

**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, October 11, 2023, and continuing, if necessary, on October 12, 2023, commencing at 8:00 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.

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 October 5, 2023, 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=m108c6444c7c1dc41a71a4eaf7c3ec9d3>

Join by meeting number

Meeting number (access code): 2632 457 3631

Meeting password: fQEjCkiu923

Join from a mobile device

+1-415-655-0001,,26324573631## 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 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. RNO 17-1896, Reno Forklift, Inc (Hearing on Objections to the Proposed Findings of Facts, Conclusions of Law and Final Order) – **For Possible Action.**
 - b. LV 22-1160, Diaper Fresh Diaper Service dba Bedspread Express (Status Conference) – **For Possible Action.**
 - c. LV 21-2123, Core Contracting Group – **For Possible Action.**
 - d. LV 23-2189, The Original Roofing Company, LLC – **For Possible Action.**
4. Administrative Meeting:
 - a. Approval of previous Review Board meeting minutes of August 9-10, 2023 – **For Possible Action.**
 - b. Approval of previous Review Board meeting minutes of September 13-14, 2023 – **For Possible Action.**
 - c. Review contested case settlements, motions, draft decisions, or procedural issues pending on status report, for approval and issuance of final orders:
 - i. LV 19-1996, Ambridge Hospitality LP – **For Possible Action.**
 - ii. LV 21-2112, C and S Company, Inc. – **For Possible Action.**

- iii. LV 22-2136, Dria's Management Group, LLC dba Drai's Beachclub/Nightclub/Drai's Afterhours – **For Possible Action.**
 - iv. RNO 22-2141, Sierra Concepts Construction Inc. – **For Possible Action.**
 - v. RNO 22-2150, MRH Auto-Reno, LLC dba Mountain West Auto – **For Possible Action.**
 - vi. LV 21-2115, Breakthru Beverage Nevada, LLC – **For Possible Action.**
 - vii. LV 21-2067, William Charles, Inc. – **For Possible Action.**
 - viii. RNO 14-1684, Sierra Packaging and Covertng, LLC (review, approval or rejection, or modify the proposed Findings of Facts, Conclusions of Law and Final Order) - **For Possible Action.**
 - ix. LV 18-1935, Walker Specialty Construction, (review, approval or rejection, or modify the proposed Findings of Facts, Conclusions of Law and Final Order) - **For Possible Action.**
- d. Consent Agenda – (All consent items may be approved together with a single motion, be taken out of order, and/or be heard and discussed individually. Items will be removed and considered separately at the request of the public or Board member). The Board will consider for approval, rejection or modification of the following withdrawals – **For Possible Action.**
- i. RNO 20-2049, Grandex Construction Company – **For Possible Action.**
- e. 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 included resetting the case on the contested Docket, approving settlement of the matter or taking any other action suggested by the Status of the matter determined during the course of the state hearing. - **For Possible Action.**
- i. RNO 21-2125, Luxe Industries, LLC - **For Possible Action.**
 - ii. MCA Cheyenne, LLC - **For Possible Action.**
- f. General Administration and/or procedural issues.
- i. General matters of import to Board members.
 - ii. Old and New Business.
 - iii. Discussing the length of Board Counsel's contract to represent the Board as the Board does not want a repeat the extended process for retaining its legal counsel it experienced in connection with the current contract for the Board's legal counsel. - **For Possible Action.**
 - iv. Discussion of the Board's Status Report, Disposition of Decisions and Findings of Facts - **For Possible Action.**
- g. Schedule of hearings on pending cases, calendar and status report. The Board has scheduled the following meetings - **For Possible Action.**

* **November 8 and 9, 2023** - *Las Vegas, Nevada*

- * **December 13 and 14, 2023** - *Las Vegas, Nevada*
- * **January 10 and 11, 2024** - *Reno, Nevada*
- * **February 14 and 15, 2024** - *Las Vegas, Nevada*
- * **March 13 and 14, 2024** - *to be determined*
- * **April 10 and 11, 2024** - *to be determined*
- * **May 8 and 9, 2024** - *to be determined*
- * **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., 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) 486-9014.

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., 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) 486-9014.

Dated this 2nd day of October, 2023.

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