

**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, November 8, 2023, and continuing, if necessary, on November 9, 2023, 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.

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 November 2, 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=mbc7ae7f57ff20074aec4cc2b3b3ee1e4>

Join by meeting number

Meeting number (access code): 2632 464 8699

Meeting password: 4ekMmm6fUD8

Join from a mobile device

+1-415-655-0001,,26324648699## 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 22-2141, Sierra Concepts Construction, Inc. (Oral Argument re: Objections to Order) - **For Possible Action.**
 - b. LV 23-2204, We All Scream - **For Possible Action.**
 - c. LV 23-2207, Silver State Bell LLC dba Taco Bell Cantina - **For Possible Action.**
 - d. LV 23-2197, Bridge Assisted Living at Life Care - **For Possible Action.**
 - e. LV 23-2187, Ross Co. Construction - **For Possible Action.**
 - f. LV 23-2216, Complete Demo Services - **For Possible Action.**
 - g. LV 23-2190, KBL Reinforcing, Inc. - **For Possible Action.**
 - h. LV 23-2217, Unforgettable Coatings, Inc. - **For Possible Action.**
 - i. LV 23-2208, Caliber Holdings LLC dba Caliber Collision Centers - **For Possible Action.**
4. Administrative Meeting:
 - a. Approval of previous Review Board meeting minutes of October 11, 2023 – **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. LV 21-2122, National Pipeline Contractors, LLC - **For Possible Action.**
 - ii. RNO 22-2152, Pokrajak Corporation - **For Possible Action.**

- iii. RNO 22-2159, Gilbane Building Company - **For Possible Action.**
 - iv. LV 21-2130, Greystone Nevada, LLC - **For Possible Action.**
 - v. RNO 22-2161, Valley Joist LLC - **For Possible Action.**
 - vi. RNO 21-2111, 5148 Mae Anne, LLC; McDonald's of Mae Anne & McCarran - **For Possible Action.**
 - vii. LV 21-2127, Sethi Management - **For Possible Action.**
 - viii. JP Sethi Enterprises, Inc. - **For Possible Action.**
 - ix. LV 17-1874, Performance Builders (review, approval or rejection, or modify the proposed Findings of Facts, Conclusions of Law and Final Order) - **For Possible Action.**
 - x. LV 17-1907, Performance Builders (review, approval or rejection, or modify the proposed Findings of Facts, Conclusions of Law and Final Order) - **For Possible Action.**
 - xi. LV 17-1900, Xtreme Manufacturing (review, approval or rejection, or modify the proposed Findings of Facts, Conclusions of Law and Final Order) - **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 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. LV 19-1961, Apex Linen Service, Inc. - **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 the process by which the Board selects and employs its Legal Counsel - **For Possible Action.**
- e. Schedule of hearings on pending cases, calendar and status report. The Board has scheduled the following meetings - **For Possible Action.**
- * **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 30th day of October, 2023.

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