

**STATE OF NEVADA
OCCUPATIONAL SAFETY AND HEALTH REVIEW BOARD**

NOTICE OF MEETING

You are hereby given notice that the NEVADA OCCUPATIONAL SAFETY AND HEALTH REVIEW BOARD will conduct an Administrative hearing commencing at 9:00 a.m., on **Wednesday, June 10 2020**, and continuing, if necessary, on **Thursday, June 11, 2020**. This meeting will be held *via* teleconference only. Pursuant to Governor Sisolak's March 22, 2020 Declaration of Emergency Directive 006, the requirement contained in NRS 241.023(1)(b), that there be a physical location designated for meetings of public bodies where members of the public are permitted to attend and participate, is suspended in order to mitigate against the possible exposure or transmission of the COVID-19 (Corona Virus). Accordingly, any person planning to participate in the meeting must participate by using the teleconference number and collaboration code immediately below.

Teleconferencing Access

Teleconference number: 702-486-5260
Collaboration (Meeting) Code: 69121#

ADMINISTRATIVE AGENDA

Notice: (1) Items on the Agenda may be taken out of order; (2) The Board may combine two or more Agenda items for consideration; (3) The Board may remove an item from the Agenda or delay discussion relating to an item on the Agenda at any time; and (4) The public is advised that one or more members of the Board may participate in the meeting *via* telephone. Presently, all participating will participate by telephone.

Persons wishing to provide public comment may participate during the scheduled meeting *via* teleconference or address their comments, data, views, arguments in written form to: Steve Ingersoll, Chairman, c/o Charles R. Zeh, Esq., Board Legal Counsel, 50 West Liberty Street, Suite 950, Reno, NV 89501; Fax number (775) 786-8183; e-mail address: crzeh@aol.com. Written submission should be received by the Board on or before June 5, 2020, by 11:00 a.m., in order to make copies available to members of the Board of Review and the public.

1. Roll Call.
2. Public Comment - The opportunity for public comment is reserved for any matter listed below on the Agenda as well as any matter within the jurisdiction of the Board. No action on such an item may be taken by the Board unless and until the matter has been noticed as an action item. Comment from the public is limited to three minutes per person. Public comment is not permitted during Review Board contested hearings which are specifically governed by NRS 618, NRS 233B, and NAC 618. The applicable legislation and codified

procedures mandate assurance of a fair and impartial administrative hearing, a transcribed record, and a protected appellate process for an aggrieved party to seek redress in the district courts.

3. Administrative Meeting:

- a. Approval of the previous Review Board minutes of December 11, 2019 and March 10, 11, 2020. - **For Possible Action**
- b. Review contested case settlements, motions, draft decisions, or procedural issues pending on status report, for approval and issuance of final orders:
 - i. RNO 19-1959, Petersen-Dean, Inc.- **For Possible Action**
 - ii. LV 19-2000, Dri Tech Corporation - **For Possible Action**
 - iii. LV 20-2022, M.J. Dean Construction, Inc.- **For Possible Action**
 - iv. RNO 20-2030, Paiute Pipeline Co.- **For Possible Action**
 - v. LV 20-2010, The Original Roofing Company - **For Possible Action**
 - vi. LV 18-1939, Olson Precast Co., (Order Dismissing, in part the Contest and Complaint) - **For Possible Action**
 - vii. RNO 19-1960, B&C Cabinets and Millwork, Inc. (Consider for approval, rejection or modification of the draft Decision of the Board) - **For Possible Action**
 - viii. LV 18-1910, Platinum Plastering, Inc. (Consider for approval, rejection or modification of the draft Decision of the Board) - **For Possible Action**
 - ix. LV 19-1961, Apex Linen Service, Inc. (Consider for approval, rejection or modification of the draft Decision of the Board) - **For Possible Action**
- c. General administration and/or procedural issues.
 - i. General matters of import to Board members.
 - ii. Old and New Business.
 - iii. Conduct of contested case hearing. The Board will discuss the efficacy of using teleconferencing to hear cases or deferring hearings until "in-person" hearings may be held, or it may continue this issue to a later date. - **For Possible Action**
- d. Schedule of hearings on pending cases, calendar and status report. The Board has scheduled the following meetings. - **For Possible Action.**
 - * **July 7, 8 and 9, 2020** - 4600 Kietzke Lane, Building G, Suite 160, Reno, Nevada.
 - * **August 5 and 6, 2020** - 3360 West Sahara Avenue, Suite 175, Las Vegas, Nevada 89102.
 - * **September 9, 10 and 11, 2020** - 3360 West Sahara Avenue, Suite 175, Las Vegas, Nevada 89102.
 - * **October 14 and 15, 2020** -4600 Kietzke Lane, Building G, Suite 160,

