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NEVADA OCCUPATIONAL SAFETY AND HEALTH REVIEW BOARD

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CHIEF ADMINISTRATIVE OFFICER OF THE OCCUPATIONAL SAFETY AND HEALTH ADMINISTRATION OF THE DIVISION OF INDUSTRIAL RELATIONS OF THE DEPARTMENT OF BUSINESS AND INDUSTRY, STATE OF NEVADA,

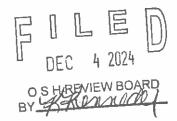
Complainant,

vs.

SOLAR STAR, LLC dba VEGAS SOLAR Respondent.

Docket No. LV 22-2177

Inspection No. 1561210



DECISION OF THE BOARD, FINDINGS OF FACT, CONCLUSIONS OF LAW AND FINAL ORDER

This matter arose, on October 26, 2021, while Solar Star, LLC, dba Vegas Solar (Solar Star or the Respondent) was installing solar panels on a residential roof located at 1800 Red Rock Drive, Pahrump, Nevada. *See*, State's Exhibit 1, p. C3. An unidentified person reported that three of the Respondent's employees were observed installing solar panels on a roof top at a height of greater than six feet without guardrails or personal fall arrest systems (PFAS). *See*, *Id*. The unidentified person also took at least two photographs of the unprotected workers. *See*, State's Exhibit 1, pp. C63, C64. Some or all of these photographs were supplied to Nevada OSHA. *See*, *Id*.

The matter came on for hearing before the Nevada Occupational Safety and Health Board of Review on November 9, 2022, in furtherance of a notice, duly provided according to law. See, Notice of Hearing dated September 10, 2022. Salli Ortiz, Esq., appeared on behalf of the complainant, Chief Administrative Officer of the Occupational Safety and Health

Administration, Division of Industrial Relations (the State). See, Tr., pp. 12;23-24, 13;1-4. Stanley Popek, a lay person representative, appeared on behalf of Solar Star. See, Tr., p. 8;10-13.

In attendance at the September 9, 2021, hearing were Acting Board Chairman William Speilberg, Board Members Frank Milligan, Jorge Macias and Scott Fullerton. See, Tr., p. 1. There being four members of the Board present to hear this matter with at least one member representing management and one member representing labor, in attendance, a quorum was present to hear the matter and conduct the business of the Board. Charles R, Zeh, Esq., The Law Offices of Charles R. Zeh, Esq., was present as legal counsel to the Board. See, Id.

On April 28, 2022, the Citation and Notification of Penalty (Citation) was issued to the Respondent alleging certain violations of Federal regulations and Nevada law. Citation 1, Item 1, charged a serious violation of 29 CFR 1926.501(b)(13), as stated below:

Each employee engaged in residential construction activities six (6) feet (1.8 m) or more above lower levels shall be protected by guardrail systems, safety net system, or personal fall arrest system unless another provision in paragraph (b) of this section provides for an alternative fall protection measure. Exception: When the employer can demonstrate that it is infeasible or creates a greater hazard to use these systems, the employer shall develop and implement a fall protection plan which meets the requirements of paragraph (k) of 1926.502.

Employees were performing residential construction activities six (6) feet or more above a lower level, at the north and south end of the residential rooftop with unprotected sides and edges. They were not protected from falling by guardrail systems, safety net systems, or personal fall arrest systems. Employees were installing photovoltaic (PV) equipment on the rooftop, working from heights of up to approximately 14 feet 7 inches without any means of fall protection in place. Falling from such heights could result in serious injuries such as broken bones, head and/or spinal injuries, or death. See, State's Exhibit 1, pp. C41-C52.

Citation 1 Item 2 alleged a serious violation of 29 CFR 1926.503(a)(1), as stated below:

The employer shall provide a training program for each employee who might be exposed to fall hazards. The program shall enable each employee to recognize the hazards of falling and shall train each employee in the procedures to be followed in order to minimize these hazards.

Solar Star LLC did not ensure that each employee who might be exposed to a fall hazard was provided training to enable each employee to recognize the hazards (sic) of falling and procedures to be followed in order to minimize these hazards. Two employees were installing photovoltaic (PV) equipment on the roof of a single story home at heights

¹"Tr." stands for the transcript of the hearing conducted on November 9, 2022, followed by the page and line number where the matter cited can be found.

