

**STATE OF CALIFORNIA
CALIFORNIA OCCUPATIONAL SAFETY AND HEALTH APPEALS BOARD
MINUTES OF THE PUBLIC MEETING & CLOSED SESSION
Held on May 28, 2014
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
Aaron Jackson, Industrial Relations Counsel
Autumn Gonzalez, Industrial Relations Counsel
Lee Berlin, Executive Secretary

MINUTES OF MAY 14, 2014 MEETING:

(Approve or amend minutes of previous Board meeting)

ACTION: Member Lowry moved that the Board approve the draft minutes of the May 14, 2014 Board Meeting. Member Freyman seconded. The Board voted to approve the draft minutes of the May 14, 2014 Board meeting.

ADMINISTRATIVE MATTERS:

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

APPEALS VOLUME REPORT:

(Appeals volume statistics for prior month and year to date)

ACTION: The report for January through April 2014 indicates the Board is receiving appeals at a higher monthly average rate than last year. To date this calendar year, the Board has docketed 1,533 appeals and resolved 1,284. Last year in the same time frame, the Board had docketed 1,362 appeals and resolved 1,252.

HEARING CALENDAR REPORT:

(Review and discuss statistical information)

ACTION: Executive Officer Johnson reported that the DIR IT Department (OIS) is currently working on a COGNOS report that may be able report on use of our hearing operations resources. The current report is produced manually from information found in the outcome reports created by the Administrative Law Judges.

NEW BUSINESS:

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

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ACTION: Executive Officer Johnson reported that DOSH District Managers and other staff will be training on the new Federal OIS number system that will replace IMIS numbers as a system for tracking citations. This may affect the August hearing and pre-hearing calendars.

She also reported that the Board has received a draft of the 2013 Federal Annual Monitoring and Evaluation (FAME) Report. There will be a comment period before the report is finalized next month.

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)

ACTION: No report.

CHAIRPERSON'S REPORT:

ACTION: No report

BOARD MEMBERS' REPORTS:

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

ACTION: Member Freyman said that she met with Gail Bateson, Executive Officer of Worksafe, for an informal discussion of worker safety issues.

EXECUTIVE OFFICER'S REPORT:

(Report regarding administrative matters)

OASIS PROJECT:

ACTION: Several members of the OSHAB staff viewed "COTS" software products from vendors who responded to the RFI proposal.

STAFF REPORTS:

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

ACTION: The Board members received a copy of the most recent draft of the pilot decision model. ALJs are beginning to produce decisions using the model, while the PALJs continue to refine it during the pilot program.

Chief Counsel Mojcher reported that West Valley Construction has filed a writ.

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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:

SCHINDLER ELEVATOR CORPORATION, 12-R3D2-2916 AND 2917

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

PETITIONS FOR RECONSIDERATION:

HONEYBAKED HAMS, 13-R3D1-0941

ACTION: Member Lowry moved that the Board vote to accept the Legal Unit's recommendation to deny this Petition for Reconsideration. Member Freyman seconded. The Board voted to accept the Legal Unit's recommendation to deny this Petition for Reconsideration.

ROSENDIN ELECTRIC, INC., 12-R2D1-3028

ACTION: Member Lowry moved that the Board vote to accept the Legal Unit's recommendation to grant this Petition for Reconsideration. Member Freyman seconded. The Board voted to accept the Legal Unit's recommendation to grant this Petition for Reconsideration.

SPRECKLES SUGAR CO., INC., 13-R3D2-0945 THROUGH 0947

ACTION: Member Lowry moved that the Board vote to accept the Legal Unit's recommendation to deny this Petition for Reconsideration. Member Freyman seconded. The Board voted to accept the Legal Unit's recommendation to deny this Petition for Reconsideration

DENIAL OF PETITIONS FOR RECONSIDERATION (DRAFT):

BHC FREMONT HOSPITAL, INC., 13-R1D2-0204

ACTION: 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

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Reconsideration for signature.

FRANK M BOOTH, INC., 12-R2D3-0601

ACTION: 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.

IRWIN INDUSTRIES, 12-R4D3-3276 AND 3277

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

OC TURF AND PUTTING GREENS, 13-R3D2-1751

ACTION: 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.