Reno, Nevada.

- * **November 12 and 13, 2020** - 3360 West Sahara Avenue, Suite 175, Las Vegas, Nevada 89102..
- * **December 9 and 10, 2020** - 3360 West Sahara Avenue, Suite 175, Las Vegas, Nevada 89102..
- * **January 13 and 14, 2021** - 4600 Kietzke Lane, Building G, Suite 160, Reno, Nevada.
- * **February 10 and 11, 2021** - *Location to be determined.*
- * **March 10 and 11, 2021** - *Location to be determined.*

4. Public Comment - The opportunity for public comment is reserved for any matter listed on the Agenda as well as any matter within the jurisdiction of the Board. No action on such an item may be taken by the Board unless and until the matter has been noticed as an action item. Comment from the public is limited to three minutes per person. Public comment is not permitted during Review Board contested hearings which are specifically governed by NRS 618, NRS 233B, and NAC 618. The applicable legislation and codified procedures mandate assurance of a fair and impartial administrative hearing, a transcribed record, and a protected appellate process for an aggrieved party to seek redress in the district courts.

5. Adjournment. **For Possible Action.**

Anyone with a disability, as defined by the Americans with Disabilities Act, and requiring special assistance to participate in the meeting, may contact the Board at the following address, at least five (5) days prior to the hearing in order to try and make arrangements for reasonable accommodations that would enable participation in the hearing by contacting Charles R. Zeh, Esq., The Law Offices of Charles R. Zeh, Esq., 50 West Liberty Street, Suite 950, Reno, Nevada 89501, or by calling (775) 323-5700, contacting the offices of the Division of Industrial Relations, Nevada OSHA Legal Counsel, Salli Ortiz, Esq., 400 West King Street, Suite 201, Carson City, Nevada, 89703, or by calling (775) 684-7286, or by contacting the Division of Industrial Relations, Nevada OSHA General Legal Counsel, Donald C. Smith, Esq., at 3360 West Sahara Avenue, Suite 250, Las Vegas, Nevada 89102, or by calling (702) 486-9070.

Pursuant to Governor Sisolak's March 22, 2020 Declaration of Emergency Directive 006, the Notice of Posting this Notice has been suspended except as stated, below.

This Notice and agenda have been posted on or before the third working day before the meeting at the websites listed below and the aforementioned locations:

State of Nevada, Department of Business and Industry, Industrial Relations (DIR) website at <http://dir.nv.gov/Meetings/Meetings>

Nevada Public Notices at <http://www.notice.nv.gov>

An electronic copy maybe obtained of the supporting (not privileged and confidential) material provided to the Board Members in advance of the hearing upon request made to: Charles R. Zeh, Esq., The Law Offices of Charles R. Zeh, Esq., 50 West Liberty Street, Suite 950, Reno, Nevada 89501, or by calling (775) 323-5700.

Copies of the supporting (not privileged and confidential) material may also be obtained upon request at the offices of the Division of Industrial Relations, Nevada OSHA Legal Counsel, Salli Ortiz, Esq., 400 West King Street, Suite 201, Carson City, Nevada, 89703, or by calling (775) 684-7286, or by contacting the Division of Industrial Relations, Nevada OSHA General Legal Counsel, Donald C. Smith, Esq., at 3360 West Sahara Avenue, Suite 250, Las Vegas, Nevada 89102, or by calling (702) 486-9070.

DATED this 17th day of May, 2020.

By: /s/Charles R. Zeh, Esq.
Charles R. Zeh, Esq.
Legal Counsel for the Board