

Minutes: Occupational Safety and Health Review Board, June 7, 2024

Call to order

- Board members present: Chair Robert Sogla and board members Christopher Strand and David Lillback; a quorum was met.
- Also present:
 - Erik Johnson, assistant attorney general, counsel for the board;
 - Peggy Charpentier, executive secretary for the board;
 - Scott Grosskreutz, assistant attorney general, attorney for Minnesota OSHA (MNOSHA);
 - Aaron Dean, attorney for S.M. Hentges and Sons, Inc. and Yellow Tree Construction Services, LLC;
 - Madeline Davis, attorney for Acoustics Associates, Inc.;
 - John Sickler, S.M. Hentges and Sons, Inc.;
 - Adam Schmitz, S.M. Hentges and Sons, Inc.; and
 - Robin Sogla.

Approval of agenda

- Motion to approve the agenda by Christopher Strand, seconded by David Lillback. The board voted to unanimously to approve the agenda.

Approval of minutes

- Motion to approve the May 16, 2024, minutes by Lillback, seconded by Strand. The board voted to unanimously to approve the agenda.

New business

- Commissioner, et al. v. Acoustics Associates, Inc., Office of Administrative Hearings (OAH) docket 21-1901-38138
 - Madeline Davis presented oral argument on behalf of the respondent.
 - Scott Grosskreutz presented oral argument on behalf of the complainant.
- Commissioner, et al. v. S.M. Hentges and Sons, Inc., OAH docket 60-1901-36894
 - Aaron Dean presented oral argument on behalf of the respondent.
 - Scott Grosskreutz presented oral argument on behalf of the complainant.
- Commissioner, et al. v. Yellow Tree Construction Services, LLC, OAH dockets 21-1901-38271 and 38272
 - Aaron Dean presented oral argument on behalf of the respondent.
 - Scott Grosskreutz presented oral argument on behalf of the complainant.

Closed session

Open session

- Commissioner, et al. v. Acoustics Associates, Inc., LLC, OAH docket 21-1901-38138
 - Motion to reverse and remand decision of administrative law judge by Christopher Strand; seconded by David Lillback. The board voted. The motion passed unanimously.
- Commissioner, et al. v. S.M. Hentges and Sons, Inc., OAH docket 60-1901-36894
 - Motion to affirm decision of administrative law judge by David Lillback; seconded by Christopher Strand. The board voted. The motion passed unanimously.
- Commissioner, et al. v. Yellow Tree Construction Services, LLC, OAH dockets 21-1901-38271 and 38272
 - Motion to affirm decision of administrative law judge by Christopher Strand; seconded by David Lillback. The board voted. The motion passed unanimously.

Approval of adjournment

- There was a motion to adjourn by Robert Sogla, seconded by Strand. The board voted unanimously to adjourn and the meeting was adjourned.