

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

You are hereby given notice that the Nevada State Occupational Safety and Health Review Board (the Board) will hold a meeting of the Board on Wednesday, November 13, 2024, and continuing, if necessary, on November 14, 2024, commencing at 9:00 a.m., at the Division of Industrial Relations offices located at 2300 West Sahara Avenue, Suite 750, Las Vegas, Nevada 89102.

The public is advised that the member(s) of the Board and Legal Counsel may participate in the meeting by electronic means.

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; and (3) The Board may remove an item from the Agenda, delay discussion relating to an item or delay commencement of the meeting.

Persons wishing to provide public comment or address a specific item on the Agenda may participate during the scheduled meeting. Also, the public may address their comments, data, views, arguments in written form to: Jorge Macias, 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 submissions should be received by the Board on or before November 6, 2024, by 11:00 a.m., in order to make copies available to members of the Board of Review and the public.

The Parties and Public to the Administrative matters may appear in person or electronically through Webex. The Webex information is listed below.

WEBEX INFORMATION

Join from the meeting link

<https://nvbusinessandindustry.webex.com/nvbusinessandindustry/j.php?MTID=mc3e1fe7f085df92d26df5c66c650e4dc>

Join by meeting number

Meeting number (access code): 2634 307 5168

Meeting password: GJgBJSTr245

Join from a mobile device

+1-415-655-0001,,26343075168## US Toll

Join by phone

+1-415-655-0001 US Toll

AGENDA

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. Contested Case Hearings – The contested matters shall be heard in a quasi-judicial forum pursuant to Chapter 618 of the Nevada Administrative Code and applicable Nevada Revised Statutes conferring jurisdiction. The hearing proceedings will be preserved by tape recording and ultimately, perhaps, by written transcription. You are further notified: Meetings and contested hearings are open to the public; deliberations which involve alleged misconduct, professional competence, and/or character may be held privately; any final decisions will be made in public – all in accordance with Chapter 241 of the Nevada Revised Statutes, commonly known as the Nevada Open Meeting Law. The disposition of these matters will be informed by the content of the hearing before the Board. Unless settled or otherwise removed from the Review Board’s stacked docket, the contested cases will be heard in the order set forth below:
 - a. RNO- 25-2314 - Walmart, Inc. (Oral Argument re: NV OSHA's Objection to Respondent's First Set of Interrogatories) - **For Possible Action**
 - b. LV 23-2184 - Universal Consulting Corp dba A-1 Concrete Cutting and Demolition aka A-1 Concrete Cutting - **For Possible Action**
 - c. LV 24-2259 - DNN, LLC dba Best Western Plus North Las Vegas Inn and Suites - **For Possible Action**
 - d. LV 24-2261 - Gramercy Bakery, LLC - **For Possible Action**
 - e. LV 24-2264 - Sunshine Minting Nevada - **For Possible Action**
 - f. LV 24-2269 - PDE Holdings Limited Liability Co dba Enix Mechanical - **For Possible Action**
 - g. LV 24-2257 - Atlas Marble and Granite, Inc. - **For Possible Action**
 - h. LV 24-2225 - United Parcel Service, Inc.- **For Possible Action**
4. Administrative Meeting:
 - a. Approval of previous Review Board meeting minutes for October 9, 2024 - **For Possible Action.**

- b. Review contested case settlements, withdrawals of citations, motions, draft decisions, or pending issues for approval, rejection or amendment and possible issuance of final orders. The disposition of these matters will be informed by the content of the proceedings before the Board. For a Settlement to be approved , it must be found to be consistent with the provisions of Chapter 618 of the Nevada Revised Statutes including NAC 618.833(1). - **For Possible Action.**

The following are Draft Decisions

- i. LV 22-2177, Solar Star, LLC dba Vegas Solar - **For Possible Action.**
- ii. LV 21-2108, Focus Framing, Doors and Trim, LLC - **For Possible Action.**
- iii. LV 18-1939, Olson Precast Company - **For Possible Action.**
- iv. LV 19-1940, Las Vegas Paving Corp.- **For Possible Action.**

The following are Proposed Settlements

- v. RNO 23-2202, Walmart Inc. dba Walmart #2189 Aka Walmart Supercenter #2189 - **For Possible Action.**
- vi. LV 24-2229, AMPB Acquisition Corp. dba Gerber Collision & Glass - **For Possible Action.**

The following are Status Conferences

- vii. RNO 18-1923, Production Pattern and Foundry Co., Inc.- **For Possible Action.**
- viii. RNO 18-1946, DNA Framing, Inc.- **For Possible Action.**
- ix. LV 21-2060, Pole Fitness Studio, LLC aka Pole Fitness Studio - **For Possible Action.**
- x. LV 18-1948, Pier Construction & Development, LLC - **For Possible Action.**
- xi. LV 19-1990, Sofidel American Corp.- **For Possible Action.**
- xii. LV 14-1703, Dillard's - **For Possible Action.**
- xiii. LV 18-1910, Platinum Plastering, Inc.- **For Possible Action.**
- xiv. RNO 23-2224, Nevada Paving - **For Possible Action.**

- c. General Administration and/or procedural issues.

- i. General matters of import to Board members.
- ii. Old and New Business.
- iii. Discussion of pending cases. - **For Possible Action.**

- d. Schedule of hearings on pending cases, calendar and status report. The Board has scheduled the following meetings - **For Possible Action.**

- * **December 11 and 12, 2024 - Las Vegas**
- * **January 8 and 9, 2025 - Reno**
- * **February 12 and 13, 2025 - Las Vegas**
- * **March 12 and 13, 2025 - Las Vegas**
- * **April 9 and 10, 2025 - Las Vegas**
- * **May 14 and 15, 2025 - Reno**
- * **June 11 and 12, 2025 - Las Vegas**
- * **July 9 and 10, 2025 - Reno**
- * **August 13 and 14, 2025 - to be determined**
- * **September 10 and 11, 2025 - to be determined**
- * **October 8 and 9, 2025 - to be determined**
- * **November 12 and 13, 2025 - to be determined**
- * **December 10 and 11, 2025 - to be determined**

5. 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.

6. Adjournment. – **For Possible Action.**

This Notice has been posted at the following locations:

The Law Offices of Charles R. Zeh, Esq.,
50 West Liberty Street, Suite 950
Reno, Nevada 89501

Department of Occupational Safety and Health
2300 West Sahara Avenue, Suite 300
Las Vegas, Nevada 89102

This Notice has also been posted at the following website addresses:

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

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

A copy of supporting (not privileged and confidential) material provided to the Board Members may be obtained 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., 1886 College Pkwy., Suite 110, Carson City, NV 89706, or by calling (775) 684-7286, or by contacting the Division of Industrial Relations, Nevada OSHA General Legal Counsel, at 2300 West Sahara Avenue, Suite 740, Las Vegas, Nevada 89102, or by calling (702) 486-9014.

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., 1886 College Pkwy., Suite 110, Carson City, NV 89706, or by calling (775) 684-7286, or by contacting the Division of Industrial Relations, Nevada OSHA General Legal Counsel, at 2300 West Sahara Avenue, Suite 740, Las Vegas, Nevada 89102, or by calling (702) 486-9014.

Dated this 28th day of October, 2024.

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