

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

SECOND AMENDED NOTICE OF HYBRID MEETING

The Nevada State Occupational Safety and Health Review Board (the Board) will hold a meeting of the Board on Wednesday, April 13, 2022, and if necessary April 14, 2022, commencing at 9:00 a.m.

The Board has elected to exercise its option under AB 253 in light of the COVID-19 pandemic and conduct the April 2022 meeting of the Board on a HYBRID basis. The parties, public and participants shall have the option of participating in person or by means of a remote technology system.

Participation in person may be had by appearing, in person at 3360 West Sahara Avenue, Suite 175, Las Vegas, NV 89102.

If the election is to participate by electronic means, participation shall be only through the use of the remote technology system deployed by the Board of Review. Accordingly, joinder in the meeting by electronic means is through the Webex Access portal set forth immediately, below.

Webex Access

Join from the meeting link

<https://nvbusinessandindustry.webex.com/nvbusinessandindustry/j.php?MTID=mf81d26d75c1c18006f8d80867337abe4>

Join by meeting number

Meeting number (access code): 2471 093 0052
Meeting password: s2uT463fAmk

Join from a mobile device

+1-415-655-0001,,24710930052## US Toll

Join by phone

+1-415-655-0001 US Toll

Join from a video system or application

Dial 24710930052@nvbusinessandindustry.webex.com
You can also dial 173.243.2.68 and enter your meeting number.

Need help? Go to <https://help.webex.com>

AMENDED HYBRID 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 on the Agenda at any time.

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 submission should be received by the Board on or before April 6, 2022, 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. 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 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 22-2146 Specialty Contractors Northwest, LLC dba Pacific Bath Company - **for possible action.** Respondent's motion to dismiss will be heard at 1:30 p.m., on April 13, 2022. The Board has allowed 1 hour for argument. Further the Board may decide the motion immediately or take the matter under advisement, to be decided at a later date in public.
 - (b) LV 19-1991 Sofidel America Corp. dba Sofidel America - **for possible action.**

- (c) LV 22-2139 Las Vegas Paving Corporation - **FATALITY - for possible action.**
- (d) LV 21-2120 Mesquite Gaming LLC dba Virgin River Hotel and Casino - **for possible action.**
- (e) LV 21-2122 National Pipeline Contractors, LLC - **for possible action.**
- (f) LV 22-2142 KTI, LLC dba Caliber Collision - **for possible action.**
- (g) LV 21-2127 Sethi Management; JP Seith Enterprises, Inc. dba 4 Points Sheraton Las Vegas - **for possible action.**

4. Administrative Meeting:

- (a) Approval of the previous Review Board meeting minutes of March 9, 2022. - **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 21-2090, PKVINO dba VINO 100 - **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 the Board's Status Report. - **For Possible Action.**
 - iv. Consider Whether to Increase the Number of Monthly Hearings. - **For Possible Action.**
- (d) Schedule of hearings on pending cases, calendar and status report. The Board has scheduled the following meetings. - **For Possible Action.**
 - * **May 11 and 12, 2022** - 3360 West Sahara Avenue, Suite 175, Las Vegas, Nevada 89102.
 - * **June 8 and 9, 2022** - 4900 Kietzke Lane, Building F, Suite 150, Reno, NV 89502
 - * **July 13 and 14, 2022** - 3360 West Sahara Avenue, Suite 175, Las Vegas, Nevada 89102.
 - * **August 10 and 11, 2022** - *Location not determined.*
 - * **September 14 and 15, 2022** - *Location not determined.*
 - * **October 12 and 13, 2022** - *Location not determined.*
 - * **November 9 and 10, 2022** - *Location not determined.*
 - * **December 14 and 15, 2022** - *Location not 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

Division of Industrial Relations
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 <http://dir.nv.gov/Meetings/Meetings>

Nevada Public Notices at <http://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., 400 West King Street, Suite 201, Carson City, Nevada, 89701, 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) 486-9070.

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, at 3360 West Sahara Avenue, Suite 250, Las Vegas, Nevada 89102, or by calling (702) 486-9070.

DATED this 31st day of March, 2022.

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

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