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of up to 14 feet 7 inches without fall protecting training. The employees were exposed to fall hazards which could result in serious bodily injuries such as broken bones, head and/or spinal injuries, or death, in the event of a fall to the concrete surface below due to their inability to recognize and minimize the hazards of falling. See, State's Exhibit 1, pp. C28-C32.

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Citation 2, Item 1, alleged a regulatory violation of NRS 618.987(1), as stated below:

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If a construction worker other than a supervisory employee fails to present his or her employer with a current and valid completion card for an OSHA-10 course not later than 15 days after being hired, the employer shall suspend or terminate his or her employment.

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At the time of the Inspection, an employee was engaged in construction activity and was not in possession of a current and valid completion card for an OSHA 10-Hour Course. The construction worker had been employed beyond 15 days, and failed to present their employer with a completion card for an OSHA 10-Hour Course. The employer did not ensure that a construction worker who had been employed for approximately 22 days presented an OSHA-10 course completion card

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approximately 22 days presented an OSHA-10 course completion card after employment with the company. See, State's Exhibit 1, pp. C33-C36.

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Citation 2, Item 2, alleged a regulatory violation of NRS 618.987(2), as stated below:

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If a supervisory employee on a construction site fails to present his or her employer with a current and valid completion card for an OSHA-30 course not later than 15 days after being hired, the employer shall suspend or terminate his or her employment.

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At the time of the inspection, a supervisory employee was engaged in construction activity and was not in possession of a current and valid completion card for an OSHA 30-Hour Course. The supervisory construction worker had been employed beyond 15 days, and failed to present their employer with a completion card for an OSHA 30-Hour Course. The employer did not ensure that a supervisory construction worker who had been employed for approximately six years and five months presented an OSHA-30 course completion card after employment with the company. See, State's Exhibit 1, pp. C37-C40.

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Mr. Popek alleged that his efforts to determine the proper abatement requirements were

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On May 31, 2022, the Respondent sent its notice of intent to contest the Citation. See,

State's Exhibit 1, p. C53. The Respondent's notice was a cursory response merely disagreeing

Complaint on the Respondent. See, State's Exhibit 1, pp. C54-C61. On or about July 13, 2022,

Mr. Popek answered the Complaint for the Respondent. See, State's Exhibit 1, p. C62. Therein,

none of the allegations were denied and no affirmative defenses were posited. See, Id. Instead,

with each of the alleged violations. See, Id. On June 17, 2022, the State filed and served its

frustrated by bureaucratic inertia, i.e., his telephone calls referred to multiple offices, none of which responded to his requests. See, Id.

At the hearing on the matter, the State offered for admission its Exhibits numbered 1 and 2, consisting of a total of 116 pages. *See*, Tr., p. 13;2-7. The Respondent did not object to the admission of the State's Exhibits 1 and 2. *See*, Tr., p. 18;11-15. The State's Exhibits were subsequently admitted into evidence. *See*, Tr., pp. 20;21-24, 21;1-4.

The Respondent offered four documents for admission. See, Tr., pp. 15;3-24, 16;1-19. The first was its Exhibit A consisting of a tax return and the registration of the Respondent's vehicles. See, Tr., p. 16;1-8. Second, the Respondent's Exhibit B was offered, consisting of an OSHA 30 card and a pay stub of one of the Respondent's employee's. See, Id. Third, the Respondent's Exhibit C was offered, consisting of its fall protection plan. See, Tr., p. 16;18-23. The fourth document offered was entitled Document A was offered, and it clarified the abatement requirements. See, Id.

The State objected to Document A. See, Tr., p. 20;8-15. The State's objection was overruled and all of the Respondent's exhibits were admitted into evidence. See, Tr., p. 21;5-8. Jurisdiction in this matter has been conferred in accordance with Chapter 618 of the Nevada Revised Statutes.

At the November 9, 2022, hearing the State presented the testimony of OSHA investigator Eric Hall. See, Tr., pp. 22-47. Solar Star presented the testimony of its owner, Mr. Popek. See, Tr., pp. 48-55. Before any witnesses were called, Mr. Popek informed the Board he was not denying any of the substantive allegations or positing any affirmative defenses. See, Tr., p. 47;21-23. Instead, the Respondent requested a reduction in the assessed penalties. See, Tr., pp. 54;12-24, 55;1-10.

