STATE OF NEVADA
OCCUPATIONAL SAFETY AND HEALTH REVIEW BOARD

NOTICE OF MEETING

The Nevada State Occupational Safety and Health Review Board (the Board) will hold a meeting of the Board on Wednesday, June 9, 2021, and Thursday, June 10, 2021, commencing at 9:00 a.m.

The public and parties have the option of attending in person or by electronic means as detailed, below. The public and parties are advised that Board members and the Board legal counsel are expected to participate by electronic means.

If attendance is in person, the address for the physical site of the meeting is: 4600 Kietzke Lane Building F, Suite 150, Reno, Nevada 89502. For those attending in person, masks and 6 foot social distancing will be required. Entrance to the hearing room and continued presence there will be conditioned upon observance of these requirements. Audio and visual equipment will be installed to enable all participating and observers to see and hear the proceedings. Plexi-glass shields will be installed to permit legal counsel and client to breach the six foot rule to permit counsel and client to confer during the course of the hearing.

If participation in the meeting is by electronic means you must join the meeting by the Webex Access portal set forth immediately below.

WEBEX ACCESS

Join from the meeting link

https://nvbusinessandindustry.webex.com/nvbusinessandindustry/j.php?MTID=mc166ba622dccea0c5a398c9fbb6d29b4

Join by meeting number

Meeting number (access code): 177 363 3169
Meeting password: aWd4kx9M8vV

Tap to join from a mobile device (attendees only)

+1-415-655-0001,,1773633169## US Toll

Join by phone

+1-415-655-0001 US Toll

Join from a video system or application

Dial 1773633169@nvbusinessandindustry.webex.com

You can also dial 173.243.2.68 and enter your meeting number.

Join using Microsoft Lync or Microsoft Skype for Business
Dial 1773633169.nvbusinessandindustry@lync.webex.com

Need help? Go to https://help.webex.com

AMENDED 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; (3) The Board may remove an item from the Agenda or delay discussion relating to an item on the Agenda at any time; and (4) The public is advised that participation in the meeting my be through the Webex Portal, referenced above, or by participation in person at the location, above.

Persons wishing to provide public comment or address a specific item on the Agenda may participate during the scheduled meeting using the above Webex Access to participate by telephone, video conferencing or in person. Also, the public may address their comments, data, views, arguments in written form to: Steve Ingersoll, 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 June 2, 2021, 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

public - all in accordance with Chapter 241 of Nevada Revised Statutes, commonly known as the Nevada Open Meeting Law.

a. LV 19-1995, Aimbridge Hospitality LP (Oral Argument and Deliberation) - **For Possible Action**.
b. RNO 21-2052, Pacific West Contractors of Nevada, LLC dba Pacific West Contractors - **For Possible Action.**
c. RNO 21-2054, Walmart Neighborhood Store # 1648 - **For Possible Action.**
d. RNO 21-2055, Walmart Neighborhood Store # 2408 - **For Possible Action.**
e. RNO 21-2070, Basalite Building Products, LLC - **For Possible Action.**
f. RNO 21-2066, RAC Guns and Ammo, LLC - **For Possible Action.**
g. RNO 21-2069, PKVINO dba Vino 100 - **For Possible Action.**

4. Administrative Meeting:

a. Approval of the previous Review Board minutes for the meetings of June 4, 2021. - **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. RNO 19-1974, Ponderosa Hotel, Inc. (Decision) - **For Possible Action**.
ii. RNO 19-1975, Ponderosa Hotel, Inc. (Decision) - **For Possible Action**.
iii. RNO 20-2031, Broken Arrow Communications, Inc. (Withdrawal of Citation) - **For Possible Action**.
iv. RNO 20-2036, Tesla, Inc., Tesla Motors, Inc. (Settlement) - **For Possible Action**.
v. RNO 20-2037, Tesla, Inc., Tesla Motors, Inc. (Settlement) - **For Possible Action**.
vi. RNO 20-2041, Harris Rebar Northern California, Inc. (Withdrawal of Citation) - **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 Board legal counsel's compensation under his contract. **- For Possible Action.**
iv. Election of Officers. - **For Possible Action.**
v. Discussion of possible methods for expediting hearings before the Board. - **For Possible Action.**
vi. Recognization of Steve Ingersoll for 8 years of service to the Board and the State of Nevada. - **For Possible Action.**

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

* **July 14 and 15, 2021** - 4600 Kietzke Lane, Building F, Suite 150, Reno, Nevada, 89502.
* **August 11 and 12, 2021** - 3360 West Sahara Avenue, Suite 175, Las Vegas, Nevada 89102.
* **September 8 and 9, 2021** - 3360 West Sahara Avenue, Suite 175, Las Vegas, Nevada 89102.
* **November 9 and 10, 2021** 4600 Kietzke Lane, Building F, Suite 150, Reno, Nevada 89502.
* **December 8 and 9, 2021** - 3360 West Sahara Avenue, Suite 175, Las Vegas, Nevada 89102.
* **January 12 and 13, 2022 -** 4600 Kietzke Lane Building F, Suite 150, Reno, Nevada 89502.
* **February 9 and 10, 2022 -** 3360 West Sahara Avenue, Suite 175, Las Vegas, Nevada 89102.
* **March 9 and 10, 2022 -** *Location not determined.*
* **April 13 and 14, 2022 -** *Location not determined.*
* **May 11 and 12, 2022 -** *Location not determined.*
* **June 8 and 9, 2022 -** *Location not determined.*
* **July 13 and 14, 2022 -** *Location not determined.*
* **August 10 and 11, 2022 -** *Location not determined.*
* **September 14 and 15, 2022 -** *Location not determined.*
* **October 12 and 13, 2022 -** *Location not determined.*
* **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 below on the Agenda as well as any matter within the jurisdiction of the Board. No action on such an item make 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.**

Any persons 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 least five (5) days prior to the meeting to endeavor the arrangement of reasonable accommodations.

This Notice has been posted at the following locations:

Division of Industrial Relations, Department of Occupational Safety and Health, 4600 Kietzke Lane, Building F, Suite 153, Reno, Nevada 89509

Division of Industrial Relations, 3360 West Sahara Ave., Suite 250, Las Vegas, Nevada 89102

Carson City Library, 900 North Roop Street, Carson City, Nevada 89701

Clark County Library, 7060 W Windmill Lane, Las Vegas, NV 89113

Clark County Court, Regional Justice Center, 200 Lewis Avenue, Las Vegas, Nevada

Washoe County Courthouse, 75 Court Street, Reno, Nevada 89501

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, Donald C. Smith, Esq., at 3360 West Sahara Avenue, Suite 250, Las Vegas, Nevada 89102, or by calling (702) 486-9070.

DATED this 3rd day of June, 2021.

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