ORDERS DISMISSING APPEAL:

ORDER GRANTING LEAVE TO FILE LATE APPEAL:

STAMOULES PRODUCE COMPANY, 14-R2D5-1524 AND 1525

ACTION: Member Lowry moved that the Board approve this Order Granting Leave to File Late Appeal of an Administrative Law Judge. Member Freyman seconded. The Board voted to approve this Order Granting Leave to File Late Appeal of an Administrative Law Judge.

ORDER DENYING LEAVE TO FILE LATE APPEAL:

AMENDED ORDER:

HENKEL CORPORATION, 13-R2D2-1386 AND 1387

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

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.

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.)

AGRI-VALLEY IRRIGATION, INC., 07-R2D5-3785 AND 3786
JAMES BALDWIN DBA LYON'S MUFFLER & BRAKE, 14-R6D5-9019
BELLINGHAM MARINE INDUSTRIES, 2012-R2D2-3144 THROUGH 3146
BRAD STONER PAINTING, INC., 13-R3D2-9200
BURBANK RECYCLING, INC., 10-R4D3-0562 AND 0563
CABRILLO ECONOMIC DEVELOPMENT CORP., 11-R4D3-3185 & 3186
CLARK PACIFIC PRECAST, LLC, ET AL, 09-R2D1-0282
COFFMAN SPECIALTIES, INC., 10-R3D3-3532

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

CORONADO IRRIGATION SERVICES, 09-R4D2-0385 THROUGH 0387
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
HHS CONSTRUCTION, 12-R3D2-0492-0497
IN THE POCKET, INC. DBA BRENTWOOD BOWL, 11-R1D3-2272
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 VALENCIA HOTEL, 2013-R3D2-9199
L & S CONSTRUCTION, INC., 10-R3D1-1821 AND 1822

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

LYON'S MUFFER & BRAKE, 14-R6D5-9019
M1 CONSTRUCTION, INC., 12-R4D1-0222 AND 0223
MARIA DE LOS ANGELES COLUNGA DBA MERCED FARM LABOR,
08-R2D1-3093 THROUGH 3098
MARCO RUFO DBA MARCO RUFO, 13-R6D5-9217
McCARTHY BUILDING CO., INC., 11-R4D2-1706 AND 2406
MCCARTHY BUILDING CO., INC., 12-R1D4-3458
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

O.C. JONES AND SONS, INC. 13-R2D2-0310
ONESTOP INTERNET, INC., 11-R4D2-2636 AND 2637
OWENS-ILLINOIS GLASS CONTAINER, INC., 09-R1D4-2021 AND 2022

ACTION: The Board discussed this matter

JIM PARKER, 2014-R4D1-9009
PERSONNEL PLUS, INC., 11-R3D5-1302
ROEBBELEN CONTRACTING, INC., 12-R2D2-3248
ROLLED STEEL PRODUCTS CORP., 10-R6D2-4047 AND 4048
ROSENDIN ELECTRIC, INC., 12-R2D1-3028 (Board Order of Recon)
SIERRA FOREST PRODUCTS, 09-R2D5-3979
SONIC DRIVE-IN, 12-R2D5-2734
STAFFCHEX, 10-R4D3-2456 THROUGH 2458
STARBUCKS DBA STARBUCK'S COFFEE #5867, 12-R3D2-3675 THROUGH 3678
TL PALVICH CONSTRUCTION, INC., 11-R3D6-1303 THROUGH 1310
TRADEMARK CONSTRUCTION CO., INC., 12-R4D1-0096 AND 0097
TREASURE ISLAND MEDIA, INC., 2010-R6D1-1093 THROUGH 1095
VICTORY SCREEN PRINTING 12-R3D1-3673 & 3674

LEGISLATION:

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.)