FINDINGS OF FACT

On October 26, 2021, three Solar Star employees, Hansel Stinson, Robert Tait and Mr. Popek, were installing solar panels on the roof of a residence located in Pahrump, Nevada. See, State's Exhibit 1, pp. C19-C22, C63, C64. No guardrails were present and none of the employees were using PFAS. See, Id. Mr. Popek was the supervisor on this job. See, Tr., p. 25;20-22. Mr.

Tait was the installer of the solar panels on the roof of the residence. See, State's Exhibit 1, p. C20. That day, Mr. Tait installed approximately 30 of the panels. See, Id. Mr. Tait estimated that he spent 9 hours on the roof of that residence. See, State's Exhibit 1, p. C20. Mr. Stinson was the crew's helper. See, State's Exhibit 1, p. C22. Mr. Stinson estimates that he spent about 4 hours as part of the installation of the solar panels. See, Id. Messrs. Popek, Tait and Stinson were all of the Respondent's employees working on that residence on the date of incident.

Every side of the roof was at a height which required fall protection. The north end of the roof was 14 feet 7 inches above the ground. See, State's Exhibit 1, pp. C66, C67, see also, Tr., pp. 32;20-22. The east end of the roof was 7 feet 10 inches above the ground. See, State's Exhibit 1, pp. C68, C69, see also, Tr., p. 33;2-9. The southeast end of the roof was 7 feet 10 inches above the ground. See, State's Exhibit 1, pp. C70, C71, see also, Tr., p. 33;10-18. Adding to the risk of a fall, the solar panels with which employees were working were large, 4 feet by 6 feet. See, Tr., p. 28;12-13.

This job was intended to be completed in a single day and the Respondent's employees had to add in the travel time to and from Pahrump. Accordingly, the employees were subject to time restraints on the job. See, State's Exhibit 1, p. C19, see also, Tr., p. 26;8-11. To deal with the time restraints, neither of the workers on the roof utilized PFAS. See, State's Exhibit 1, pp. C19-C22. During the course of this work, an unidentified person photographed the Respondent's employees working at heights in excess of 6 feet without PFAS. See, State's Exhibit 1, pp. C63, C64. These photographs were provided to Nevada OSHA by the unidentified person. See Id., see also, Tr., pp. 31;17-21, 32;1-4.

On November 3, 2021, Mr. Hall inspected the company's warehouse located at 4560 Arville Street, Unit C20, Las Vegas, Nevada. As part of that inspection, Mr. Hall was shown the Respondent's collection of PFAS. See, State's Exhibit 1, p. C65.² On November 15, 2021, Mr. Hall obtained a statement from Mr. Popek. See, State's Exhibit 1, p. C19. Therein, Mr. Popek

²This equipment consisted of a Guardian Fall Protection - Temper Anchors, Guardian Fall Protection - iSafe Body Harness, Sala Fall Protection Harness, Upgear - 6 foot lanyard, Miller - 6 foot lanyard, FSP - Self retracting lifeline, 3M Protecta - Self retracting lifeline. See, State's Exhibit 1, p. C65.

indicated that he was Solar Star's owner and that he had worked there for 6 years. See, Id.

Despite his executive position with the Respondent and his time on the job, Mr. Popek did not possess an OSHA 30 card. See, Id. Mr. Popek's failure to obtain an OSHA 30 card appears to be the result of his misunderstanding of the requirement. He believed that OSHA 30 cards are only required for companies which have 10 or more employees on a job. See, Id. Mr. Popek also told the investigator that he was currently working on a written fall protection program. See, Tr., p. 26;12-17. Further, Mr. Popek told the investigator that he discusses safety topics and rules with the Respondent's employees. See, State's Exhibit 1, p. C19, see also, Tr., p. 25;10-19. Mr. Popek stated that he was considered the foreman at the Pahrump job site and was responsible for safety at the job site. See, State's Exhibit 1, p. C19. On that day, Mr. Popek had observed his employees working on the roof for a period of up to 7 hours. See, Id.

On November 3, 2021, Mr. Tait provided his statement to the OSHA investigator. See, State's Exhibit 1, pp. C20, C21. Mr. Tait indicated that he had worked for Solar Star for three years. See, Id. Mr. Tait confirmed that he was not using a PFAS on the date of incident. See, Id. Further, he stated that he was present when the photographs, aforementioned, were taken. See, Id. He confirmed Mr. Popek's statement that they were rushing because this was a one day job with significant travel time to and from the job site consuming time on the job. See, Id. On November 3, 2021, Mr. Stinson also provided a statement to the OSHA investigator. See, State's Exhibit 1, p. C22. Mr. Stinson identified himself in one the photographs. See, Id.

