

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

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

**for**

**Wednesday, May 20, 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: May 8, 2026**

**RE: Closed Session of the Board to be held on May 20, 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.)*

1552002          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.)*

1805515          D-Line Constructors, Inc.

1853969          Direct Staffing LLC

1547223          Perry C. Thomas Construction, Inc.

1864915          Spalding Community Services District

1859532          Weaverville Gas

1563307          XL Concrete Masonry, LLC

**Orders Dismissing Appeal:**

1637880	Amazon Plumbing & Repairs, Inc.
1833643	Duran Contracting, Inc.
1607878	Gauthier Enterprises, Inc.
1777654	Nick Barbieri Trucking, LLC

**Orders Denying Leave to File Late Appeal:**

1821999	QSR West, Inc.
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**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.
1573582	CA Department of Corrections & Rehab <i>Whether several of the ALJ's findings of fact are supported by the record, and whether those findings support the decision.</i>
1360156	CA Forestry and Fire Protection <i>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.</i>
1446266	Creative Packaging

California Occupational Safety & Health Appeals Board  
Closed Session Agenda  
Posted May 8, 2026

*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.*
- 1644980 Herman Weissker Power, Inc
- 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.*
- 1692164 L & S Framing, Inc.
- 1642084 Los Angeles County Probation Department
- 1652861 Los Angeles County Probation Department
- 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 that under the stipulated facts that Employer violated that section.*
- 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.*
- 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,*

California Occupational Safety & Health Appeals Board  
Closed Session Agenda  
Posted May 8, 2026

*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.*

- 1235941      McCarthy Building Companies, Inc.
- 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)

California Occupational Safety & Health Appeals Board  
Closed Session Agenda  
Posted May 8, 2026

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. S-CV-0057345 (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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| 1843174 | 49'r Propane, Inc.                              |
| 1831595 | A Step Above Scaffold Co Inc                    |
| 1624850 | Americold Logistics, LLC                        |
| 1834999 | Anderson Pacific Engineering Construction, Inc. |
| 1873112 | Arts Roofing, LLC                               |
| 1798824 | Ben Castro Masonry, Inc.                        |
| 1857542 | Bristol Farms                                   |

California Occupational Safety & Health Appeals Board  
Closed Session Agenda  
Posted May 8, 2026

1858921	Cabalen Hercules Inc.
1851307	California Resources Corporation
1706758	Cargill Meat Solutions Corporation
1858154	Cedar Valley Manufacturing, Inc.
1878107	Chaffin Harvesting
1828304	Chevron U.S.A. Inc.
1846783	ChrisCo Bits, Inc.
1692190	Circle M Contractors Inc
1855645	City of Poway
1862994	CMM Enterprises, Inc.
1625542	Cobuild, Inc.
1827483	Cortech West Staffing LLC AKA Cortech
1855181	Costco Wholesale
1855180	Crawford Bros., Inc.
1185893	D & D Construction Specialties, Inc.
1847850	Delsid, Inc.
1839395	Diamond Landscaping LLC
1813989	Dirtprep Solutions Equipment, LP
1754042	Diversified Restaurant Group
1839510	DSF Management Inc
1872989	Elk Creek Builders LLC
1843885	Faencal Tartaric Products, Inc.
1873125	Figas Construction
1684504	Food 4 Less Holdings inc.
1826827	Full Steam Staffing LLC

California Occupational Safety & Health Appeals Board  
Closed Session Agenda  
Posted May 8, 2026

1746745	Grace Holmes, Inc,
1813522	Grain Craft, LLC
1867827	Hankins Group, Inc.
1831076	Heco-Pacific Manufacturing, Inc.
1728986	Hope Clinical
1667717	Imperial Irrigation District
1665444	Interstate Hotels, LLC
1739249	Invapharm, Inc.
1824567	Izzuz Partners Inc.
1872489	J & A Solari, Inc.
1857301	J Reyes Construction LLC
1683526	Jasco Enterprise Inc
1866489	JRC Farming Services
1549261	Kiewit Infrastructure West Co.
1870325	Marine Group Boat Works, LLC
1818654	Marriott Welding, Inc.
1821086	Matt Construction Corporation
1843817	Mendoza Plastering Inc
1810169	MHA RDR LLC
1788503	Millie & Severson, Inc.
1759406	MJ Glass Hayward Inc
1662978	Nina Mia, Inc.
1842532	Olwin Landscape Design & Construction Inc.
1785143	Parkhouse Tire Service, Inc
1802701	Pirate California Holdings, LLC

California Occupational Safety & Health Appeals Board  
Closed Session Agenda  
Posted May 8, 2026

1880469	PTRS Inc
1726774	Radford Studio Center LLC
1529779	Ralphs Grocery Co.
1783885	Ramco Enterprises, LP or Ramco Enterprises, L.P.
1872492	Red Clover Worker's Bridade, Inc.
1871184	Ridge Builders LLC
1860123	S-K Ranch Management, LLC
1683532	Securitas Security Services USA, Inc.
1779199	Siemens Mobility Inc.
1804176	Siemens Mobility, Inc., Rolling Stock
1808185	T.M. Cobb Company
1660769	Taylor Farms Retail, Inc.
1710855	Taylor Farms Retail, Inc.
1815994	The Best Demolition and Recycling Co.
1710774	The City of San Diego Public Utilities Department
1658976	The Martin- Brower Company, L.L.C.
1646569	Trademark Construction
1605763	Ultramar Inc.
1783871	Walmart Inc.
1856566	Westech Systems, LLC
1841512	Wine Country Cases, 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.