

State of California

Department of Industrial Relations
 Division of Occupational Safety and Health
 Bakersfield District Office
 7718 Meany Avenue
 Bakersfield, CA 93308
 Phone: (661) 588-6400 Fax: (661) 588-6428

Inspection #: 1489043
Inspection Dates: 08/20/2020 – 05/17/2021
Issuance Date: 05/18/2021
CSHO ID: N1738
Optional Report #: 010-21

**Citation and Notification of Penalty**

Company Name: Human Bees, Inc., fka Avitek Recruit, Inc.

Establishment DBA: Human Bees
 and its successors

Inspection Site: 1000 Davis Street
 Livingston, CA 95334

Citation 1 Item 1 Type of Violation: **Regulatory**

California Code of Regulations, Title 8, Regulations of the Division of Occupational Safety and Health 342(a) Reporting Work-Connected Fatalities and Serious Injuries

(a) Every employer shall report immediately to the Division of Occupational Safety and Health any serious injury or illness, or death, of an employee occurring in a place of employment or in connection with any employment. The report shall be made by the telephone or through a specified online mechanism established by the Division for this purpose. Until the division has made such a mechanism available, the report may be made by telephone or email.

Immediately means as soon as practically possible but not longer than 8 hours after the employer knows or with diligent inquiry would have known of the death or serious injury or illness. If the employer can demonstrate that exigent circumstances exist, the time frame for the report may be made no longer than 24 hours after the incident.

Serious injury or illness is defined in section 330(h), Title 8, California Administrative Code

Alleged Violation Description (AVD):

Human Bees, Inc. fka Avitek Recruit, Inc., a provider of temporary employees to the Foster Poultry Farms Livingston Facility, failed to immediately report to the Division a COVID-19-related serious illness suffered by an employee on or about July 18, 2020.

Date By Which Violation Must be Abated:

June 11, 2021

Proposed Penalty:

\$5000.00

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Citation 2 Item 1 Type of Violation: **Serious**

California Code of Regulations, Title 8, Section 3203(a)(3) Injury and Illness Prevention Program.
(a) Effective July 1, 1991, every employer shall establish, implement and maintain an effective Injury and Illness Prevention Program (Program). The Program shall be in writing and, shall, at a minimum:

(3) Include a system for communicating with employees in a form readily understandable by all affected employees on matters relating to occupational safety and health, including provisions designed to encourage employees to inform the employer of hazards at the worksite without fear of reprisal. Substantial compliance with this provision includes meetings, training programs, posting, written communications, a system of anonymous notification by employees about hazards, labor/management safety and health committees, or any other means that ensures communication with employees.

Alleged Violation Description (AVD):

Prior to and during the course of the Division's inspection, including but not limited to, on August 20, 2020, Human Bees, Inc. fka Avitek Recruit, Inc. (primary employer), a provider of temporary employees, failed to establish, maintain and implement an effective system for communicating with its employees assigned to the Foster Farms (secondary employer) Livingston facility, including, but not limited to, in the following instances:

Instance 1: Failed to effectively communicate the identity of the person or persons with authority and responsibility of implementing the employer's Illness and Injury Prevention Program;

Instance 2: Failed to effectively communicate about COVID-19 in the work place, including infections, outbreaks, and fatalities of employees to all workers who were exposed or potentially exposed;

Instance 3: Failed to effectively communicate measures the employer was taking to prevent employee exposure to SARS-CoV-2, the virus that causes COVID-19.

Date By Which Violation Must be Abated: **June 02, 2021**
Proposed Penalty: **\$18000.00**

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Citation 3 Item 1 Type of Violation: **Serious**

California Code of Regulations, Title 8, Section 3203(a)(7) Injury and Illness Prevention Program.
(a) Effective July 1, 1991, every employer shall establish, implement and maintain an effective Injury and Illness Prevention Program (Program). The Program shall be in writing and, shall, at a minimum:

- (7) Provide training and instruction:
 - (A) When the program is first established;
 - (B) To all new employees;
 - (C) To all employees given new job assignments for which training has not previously been received;
 - (D) Whenever new substances, processes, procedures or equipment are introduced to the workplace and represent a new hazard;
 - (E) Whenever the employer is made aware of a new or previously unrecognized hazard; and,
 - (F) For supervisors to familiarize themselves with the safety and health hazards to which employees under their immediate direction and control may be exposed.

Alleged Violation Description (AVD):

Prior to and during the course of the Division's inspection, including but not limited to, on August 20, 2020, Human Bees, Inc. fka Avitek Recruit, Inc. (primary employer), a provider of temporary employees to the Foster Poultry Farms (secondary employer) Livingston facility, failed to provide training and instruction to its employees regarding the new occupational hazard of COVID-19. COVID-19 training topics not effectively covered include training and instruction on how the virus is spread, measures to avoid infection, signs and symptoms of infection, how to properly disinfect faceshields, proper disinfection of shared equipment and how to safely use cleaners and disinfectants.

Date By Which Violation Must be Abated:	June 02, 2021
Proposed Penalty:	\$18000.00

Efren Gomez
Compliance Officer / District Manager