At the November 9, 2022, hearing Mr. Hall testified to the calculation of the penalties for each of the alleged violations. See, Tr., pp. 43-46. The penalty amounts were a function of the gravity of the violation and probability of injury from the violation. See, Id. Regarding Citation 1, Item 1, the State determined that the gravity was high because two employees were exposed to the possibility of serious injury. See, Tr., pp. 43;2-24, 44;1-8. The base penalty was then calculated to be \$13,653. See, State's Exhibit 1, p. C24, see also, Tr., p. 44;9-15. The base penalty was reduced by 80% as the result of the limited number of the Respondent's employees and its lack of previous violations. See, Tr., p. 44;17-20. The amount of the discount was \$9,967, resulting in a final penalty assessment of \$3,686. See, Id.

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Regarding Citation 1, Item 2, the State determined that the gravity was high because two employees were exposed to the possibility of serious injury. See, Tr., p. 45;4-7. The base penalty was then calculated to be \$13,653. See, State's Exhibit 1, pp. C28, 29. The base penalty was reduced by 80% as the result of the limited number of the Respondent's employees and its lack of previous violations. See, Tr., p. 44;17-20. The amount of the discount was \$9,967, resulting in a final penalty assessment of \$3,686. See, Id.

Regarding Citation 2, Item 1, the State determined that this was a regulatory violation because it was a record keeping matter. *See*, Tr., p. 45;8-16. The gravity was moderate as a result of the combination of severity and the probability of injury. *See*, Tr., pp. 45;17-24, 46;1-3. The base penalty was then calculated to be \$1,095. *See*, State's Exhibit 1, p. C33, *see also*, Tr., p. 46;4-6. However, the base penalty was reduced by 80% as the result of the limited number of the Respondent's employees and its lack of previous violations. *See*, Tr., p. 46;4-10. The amount of the discount was \$960, resulting in a final penalty assessment of \$135. *See*, *Id*. Citation 2, Item 2, was calculated exactly the same way, yielding another discount of \$960 and an assessed penalty of \$135. *See*, Tr., p. 46;15-18.

The Respondent did not object to any of Mr. Hall's testimony regarding the penalty calculations. Further, Star Solar did not cross-examination Mr. Hall regarding any of the penalty calculations or the discounts applied.

When the Respondent had the opportunity to present its case, Mr. Popek admitted to the liability with regard to the allegations. "I realize there was (sic) violations." See, Tr., p. 47;21-24. Regardless, Mr. Popek's purpose in attending the hearing was to seek a reduction of the amount of the penalty assessments. See, Tr., p. 47;21-24. Mr. Popek provided two reasons for which a reduction in the penalty amount would be appropriate. The first was that he had made multiple, 15 to 20 calls to OSHA, to attempt to set up an informal review. See, Tr., pp. 52;10-24, 53;1-3. Second, he claimed that the penalty would be 20% of the company's total revenue for the last year. See, Tr., pp. 54;12-18, 55;2-4.

Regarding the Respondent's first claim, Ms. Ortiz explained that there was a lot of confusion on Mr. Popek's part.

Unfortunately, Mr. Popek has confused the various people he's talked to, the various offices he's spoken to and the various times he's spoken to them. As you saw this morning when he was talking about document Al, he was saying Karen Kennedy sent that to him. We all know that Karen Kennedy, as Mr. Zeh's assistant, is not sending abatement information to anybody, to any employer. And I think this confusion is what is adding to the situation. See, Tr., p. 53;11-20.

Further, Ms. Ortiz explained that Mr. Popek request for an informal conference occurred too late.

In regards to the [informal conference], Mr. Popek didn't contact OSHA until the 29th day. They only have until the 30th day and the district manager was not able to accommodate in that short time frame, so that's why the informal didn't happen. See, Tr., p. 51;8-12.

After the complaint was filed, Star Solar could only communicate with Ms. Ortiz' office. See, Tr., p. 51;14-23. This was part of the reason Mr. Popek had experienced such difficulties communicating with the State.

Board Member Fullerton addressed the Respondent's concern regarding the amount of the penalties by noting that they had already been reduced by over \$20,000. See, Tr., p. 59;17-22. Additionally, Member Fullerton expressed concern that worker safety was put at risk because the employer was in a rush. See, Tr., p. 60;13-17. "A rush does not abate the safety situation." See, Id.

