

N E W S R E L E A S E

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Cal/OSHA Cites Henkel over \$200,000 Following Death of Temporary Worker

Oakland – Cal/OSHA cited Henkel Corporation \$200,825 for multiple serious and willful violations following the April death of a 26-year-old temporary worker who became entangled with the exposed rotating shaft of a mixer while mixing industrial adhesive. Cal/OSHA sanctioned the company for failing to identify and safeguard against the hazards of working near the mixer.

“This tragedy was completely preventable, and underscores what can go wrong when employers do not take the necessary measures to correct workplace safety hazards,” said Christine Baker, director of the Department of Industrial Relations (DIR). Cal/OSHA is a division within DIR.

Cal/OSHA’s investigation resulted in citations to the Henkel Corporation for six serious violations, two of which are considered willful serious, as well as one general violation. The German multinational company has a manufacturing plant in Bay Point, where the accident occurred.

The willful violations were issued for Henkel’s failure to properly set up and maintain operation guards for the mixer involved; and for the failure to follow its own Injury and Illness Prevention Program (IIPP) provisions regarding the identification and correction of serious hazards posed by the mixer. The investigation also revealed the company continued to operate the mixer despite knowing that the partial guard on the mixer exposed workers to dangerous moving parts.

The temporary worker, an Antioch man hired by staffing agency HR Comp, was pulled into the unguarded mixer shaft and was unable to free himself from the shaft. He subsequently died from his injuries. One of the serious violations issued against Henkel was for the company’s failure to ensure that sleeves on employee coveralls fit tightly so clothing would not get caught in machinery.

“While hazards exist in most workplaces, employers have a legal responsibility to make their employees aware of those hazards and to institute a process to minimize them. When they fail to do so, tragic consequences like this death can occur,” said Acting Cal/OSHA Chief Juliann Sum.

Cal/OSHA also cited two professional employer organizations (PEOs): HR Comp, LLC, based in Tennessee; and Action Personnel Agency, Inc. dba Staffing Solutions Group, based in Pleasant Hill. HR Comp is an online PEO providing temporary workers for

Henkel and Staffing Solutions Group is the area PEO, designated to conduct OSHA-related activities for HR Comp. The PEOs were cited \$1,500 each for failure to implement an effective written IIPP.

A willful violation is cited when an employer is aware that a hazardous condition exists but makes no reasonable effort to eliminate the hazard. A serious workplace safety violation is cited when there is a realistic possibility that death or serious physical harm could result from the violation. A general violation is one in which an accident or illness may result but is not likely to cause death or serious harm.

The Division of Occupational Safety and Health (DOSH), better known as Cal/OSHA, protects workers from health and safety hazards on the job in almost every workplace in California. Employers who want to learn more about Cal/OSHA and how to reduce workplace injuries can get information at the DIR Web site. For assistance from the Cal/OSHA Consultation Program, employers can call (800) 963-9424.

Employers who want to learn more about California workplace health and safety standards can find information on Cal/OSHA's [website](#). Cal/OSHA's [Consultation Program](#) provides free and voluntary assistance to employers and employee organizations working to improve their health and safety programs. Employers should call (800) 963-9424 for assistance from the Cal/OSHA Consultation Program.

Employees with work-related questions or complaints may call the toll-free California Workers' Information Line at (866) 924-9757 for recorded information, in English and Spanish, on a variety of work-related topics. Complaints may also be filed confidentially with [Cal/OSHA District Offices](#).

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