1. M.C.M. CONSTRUCTION, INC., 34-2009-80000378 (09-9230)
2. SMUD, 34-2010-80000723 (08-R2D1-4887)
3. BAY AREA RAPID TRANSIT DISTRICT, 34-2011-8000820 (03-R1D1-5170)
4. MASCON, INC., 34-2011-80000819 (08-R2D1-4278 AND 4279)
5. CLARK PACIFIC DBA PACIFIC EMBEDDED PRODUCTS, 34-2011-80000965 (10-0188~0191)
6. CA PRISON INDUSTRY AUTHORITY, CIV 1105778 (09-R1D5-2459 THROUGH 2461)
7. FLATIRON CONSTRUCTION CORP, 34-2012-80001029 (10-R4D1-2789)
8. JENSEN PRECAST, 34-2012-80001120 (05-R2D1-2377)

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9. THE HERRICK CORPORATION, 34-2012-80001118 (07-0495)
10. UNDERGROUND CONSTRUCTION, 34-2012-80001124 (09-3518)
11. DUININCK BROS., INC., 34-2012-80001129 (06-2871)
12. C.A. RASMUSSEN, INC., 34-2012-80001241-CU-WM-GDS (08-R4D5-0219 AND 0220)
13. SHIMMICK CONSTRUCTION CO., INC., 34-2012-80001248 (09-R2D3-0399)
14. A TEICHERT & SON, DBA TEICHERT CONSTRUCTION, 34-2012-80001258 (05-R2D4-2650 AND 2651)
15. CA DEPT OF FORESTRY, 34-2012-80001263 (10-R2D1-0728)
16. A. TEICHERT & SON, 34-2012-80001265 (05-R2D5-2650 AND 2651)
17. PRESTON PIPELINES, INC., 34-2012-80001277 (09-R6D7-3345)
18. BLUE DIAMOND GROWERS, 34-2012-80001308 (10-R2D1-1280/1281)
19. CLARK PACIFIC PRECAST LLC, et al, 34-2012-80001319 (09-R2D1-0282/0283)
20. A. TEICHERT & SON, DBA TEICHERT CONSTRUCTION, 34-2012-80001332 (09-R4D5-0459 & 0460)
21. HOME DEPOT USA, INC., BS141301 (10-3284)
22. PRESTON PIPELINES, INC., 34-2013-8001381 (11-2530)
23. ORANGE COUNTY FIRE AUTHORITY, 30-2013-00628178 (10-3667)
24. THYSSENKRUPP ELEVATOR CORP., 34-2013-80001456 (11-2217 ~ 2219)
25. BIG LOTS STORES, INC., 37-2013-00045936 (11-R3D2-1929 ~ 1931)
26. GUARDSMARK, LLC, 30-2013-00651094 (12-R3D1-0056)
27. ORANGE COUNTY FIRE AUTHORITY, 30-2013-00652023 (12-0439)
28. ORANGE COUNTY FIRE AUTHORITY, 30-2013-00651875 (12-0440)
29. AC TRANSIT, RG13687314 (08-R1D4-0135)

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30. DSS COMPANY DBA KNIFE RIVER CONSTRUCTION, 34-2013-80001575 (12-R5D1-337)
31. BAY AREA RAPID TRANSIT DISTRICT, RG13689346 (09-R2D2-1219 & 1221)
32. CA PRISON INDUSTRY AUTHORITY, 13 C 0327 (08-R2D5-3426 ~ 3429)
33. HILL CRANE SERVICE, INC., 34-2014-80001730 (12-R4D1-2475)
34. MARTIN J. SOLIS DBA SOLIS FARM LABOR CONTRACTOR, 34-2014-80001749 (2008-R2D1-3414 THROUGH 3418)
35. SHIMMICK-OBAYASHI, 34-2014-80001750 (2008-R3D3-5023 THROUGH 5025)
36. TAD VAN NGUYEN, CPF-14-513482 (13-R1D1-9163)
37. BAY AREA RAPID TRANSIT DISTRICT, RG14715710 (10-R1D1-3056 THROUGH 3058) (DOSH)
38. LAND O'LAKES PURINA FEED, LLC, RG14715717 (08-R2D4-1843 AND 1844) (DOSH)
39. BAY AREA RAPID TRANSIT DISTRICT, RG14715720 (10-R1D1-3056 THROUGH 3058) (3rd Party)
40. BRUNTON ENTERPRISES DBA PLAS-TAL MFG CO., 34-2014-80001817 (09-R6D2-2238 ~ 2241)

APPELLATE COURT:

1. CLARK PACIFIC, A GENERAL CALIFORNIA PARTNERSHIP, C075477, 34- 2011-80000640 (08-R2D1-0027 THROUGH 0030)
2. XL CONSTRUCTION, C074514, 34-2009-80000300 (08-R1D2-1191 THROUGH 1193)
3. SHERWOOD MECHANICAL, INC., D065322, 37-2012-00101466 (08-R3D2-4690 ~ 4693)

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.)

