

**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, August 10, 2022, and if necessary August 11, 2022, commencing at 9:00 a.m., at the Division of Industrial Relations, 3360 West Sahara Avenue, Suite 175, Las Vegas, Nevada, 89102.

On July 24, 2022 the seven day average for Clark County was 767 new Coronavirus cases. Therefore, this Notice Is Subject to Change Based upon the Coronavirus Situation. The public is advised that some of the members 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 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 August 3, 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 19-1991 Sofidel America Corp. dba Sofidel America (Judicial Notice Hearing and Deliberation Hearing) No testimony will be heard or documentary evidence admitted during the deliberations hearing as the evidentiary hearing was held April 13 and 14, 2022, and concluded with both parties resting. Respondent's legal counsel may appear by electronic means. However, the remaining matters will be held in person. - **for possible action.**
- (b) LV 21-2094 Las Vegas Dragon Hotel, LLC dba Alpine Motel - **Fatality - for possible action.**
- (c) LV 22-2170 Ashford TRS Las Vegas LLC dba Las Vegas Embassy Suites - **for possible action.**
- (d) LV 22-2169 Albertson's LLC - **for possible action.**
- (e) LV 22-2172 CB Manufacturing Company, Inc. Db a Pepsi Bevergas Company aka The Pepsi Bottling Group - **for possible action.**
- (f) LV 22-2158 NCI Group, Inc. dba Metl-Span - **for possible action.**
- (g) LV 21-2127 Sethi Management; JP Sethi Enterprises, Inc. dba 4 Points Sheraton Las Vegas - **for possible action.**
- (h) LV 22-2162 Sands Expo & Convention Center, Inc. - **for possible action.**
- (i) LV 22-2146 Specialty Contractors Northwest, LLC dba Pacific Bath Company - **for possible action.**

4. Administrative Meeting:

- (a) Approval of the previous Review Board meeting minutes of July 13 and 14, 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. The Board will consider for approval, rejection or modification of the draft Decision of the Board in Docket No. LV 19-1986 - **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 about Board Legal Counsel's Contract, Select and Employment of Board Legal Counsel. - **For Possible Action.**
 - iv. Discussion of the Board's Status Report, Disposition of Decisions and Findings of Facts. - **For Possible Action.**

- (d) Schedule of hearings on pending cases, calendar and status report. The Board has scheduled the following meetings. - **For Possible Action.**
 - * **September 14 and 15, 2022** - Reno, Nevada
 - * **October 12 and 13, 2022** - Las Vegas, Nevada
 - * **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) 486-9014.

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 26th day of July, 2022.

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

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