

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

NOTICE OF MEETING

The Nevada State Occupational Safety and Health Review Board (the Board) will hold a meeting of the Board on Wednesday, July 14, 2021, and Thursday, July 15, 2021, commencing at 9:00 a.m., at 4600 Kietzke Lane, Building F, Suite 150, Reno, Nevada 89502.

The public and parties have the option of attending in person or by electronic means as detailed, below. The public and parties are advised that some of the members of the Board may participate by electronic means.

If attendance is in person, the address for the physical site of the meeting is: 4600 Kietzke Lane, Building F, Suite 150, Reno, Nevada 89502. For those attending in person, masks and 6 foot social distancing will be required. Entrance to the hearing room and continued presence there will be conditioned upon observance of these requirements. Audio and visual equipment will be installed to enable all participating and observers to see and hear the proceedings.

If participation in the meeting is by electronic means, you must join the meeting by the Webex Access portal set forth immediately below.

WEBEX ACCESS

To join from the meeting link:

<https://nvbusinessandindustry.webex.com/nvbusinessandindustry/j.php?MTID=m1d4dc253e12a889d432bcf3689c588ea>

To join by meeting number

Meeting number (access code): 177 405 3020

Meeting password: CyuzmnNC835

To join from a mobile device (attendees only)

+1-415-655-0001,,1774053020## US Toll

To join by phone

+1-415-655-0001 US Toll

To join from a video system or application

Dial 1774053020@nvbusinessandindustry.webex.com

You can also dial 173.243.2.68 and enter your meeting number.

To join using Microsoft Lync or Microsoft Skype for Business
Dial 1774053020.nvbusinessandindustry@lync.webex.com

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

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.

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 public - all in accordance with Chapter 241 of Nevada Revised Statutes, commonly known as the Nevada Open Meeting Law.
 - a. RNO 20-2029, Caliber Holdings Corp., Caliber Bodyworks of Nevada, Inc. dba Caliber Collision - **For Possible Action**
 - b. RNO 20-2028, Caliber Holdings Corp., Caliber Bodyworks of Nevada, Inc. dba Caliber Collision - **For Possible Action**
 - c. RNO 21-2068, O'Reilly Auto Enterprises, LLC dba O'Reilly Auto Parts - **For Possible Action**
 - d. RNO 21-2078, Eureka Hospitality Management, Inc., Jeffrey J. Bartley dba Eureka Gold Country Inn - **For Possible Action**
 - e. RNO 21-2090, Western Partitions, Inc. dba WPI - **For Possible Action**

4. Administrative Meeting:
 - a. Approval of the previous Review Board minutes of June 9, 2021. - **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 20-2031, Broken Arrow Communication, Inc. (Withdrawal of Citation) - **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 Board legal counsel's compensation under his contract. - **For Possible Action.**
 - iv. Independent status of Board apart from the State of Nevada. - **For Possible Action.**
 - v. Post Pandemic, whether hearings may continue to be conducted remotely and if so, under what circumstances. - **For Possible Action.**
 - d. Schedule of hearings on pending cases, calendar and status report. The Board has scheduled the following meetings. - **For Possible Action.**
 - * **August 11 and 12, 2021** - 3360 West Sahara Avenue, Suite 175, Las Vegas, Nevada 89102.
 - * **September 8 and 9, 2021** - 3360 West Sahara Avenue, Suite 175, Las Vegas, Nevada 89102.
 - * **November 9 and 10, 2021** 4600 Kietzke Lane, Building F, Suite 150, Reno, Nevada 89502.
 - * **December 8 and 9, 2021** - 3360 West Sahara Avenue, Suite 175, Las Vegas, Nevada 89102.
 - * **January 12 and 13, 2022** - 4600 Kietzke Lane Building F, Suite 150, Reno, Nevada 89502.
 - * **February 9 and 10, 2022** - 3360 West Sahara Avenue, Suite 175, Las Vegas, Nevada 89102.
 - * **March 9 and 10, 2022** - *Location not determined.*
 - * **April 13 and 14, 2022** - *Location not determined.*
 - * **May 11 and 12, 2022** - *Location not determined.*
 - * **June 8 and 9, 2022** - *Location not determined.*
 - * **July 13 and 14, 2022** - *Location not determined.*

- * **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 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.
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, Department of Occupational Safety and Health,
4600 Kietzke Lane, Building F, Suite 150, Reno, Nevada 89509

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

DATED this 22nd day of June, 2021.

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