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ABC STUDIOS AKA CASTLE/ABC STUDIOS, 13-R4D1-2290 AND 2291
A.B.P. / ALL BAY PLUMBING, INC., 14-R2D4-0560 AND 0561
ADECCO STAFFING, 14-R2D4-0940
ADVANCED FRAMING STRUCTURES, INC., 14-R3D3-0212 THROUGH 0214
AGRO-JAL COOLING, INC., 13-R6D5-3498
ALARCON CUSTOM PAINTING, 13-R3D3-3428 AND 3429
ALL METALS PROCESSING OF ORANGE COUNTY INC., 13-R3D1-1028 AND 1029
AMERICAN CONTRACTING & PAINTING, 13-R3D3-2486 AND 2487
MARTIN GARCIA AVALOS DBA MARTIN FARMS, 13-R3D3-2939 THROUGH 2941
BARRAGON BROTHERS COMMISSARY DBA EL RANCHERO COMMISSARY,
14-R2D2-1571 AND 1572
BC BLASTING INC., 13-R2D1-2930 AND 2931
BIG SLEEP FUTON, INC., 14-R6D2-0631 THROUGH 0633
BODEGA LATINA DBA EL SUPER, 13-R3D5-3323
BURKE ROOFING INC., 13-R2D3-3642 AND 3643
CA CORRECTIONS – CORCORAN, 13-R2D5-2724
CA CORRECTIONS & REHAB IRONWOOD STATE PRISON, 13-R3D3-2635
CA CORRECTIONS – PLEASANT VALLEY STATE PRISON, 14-R2D5-0334
CALIFORNIA THEAMING INC., 14-R6D2-0825 THROUGH 0834
CERTIFIED CONCRETE INC – CCI, 13-R3D2-2662 AND 2663
CEVA LOGISTICS, INC., 13-R3D5-2045
COCA COLA REFRESHMENTS, 13-R3D1-3085
CORONA NORCO USD McKINLEY ELEMENTARY SCHOOL, 14-R3D3-1315
COUNTY OF LA DEPT OF AUDITOR CONTROLLER, 13-R3D5-2088
COUNTY OF LOS ANGELES SANITATION DISTRICT, 13-R3D5-2046 AND 2047
COUNTY OF SAN BERNARDINO SHERIFF DEPT., 14-R3D3-0375
CUNDIFF STEEL FABRICATING & ERECTING, 13-R3D1-2659 THROUGH 2661
DIANA’S MEXICAN FOOD PRODUCTS, INC., 13-R4D4-1925
DLS INTERNATIONAL SERVICE, LLC., 13-R6D5-3456 AND 3457
DON LEE FARMS, 13-R4D1-1410 THROUGH 1412
DYK INCORPORATED DBA D N TANKS, 13-R1D4-2535
DUPONT DISPLAYS, INC., 13-R4D3-3715 AND 3716
EAST NORTH FARMS, LLC., 14-R4D7-0786 THROUGH 0789
ENOPLASTIC USA, INC., 14-R2D2-1525 AND 1526
EXETER-IVANHOE CITRUS ASSOCIATION, 14-R6D1-0042 THROUGH 0045
FISHER TRUCKING, INC., 13-R3D1-2113
FLEXCO INC., 14-R6D2-0820 THROUGH 0824
FRYMER DEVELOPMENT, INC., 12-R4D1-3720
FUTURE FOAM INC., DBA FOAM CRAFT, INC., 13-R3D1-3121 THROUGH 3123
GKN AEROSPACE TRANSPARENCY SYSTEMS, INC., 13-R3D1-3162
THROUGH 3170
HARIK CONSTRUCTION, INC., 13-R4D4-0141
HELIO POWER, 14-R3D3-0872 AND 0873
HENKEL CORPORATION, 13-R2D2-1386 AND 1387
INCAST ASSET MANAGMENET, INC., DBA ONMIDUCT SYSTEMS,
14-R3D1-0276 AND 0277

