

**State of California**

Department of Industrial Relations  
Division of Occupational Safety and Health  
Los Angeles District Office  
320 West 4th Street, Room 820  
Los Angeles, CA 90013  
Phone: (213) 576-7451 Fax: (213) 576-7461

**Inspection #:** 1504399  
**Inspection Dates:** 12/01/2020 - 06/16/2021  
**Issuance Date:** 06/16/2021  
**CSHO ID:** 17904  
**Optional Report #:** 008-21



**Citation and Notification of Penalty**

**Company Name:** Ralphs Grocery Company  
**Establishment DBA:** Ralphs Store # 280  
and its successors  
**Inspection Site:** 4311 Lincoln Blvd.  
Marina Del Rey, CA 90292

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

T8 CCR 14300.4. Recording Criteria.

- (a) Basic requirement. Each employer required by this article to keep records of fatalities, injuries, and illnesses must record each fatality, injury and illness that:
- (1) Is work-related; and
  - (2) Is a new case; and
  - (3) Meets one or more of the general recording criteria of Section 14300.7 or the application to specific cases of Section 14300.8 through Section 14300.12.

Prior to and during the course of the inspection, including but not limited to, on December 1, 2020, several employees working for Ralphs Grocery Company Store #280 suffered COVID-19 related illnesses and a fatality while working in a place of employment or in connection with any employment. The employer did not record the fatality on the OSHA 300 form.

<b>Date By Which Violation Must be Abated:</b>	<b>July 21, 2021</b>
<b>Proposed Penalty:</b>	<b>\$425.00</b>

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

14300.32(a)(3):T8CCR§ 14300.32(a)(3) Annual Summary.

(a) Basic requirement. At the end of each calendar year, you must:

- (1) Review the Cal/OSHA Form 300 to verify that the entries are complete and accurate, and correct any deficiencies identified;
- (2) Create an annual summary of injuries and illnesses recorded on the Cal/OSHA Form 300 using the Cal/OSHA Form 300A Annual Summary of Work-related Injuries and Illnesses;
- (3) Certify the annual summary; and
- (4) Post the annual summary.

Prior to and during the course of the Division's inspection, including, but not limited to, on December 1, 2020, the employer failed to certify the OSHA's Form 300A "Summary of Work - Related Injuries and Illnesses" for the period of 2016 to 2020.

**Date By Which Violation Must be Abated:**

**July 21, 2021**

**Proposed Penalty:**

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

T8 CCR 3205. COVID-19 Prevention.

(c) Written COVID-19 Prevention Program. Employers shall establish, implement, and maintain an effective, written COVID-19 Prevention Program, which may be integrated into the employer's Injury and Illness Program required by section 3203, or be maintained in a separate document. The written elements of a COVID-19 Prevention Program shall include:

(8) Other engineering controls, administrative controls, and personal protective equipment.

(D)To protect employees from COVID-19 hazards, the employer shall evaluate its handwashing facilities, determine the need for additional facilities, encourage and allow time for employee handwashing, and provide employees with an effective hand sanitizer. Employers shall encourage employees to wash their hands for at least 20 seconds each time. Provision or use of hand sanitizers with methyl alcohol is prohibited.

Prior to and during the course of the Division's inspection, including, but not limited to, on December 1, 2020, the employer failed to provide the employees working in the Deli & Bakery Department and the frontline with an effective hand sanitizer to protect employees from COVID-19 hazards.

<b>Date By Which Violation Must be Abated:</b>	<b>Corrected During Inspection</b>
<b>Proposed Penalty:</b>	<b>\$0.00</b>

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

T8 CCR §3205. COVID-19 Prevention Program.

(c) Written COVID-19 Prevention Program. Employers shall establish, implement, and maintain an effective, written COVID-19 Prevention Program, which may be integrated into the employer's Injury and Illness Program required by section 3203, or be maintained in a separate document. The written elements of a COVID-19 Prevention Program shall include:

(2) Identification and evaluation of COVID-19 hazards.

(D) The employer shall conduct a workplace-specific identification of all interactions, areas, activities, processes, equipment, and materials that could potentially expose employees to COVID-19 hazards. Employers shall treat all persons, regardless of symptoms or negative COVID-19 test results, as potentially infectious.

1. This shall include identification of places and times when people may congregate or come in contact with one another, regardless of whether employees are performing an assigned work task or not, for instance during meetings or trainings and including in and around entrances, bathrooms, hallways, aisles, walkways, elevators, break or eating areas, cool-down areas, and waiting areas.

2. This shall include an evaluation of employees' potential workplace exposure to all persons at the workplace or who may enter the workplace, including coworkers, employees of other entities, members of the public, customers or clients, and independent contractors. Employers shall consider how employees and other persons enter, leave, and travel through the workplace, in addition to addressing fixed work locations.

Prior to and during the course of the inspection, including but not limited to, on December 1, 2020, the employer failed to conduct a workplace-specific identification of all interactions, areas, activities, processes, equipment, and materials that could potentially expose employees to COVID-19 hazards. The employer failed to identify places and times where employees performed assigned work came in contact with other workers or with other customers in the following instances:

Instance 1: Bakery/Deli Services Department

Instance 2: Self-Checkout register area

**Date By Which Violation Must be Abated:**

**June 28, 2021**

**Proposed Penalty:**

**\$15300.00**

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

T8 CCR 3205. COVID-19 Prevention.

(c) Written COVID-19 Prevention Program. Employers shall establish, implement, and maintain an effective, written COVID-19 Prevention Program, which may be integrated into the employer's Injury and Illness Program required by section 3203, or be maintained in a separate document. The written elements of a COVID-19 Prevention Program shall include:

6) Physical distancing.

(A) All employees shall be separated from other persons by at least six feet, except where an employer can demonstrate that six feet of separation is not possible, and except for momentary exposure while persons are in movement. Methods of physical distancing include: telework or other remote work arrangements; reducing the number of persons in an area at one time, including visitors; visual cues such as signs and floor markings to indicate where employees and others should be located or their direction and path of travel; staggered arrival, departure, work, and break times; and adjusted work processes or procedures, such as reducing production speed, to allow greater distance between employees.

**VIOLATION:**

Prior to and during the course of the inspection, including, but not limited to, on December 1, 2020 employer failed to ensure that employees were separated from other persons by at least six feet in the following instances:

Instance 1: At the self-checkout where employees were assisting customers check out.

Instance 2: At the cash registers where employees were assisting customers bag their groceries within six feet of other employees and customers.

Instance 3: At bakery/deli service counters where employees were assisting customers.

Or in the alternative to instances:

(8) Other engineering controls, administrative controls, and personal protective equipment.

(A) At fixed work locations where it is not possible to maintain the physical distancing requirement at all times, the employer shall install cleanable solid partitions that effectively reduce aerosol transmission between the employee and other persons.

Violation

Prior to and during the course of the inspection, including but not limited to, on December 1, 2020, the employer failed to install cleanable solid partitions that effectively reduce aerosol transmission between the employee and other persons in the following instances:

Instance 1. Employer failed to install partitions at the self-checkout.

Instance 2: The partitions that employer installed at the cash registers were not sufficiently high and/or wide between employees and other persons, including other employees and customers.

Instance 3: The partitions that employer installed at the bakery/deli services counters were not sufficiently high and/or wide.

**Date By Which Violation Must be Abated:**

**June 28, 2021**

**Proposed Penalty:**

**\$15300.00**

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Victor Copelan  
Compliance Officer / District Manager