

**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, June 12, 2024, and continuing, if necessary, on June 13, 2024, 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 June 5, 2024, 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=m9912f495aac863cdbbfc3e645a229d5f>

Join by meeting number:

Meeting number (access code): 2632 028 5364

Meeting password: BpekgrhP333

Join from a mobile device:

+1-415-655-0001,,26320285364###

Join by phone:

+1-415-655-0001

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. The disposition of these matters will be informed by the content of the hearing before the Board. 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 23-2215, GM Construction LLC (Contested hearing regarding Respondent's Motion for Summary Judgment) - **For Possible Action.**
 - b. LV 23-2206, Champion Painting Specialty (Contested hearing regarding Respondent's Motion for Summary Judgment) - **For Possible Action.**

The disposition of these matters will be informed by the content of the proceedings before the Board.

4. Administrative Meeting:
 - a. Approval of previous Review Board meeting minutes for the following dates:
 - i. April 1, 2024 - **For Possible Action.**
 - ii. April 17, 2024 - **For Possible Action.**
 - iii. May 8, 2024 - **For Possible Action.**

- b. Review contested case settlements, motions, draft decisions, or procedural issues pending on status report, for approval, rejection or amendment and possible and issuance of final orders. The disposition of these matters will be informed by the content of the proceedings before the Board. For a Settlement to be approved , it must be found to be consistent with the provisions of Chapter 618 of the Nevada Revised Statutes - **For Possible Action.**
 - i. RNO 21-2101, DNA Framing, Inc., dba DNA Carpentry (consideration of the draft decision as the decision of the Board) - **For Possible Action.**
 - ii. LV 23-2198, D&L Roofing, Inc. (consideration of the draft decision as the decision of the Board) - **For Possible Action.**
 - iii. RNO 23-2213, Smith Valley Dairy Corp. (Consideration of Smith Valley Dairy Corp's unilaterally choice to withdraw its contest. - **For Possible Action.**
 - iv. LV 21-2093, Nevada Wine Cellars, Inc. dba Pahrump Valley Winery (Notice of Withdrawal that Nevada OSHA is withdrawing the Citation and Notification of Penalty) - **For Possible Action.**

Review of Contested Case Settlements Are Listed Below.

- v. LV 22-2147, Pacific Paper Tube, Inc.- **For Possible Action.**
 - vi. RNO 20-2020, Herc Rentals Inc. - **For Possible Action.**
 - vii. LV 22-2170, Ashford TRS Las Vegas LLC dba Las Vegas Embassy Suites - **For Possible Action.**
 - viii. LV 22-2175, Highgate Hotels, L.P. dba Fairfield Inn & Suites Las Vegas South - **For Possible Action.**
 - ix. LV 20-2026, PRS of Nevada, LTD dba Professional Roofing Services - **For Possible Action.**
 - x. LV 21-2050, Bombard Mechanical, LLC - **For Possible Action.**
 - xi. RNO 19-1964, Caliber Holdings Corp., Caliber Bodyworks of Nevada, Inc. dba Caliber Collision - **For Possible Action.**
 - xii. RNO 20-2047, Encore Steel Builders, LLC - **For Possible Action.**
 - xiii. LV 21-2076, Nazsteez LLC dba Rock's 76 - **For Possible Action.**
 - xiv. LV 21-2124, Circadian Enterprises Incorporated dba American Abatement - **For Possible Action.**
 - xv. RNO 21-2128 USF Reddaway Inc. - **For Possible Action.**
 - xvi. LV 21-2131, Rent A Tire, L.P. dba Rent a Wheel - **For Possible Action.**
 - xvii. RNO 21-2098, Reno Cab Company, Inc. - **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 pending cases. - **For Possible Action.**
 - iv. Discussion of Board Counsel's Contract

d. Schedule of hearings on pending cases, calendar and status report. The Board has scheduled the following meetings - **For Possible Action.**

- * **July 10 and 11, 2024** - *Las Vegas*
- * **August 14 and 15, 2024** - *Reno*
- * **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., 1886 East College Pkwy., Ste. #110, Carson City, NV 89706, 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., 1886 East College Pkwy., Ste. #110, Carson City, NV 89706, 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 29th day of May, 2024.

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