To the extent that any of the Conclusions of Law constitute Findings of Fact, they are incorporated herein.

CONCLUSIONS OF LAW

In this case, the burden is on the State to prove its *prima facie* case against Solar Star by a preponderance of the evidence. See, NAC 618.788(1), see also, Original Roofing Company LLC v. Chief Administrative Officer of the Nevada OSHA, 442 P.3d 146, 149 (Nev. 2019). The State is obligated to demonstrate the alleged violation by a preponderance of the reliable evidence in the record. Mere estimates, assumptions and inferences fail this test. Conjuncture is also insufficient. Findings must be based upon the kind of the evidence which responsible persons are accustomed to rely in serious affairs. See, William B. Hopke Co., Inc. 1982 OSHARC LEXIS 302 * 15. 10 BNA OSHC 1479 (No. 81-206, 19820 (ALJ)). The Board's decision must be based on

consideration of the whole record and shall state all facts officially noticed and relied upon. 29 CFR 1905.27(b). Armor Elevator Co., 1 OSHA 1409, 1973-1974 OHSD ¶ 16, 958 (1973). Olin Construction Inc. v. OSHARC and Peter J Brenan, Secretary of Labor, 525 F.2d 464 (1975).

Pursuant to NAC 618.788, the State carries the burden of proof in demonstrating a violation of OSHA law by establishing: (1) the applicability of the OSHA regulation; (2) noncompliance with the OSHA regulation; (3) employee exposure to a hazardous condition; and (4) the employer's actual or constructive knowledge of the violative conduct. See, Original Roofing Co., LLC v. Chief Admin. Officer of Occupational Safety & Health Admin., 135 Nev. 140, 143, 442 P.3d 146, 149 (2019); Secretary of Labor v. Atl. Battery Co., 16 BNA OSHC 2131, 2135, 1994 WL 682922 (No. 90-1747, 1994).

Turning to the individual citations, the State provided evidence supporting its *prima facie* case for each of the alleged violations. The standard of 29 CFR 1926.501(b)(13) applied because it deals with employees not utilizing fall protection while working above six feet above a lower level. *See*, State's Exhibit 1, pp. C20-C22. The Respondent violated the standard. The Respondent's two employees admitted that they were on the roof for between 4 to 9 hours. *See*, *Id*. The employees claimed that they did not use fall protection because they were in a rush. *See*, *Id*. Mr. Popek agreed that the fall protection was not used because the employees were in a rush. *See*, State's Exhibit 1, p. C19. These same facts show that the Respondent's employees were exposed to the violative condition.

The knowledge element can be established by demonstrating "that the employer either knew or with the exercise of reasonable diligence, could have known of the presence of the violative condition." *Original Roofing, supra*, at 143 *quoting Pride Oil Well Serv.*, 15 BNA OSHC 1809, 1814 (No. 86-692, 1992).

In this instance, the State produced evidence that the Respondent had actual knowledge of a volative condition. Mr. Popek was at the job site, acting as a supervisory employee at the time that the violative conduct occurred. See, State's Exhibit 1, p. C19. Mr. Popek acknowledged that he knew the employees were working on the residence's roof without PFAS. See, Id. Mr. Popek agreed with the employees' statements that this took place because they were in a rush. See, Id.

Mr. Popek knows that fall protection is necessary. He provides instruction in fall protection to the Respondent's employees. *See*, State's Exhibit 1, p. C19. Further, Mr. Popek understands certain types of PFAS because Solar Star owns some of it. *See*, State's Exhibit 1, p. C65. Accordingly, the State provided evidence in support of its *prima facie* case for Citation 1, Item 1.

The standard for 29 CFR 1926.503(a)(1), applied because it requires employers to have appropriate fall protection plan training. None of these employees had been trained because the Respondent did not have a fall training program at the time that the violation occurred. *See*, Tr., p. 26;12-20. These same facts show that the Respondent's employees were exposed to the violative condition.

In this instance, there is, again, actual knowledge from Mr. Popek. He told the investigator that he was working on a fall protection program at the time that the citation was issued. See, Tr., p. 26;12-20. In other words, there was not a currently enacted fall protection plan for training. But, he knew one was required. See, State's Exhibit 1, p. C19, see also, Tr., p. 26;12-17. Accordingly, the State provided evidence supporting its prima facie case of a violation of this regulation.

