

**STATE OF NEVADA
OCCUPATIONAL SAFETY AND HEALTH REVIEW BOARD
AMENDED 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, February 14, 2024, and continuing, if necessary, on February 15, 2024, commencing at 9:00 a.m., at the Division of Industrial Relations offices located at 3360 West Sahara Avenue, Suite 175, 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.

AMENDED 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 or delay discussion relating to an item.

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: Rodd Weber, 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 February 7, 2024, by 11:00 a.m., in order to make copies available to members of the Board of Review and the public.

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

WEBEX INFORMATION

Join from the meeting link

<https://nvbusinessandindustry.webex.com/nvbusinessandindustry/j.php?MTID=m569437c3bece38685b1b8f839443c3ce>

Join by meeting number

Meeting number (access code): 2632 386 7847
Meeting password: CBtD26hmvH3

Join from a mobile device

+1-415-655-0001,,26323867847##

Join by phone

+1-415-655-0001

AMENDED 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 transcribed by a certified court reporter. 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. 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. LV 23-2184, Universal Consulting Corporation dba A-1 Concrete Cutting and Demolition aka A-1 Concrete Cutting (Oral Argument re: Respondent's Motion for Summary Judgment - **For Possible Action.**
 - b. RNO 22-2141, Sierra Concepts Construction (Oral Argument re Objection and Joinder) - **For Possible Action.**
 - c. LV 23-2218, American Southwest Electric, Arizona Inc. - **For Possible Action.**
 - d. LV 23-2199, Gaughan South LLC dba South Point Hotel and Casino - **For Possible Action.**
 - e. LV 23-2198, D&L Roofing, LLC - **For Possible Action.**
 - f. LV 23-2190, KBL Reinforcing, Inc. - **For Possible Action.**
 - g. LV 22-2146, Specialty Contractors Northwest LLC dba Pacific Bath Company - **For Possible Action.**

The disposition of these matters will be informed by the content of the proceedings before the Board.

4. Administrative Meeting:
 - a. Approval of previous Review Board meeting minutes of December 13, 2023 – **For Possible Action.**
 - b. Review contested case settlements, motions, draft decisions, or procedural issues pending on status report, for approval, rejection or amendment and possible and issuance of final orders. The disposition of these matters will be informed by the

content of the proceedings before the Board. - **For Possible Action.**

- i. RNO 17-1896, Reno Forklift (consideration of the Findings of Fact, Conclusions of Law and Final Order (FOF) as the Board's FOF) - **For Possible Action.**
 - ii. RNO 23-2185, Peek Brothers Construction Incorporated (consideration of the draft decision as the decision of the Board) - **For Possible Action.**
 - iii. LV 21-2123, Core Contracting Group (consideration of the draft decision as the decision of the Board) - **For Possible Action.**
 - iv. LV 21-2117 - Logistical Solutions - **For Possible Action.**
 - v. LV 22-2139, Las Vegas Paving Corporation - **For Possible Action.**
 - vi. LV 21-2081, Lisa/Carrison Ltd., dba Putter's Bar & Grill - **For Possible Action.**
 - vii. RNO 22-2134, Highland Stores, Inc. Dba Bit-Rite Market - **For Possible Action.**
 - viii. LV 22-2169, Albertson's LLC - **For Possible Action.**
 - ix. RNO 21-2114, Plenium Builder fka Dianda Construction Inc. - **For Possible Action.**
 - x. LV 21-2118, 2441 Highland Drive, LLC - **For Possible Action.**
 - xi. LV 22-2162, Expo And Convention Center, LLC - **For Possible Action.**
 - xii. LV 22-2142, KTI, LLC - **For Possible Action.**
 - xiii. LV 21-2129, AMPB Acquisition Corp. - **For Possible Action.**
- c. Status Conference Hearings - These matters are set before the Board to determine the status of the cases as of the date of the hearing. In light of the status adduced at the hearing, Board action may include resetting the case on the contested Docket, approving, modifying or rejecting a proposed settlement of the matter or taking any other action suggested by the status of the matter. The disposition of these matters will be informed by the content of the proceedings before the Board. - **For Possible Action.**
- i. LV 23-2189, The Original Roofing Company, LLC - **For Possible Action.**
- d. General Administration and/or procedural issues.
- i. General matters of import to Board members.
 - ii. Old and New Business.
 - iii. Discussion of digitization of exhibits packets submitted to the Board. - **For Possible Action.**

- iv. Status of the process by which the Board will be able to timely select and make its decision to employ its Legal Counsel for the next FY. - **For Possible Action.**

- e. Schedule of hearings on pending cases, calendar and status report. The Board has scheduled the following meetings - **For Possible Action.**
 - * **March 13 and 14, 2024 - Las Vegas**
 - * **April 10 and 11, 2024 - Reno**
 - * **May 8 and 9, 2024 - Las Vegas**
 - * **June 12 and 13, 2024 - to be determined**
 - * **July 10 and 11, 2024 - to be determined**
 - * **August 14 and 15, 2024 - to be determined**
 - * **September 11 and 12, 2024 - to be determined**
 - * **October 9 and 10, 2024 - to be determined**
 - * **November 13 and 14, 2024 - to be determined**
 - * **December 11 and 12, 2024 - 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
3360 West Sahara Avenue, Suite 175
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 East College Pkwy., Ste. #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 3360 West Sahara Avenue, Suite 250, 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 East College Pkwy., Ste. #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 3360 West Sahara Avenue, Suite 250, Las Vegas, Nevada 89102, or by calling (702) 486-9014.

Dated this 5th day of February, 2024.

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

S:\Clients\OSHA\Agendas\2024\Amended February 14 15 2024.wpd