiana Finish Line, Inc.
Whether the cited employer established procedures adequate to protect employees from COVID-19.
- 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.
- 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.
- 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

California Occupational Safety & Health Appeals Board
Closed Session Agenda
Posted March 13, 2026

that under the stipulated facts that Employer violated that section.

- 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.
- 1458699 Primula Mozzarella LLC.
To whether the Employer's petition for reconsideration was timely.
- 1355061 Republic Electric West, Inc.
Whether fall protection requirements apply to the work. Whether the IEAD was established. Whether penalties were duplicative. Whether the Employer exercised reasonable diligence. Whether it was an error to reduce the classification of the violations and reduce the penalties.
- 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).
- 1703764 The Don Chapin Co., Inc.
Did the Decision of the Administrative Law Judge properly find that employees were exposed to the hazard of a failure to provide a swinging gate or equivalent protection at the entrance to a ladder opening on a platform.
- 1454931 Tesla, Inc.
Whether the ALJ properly affirmed the citations and, if so, whether Employer established the due diligence defense.
- 1486176 Tutor Perini Corporation and O&G Industries, Inc.
Whether Employer committed a serious accident-related violation of section 3328, subdivision (a).
- 1660543 West Coast Drywall & Paint

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. The Appeals Board receives legal advice from its Legal Unit and provides policy direction

regarding pending litigation.)

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. The Geo Group, Inc., 25WM000023 (1609228)
5. Uber Technologies Inc, 30-2025-01462427 (1594663)
6. Employbridge Holding Company, 25CHCP00143 (1499137)
7. Sun Belt Rentals, 25CU041526C (1465119)
8. Drill Tech Drilling & Shoring, Inc. N25-1793 (1420923)
9. Metropolitan News Company, 25STCP04455 (1689021)
10. Los Angeles Police Department 25STCP05034 (1599318)
11. L & S Framing, Inc. (1692964)

Appellate Court:

1. General Dynamics NASSCO, D085662, 37-2023-00024521, (1300984).
2. Waterproofing and Roofing Solutions, Inc. 24STCP03693 (1690885)

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

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| 1853989 | ABM Industry Groups, LLC |
| 1699330 | Advanced Construction Southwest of California |
| 1823317 | Ashbury Environmental Services |
| 1860109 | Baird Roofing Co. |

California Occupational Safety & Health Appeals Board
Closed Session Agenda
Posted March 13, 2026

1765543	BH Granite & Quartz, Inc.
1692210	CA Corrections & Rehabilitation
1763300	Calpac Pizza II, LLC
1838181	Capstone Roofing, Inc.
1839812	Cemco, LLC
1721773	Cencal Services, Inc.
1815070	Delta Personnel Servies Inc.
1832513	Diamond Well Service, Inc.
1782046	Drill Tech Drilling & Shoring, Inc.
1825777	EI Ranco Supermercado, LLC
1826925	Eric Law
1767758	FedEx Ground Package System Inc.
1732989	Foothill Packing, Inc.
1776922	GMJ Arborists, Inc
1745820	HP Hood LLC
1820794	Inland Valley Pipeline Inc.
1799073	J.L. Plank, Incorporated
1812878	Kojae LLC
1837928	Level 3 Construction, Inc
1806740	M F A Construction, Inc
1842949	MD Thurber Inc
1845206	Mendota Food, Inc.
1848695	Mid-Valley Disposal, LLC
1669936	New Indy JV LLC
1821665	OBC, Inc.

California Occupational Safety & Health Appeals Board
Closed Session Agenda
Posted March 13, 2026

1473510	Overhill Farms, Inc.
1476240	Overhill Farms, Inc.
1657587	Pacific West Builders, Inc.
1792169	Paris Valley Vineyard Services Company
1842828	Passenger Construction Corp.
1775869	Premier HR
1658521	Raymond West Handling Solutions, Inc.
1713780	Salvatore Electric Inc.
1860152	Santini Foods, Inc.
1669181	Scaffold Solutions, Inc.
1651797	Semper Solaris, Inc.
1843013	Silverado Windows LLC
1817998	Skaggs Concrete Cutting, Inc.
1813392	Skyline Tree Enterprise, Inc.
1794857	Sletten Construction Company
1611185	Southern California Edison
1643760	SSA Pacific, Inc.
1822615	Stadelhoffer Construction Company
1672447	Staxx, Inc.
1840867	Stephen H. Smith Farms, Inc.
1732501	TE Connectivity
1738585	TE Connectivity
1852809	Techniclean Products, Inc
1844760	The Campbell Corporation
1785450	Timberworks Construction, Inc.

California Occupational Safety & Health Appeals Board
Closed Session Agenda
Posted March 13, 2026

1829061	United Building Maintenance Inc
1733608	Westrock Services, LLC
1833021	Wilbur Hot Springs Health Sanctuary, Inc
1864628	WTS Logistics Inc

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.