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JAMES G. GARCIA, INC., 13-R3D3-2196
JELLO CONTAINER INC., 13-R3D1-0937 THROUGH 0939
KOCHHENBAGNER BREWING CO. DBA STONE BREWING CO.,
14-R3D2-0424 THROUGH 0425
KS INDUSTRIES, LP, 13-R4D7-3883 THROUGH 3885
LACCD EAST LOS ANGELES COLLEGE, 13-R4D1-3147 THROUGH 3149
L.A. CITY FIRE, 13-R4D1-1142 *
LA FOLLETTE ENTERPRISES, 14-R2D4-0965
LAIRD MFG., 13-R2D4-3070
RENE P LEON DBA MD AUTO BODY & REPAIR, 14-R6D7-1151 THROUGH 1153
MANITOWOC BEVERAGE SYSTEMS DBA KYEES ALUMINUM, 14-R6D2-1228 *
MATRIX H G INC., 13-R1D4-2312 AND 2313
MCM CONSTRUCTION, INC., 13-R3D5-1650
MERCED UNION HIGH SCHOOL DIST DBA MERCED HIGH SCHOOL, 14-R2D4-1219
MONDRIAN HOTEL, 13-R4D1-1841
NAUME'S INC., 12-R2D1-3026 AND 3027
NISSIN FOODS (USA) CO., INC., 13-R3D5-2553
NOR-CAL SCAFFOLDING, INC., 13-R1D1-2500 AND 2501
NORDBY WINE CAVES, 14-R5D1-1324 *
OFFICE CHAIRS INC., DBA OCI/SITWELL, 13-R4D4-0619 AND 0620
PAR ELECTRICAL CONTRACTORS, INC., 13-R3D2-1224
PARKER PALM SPRINGS, 13-R3D3-3682
PATRIOT ENVIRONMENTAL SERVICES, INC., 13-R3D3-1225
PHILLIPS 66 COMPANY DBA: PHILLIPS 66, 13-R6D4-2090 *
REFRIGERATION HARDWARE SUPPLY CORP, 14-R6D2-0583 THROUGH 0585 *
ROBERT CLAPPER CONSTRUCTION SERVICES, 13-R3D5-1912 AND 1913
BRIAN P SAETERN DBA BT FARMS, 13-R6D7-2517
SAFEWAY SERVICES LP., 13-R4D1-3053
SARONI FOOD SERVICE DBA SARONI FOOD SERVICES, 14-R6D1-0441 AND 0442
OLEN & SANDY SELF DBA OASIS SALOON & GRILL, 13-R6D7-0388
S & R FARM LABOR CONTRACTOR, 11-R3D3-0020 AND 0021
SUN PACIFIC FARMING COOPERATIVE, INC., 13-R4D7-3753 THROUGH 3755 *
STRONG, INC., 13-R4D1-3806
SILHOUETTE CLOTHING INC., DBA LOVE D SHOES, 14-R3D1-0562 AND 0563
TANIMURA & ANTLE FRESH FOODS, INC., 13-R1D2-3889
TERRA NOVA RANCH, 12-R2D5-3492 AND 3493
THE BOEING COMPANY, 14-R3D5-1036
TIKI LODGE, 14-R2D4-1154 THROUGH 1158
TONY PARKER GENERAL BUILDERS, INC., 13-R6D5-2432 THROUGH 2434
TRANSFIELD SERVICES AMERICA RESOURCES & ENERGY, 13-R6D3-3041
AND 3042
TRI-STAR DYEING AND FINISHING, INC., 13-R4D4-1226 AND 1227 *
UTC AEROSPACE SYSTEMS DBA ROHR, INC., 14-R3D3-1250 AND 1251
WALKER FOODS, INC., 12-R4D1-3435
WALKER FOODS, 12-R4D1-3436
WALLBOARD TOOL CO., INC., 14-R6D2-1129 THROUGH 1133

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WIRE TECH, INC., 13-R6D2-1159 AND 1160

WISE ELECTRIC & COMMUNICATIONS, INC., 13-R4D7-3240

WORLD KITCHEN LLC., 13-R3D3-3904 AND 3905

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: No report.

The Closed Session was adjourned at 12:10 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 12:11 p.m.