The standard for Citation 2, Item 1, NRS 618.987(1) applied because an OSHA 10 card is required for construction work. *See, Id.* The standard was violated because Mr. Tait had worked for the Respondent for more than 15 days without an OSHA 10 card. *See,* State's Exhibit 1, p. C16, *see also,* Tr., p. 40;13-24. The Respondent admitted for everyone involved that an OSHA 10 card would be appropriate and required. However, Mr. Tait had worked for the Respondent for three years without one. *See,* State's Exhibit 1, p. C16, *see also,* Tr., p. 40;13-24. No explanation was given for this failure. *See,* Tr., p. 41;1-13. Actual knowledge was shown by Mr. Popek, who knew that OSHA 10 cards are required because he had one. However, the Respondent did not possess Mr. Tait's OSHA 10 card. *See,* State's Exhibit 1, pp. C20, C21. Here again, the State provided evidence to support its *prima facie* case of a violation of applicable law.

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The standard for Citation 2, Item 2, applied because Mr. Popek himself was the supervisory employee who did not possess an OSHA 30 card. See, Tr., p. 25;23-24. The standard was violated because Mr. Popek did not have one. See, Id. His understanding was that OSHA 30 cards are required for companies which have 10 or more employees on a job. See, State's Exhibit 1, p. C19. Mr. Popek's understanding was incorrect. An OSHA 30 card is required for any supervisor on a construction site once that person has worked for the employer for more than 14 days. See, NRS . NRS 618.987(2). So, again the State presented evidence in support of its allegation that the rule was violated.

As a final matter here, the Respondent admitted liability for each of the violations. *See*, Tr., 47;21-24. The State, by this admission, clearly met its burden of proof.

Board Member Fullerton moved to uphold each citation, including the fines assessed and the abatement requirement. *See*, Tr., p. 63;14-19. The motion was seconded by Member Milligan. *See*, Tr., p. 63;21-22. The motion was adopted upon a vote of 4 in favor of the motion and 0 against the motion. *See*, Tr., pp. 63;23-24, 64;1-7. The Board, by this motion, authorizes the Chairman, Jorge Macias, after any grammatical or typographical errors are corrected in the Decision, to execute, without further Board review, this Decision on behalf of the Board of Review.

On November 13, 2024 the Board convened to consider adoption of this decision, as written or as modified by the Board, as the decision of the Board.

Those present and eligible to vote on this question consisted of the 3 current members of the Board, to-wit, Chairman Jorge Macias, Board Secretary William Spielberg and Board Member, Scott Fullerton. Upon a motion by William Spielberg, seconded by Scott Fullerton, the Board voted 3-0-2 (Tyson Hollis and Gled Bautista abstaining as they were not members of the Board or in attendance when the matter was decided), to approve this Decision of the Board as the action of the Board and to authorize Chairman Jorge Macias, after any grammatical or typographical errors are corrected, to execute, without further Board review this Decision on behalf of the Nevada Occupational Safety and Health Review Board. Those voting in favor of the motion attended the hearing on the merits.

On November, 13, 2024 this Decision is, therefore, hereby adopted and approved as the Final Decision of the Board of Review. Dated this day of November, 2024. NEVADA OCCUPATIONAL SAFETY AND HEALTH REVIEW BOARD Macias, Chairman NOTICE: Pursuant to NRS 233B.130, any party aggrieved by this Final Order of the Nevada Occupational Safety and Health Review Board may file a petition for judicial review to the District Court within thirty (30) days after service of this order.

CERTIFICATE OF SERVICE

Pursuant to NRCP 5(b), I certify that I am an employee of the Law Offices of Charles R. Zeh, Esq., and that on this date I served the attached Decision of the Board, Findings of Fact, Conclusions of Law and Final Order, on those parties identified below by placing an original or true copy thereof in a sealed envelope, certified mail/return receipt requested, postage prepaid, placed for collection and mailing in the United States Mail, at Reno, Nevada: Salli Ortiz, Division Counsel Division of Industrial Relations 1886 College Parkway, Suite 110 Carson City, NV 89706 Stan Popek

4560 Arville Street, Suite C-20 Las Vegas, NV 89103

Dated this Att day of December, 2024.

The Law Offices of Charles R. Zeh, Esq.

S:\Clients\OSHA\LV 22-2177, Solar Star, LLC dba Vegas Solar\Final Decision R2 wpd

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