

N E W S R E L E A S E

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Cal/OSHA Cites Warehouse Company over \$300,000 for Failing to Correct Serious Hazards at its Mira Loma Facility

San Bernardino—Cal/OSHA cited warehousing and logistics company National Distribution Center LP (doing business as NFI) \$308,435 in proposed penalties on Monday for not providing employees with foot protection—a safety violation for which the company was previously cited in 2012 and has failed to abate, despite its obligation to do so.

“Prevention is vital to limiting accidents in warehouses where hazards are magnified by the size of the facility and number of employees. Unfortunately, the employer in this case did not follow through on an agreement to provide protection,” said Christine Baker, Director of the Department of Industrial Relations (DIR). The Division of Occupational Safety and Health, known as Cal/OSHA, is a division of DIR.

The case began in July 2012, following a complaint. Cal/OSHA’s San Bernardino office inspected NFI’s Mira Loma facility, known as a cross-docking operation, and issued a number of citations. Cross-docking is a logistics procedure in which goods are unloaded quickly from inbound transportation docks and moved to outbound docks without storing them. The Mira Loma cross dock is 599,340 square foot, one of the largest in the country, with 450 employees on site.

One Serious citation found that NFI employees were exposed to foot injuries because they did not have appropriate protection when working near the facility’s dozens of forklifts. Serious violations are cited when there is a realistic possibility that death or serious physical harm can result.

Cal/OSHA also cited NFI to replace worn and faded painted stripes that delineate pedestrian aisles and forklift aisles, because the forklifts were observed driving through the pedestrian aisles to reach the dock doors.

NFI appealed the citations to the Occupational Safety and Health Appeals Board (OSHAB), but later withdrew its challenge of the foot protection violation. An administrative law judge signed an order in January approving a settlement of the case, affirming the citation. In February, NFI and Cal/OSHA met to discuss abatement options. But following a report that a forklift ran over a worker’s foot and broke a toe, the division conducted a follow-up inspection of the warehouse on March 25. It was discovered that NFI had purchased foot coverings, but they were noncompliant and had

not been distributed to the workers. Cal/OSHA issued a notification of failure to abate to NFI, and calculated additional penalties based on the number of days the company exposed workers to foot hazards.

“Had NFI followed through on its obligation to provide proper foot protection two years ago when this was first brought to their attention, the additional penalties would not have been needed,” said Juliann Sum, Acting Cal/OSHA Chief. “Forklift operation is the biggest single cause of serious injury to workers’ feet. NFI ignored this hazard.”

National Distribution Center LP, based in New Jersey, provides distribution and warehouse services in the United States and Canada. It has appealed the failure to abate to OSHAB, where it will be scheduled for expedited proceeding.

To learn about California workplace health and safety standards, visit the Cal/OSHA [website](#). The Cal/OSHA [Consultation Program](#) provides free and voluntary assistance to employers and employee organizations to help improve health and safety programs. Employers are encouraged to call (800) 963-9424 for assistance from the Cal/OSHA Consultation Program.

Employees with work-related questions or complaints may call the California Workers’ Information Hotline at (866) 924-9757 for recorded information in English and Spanish on a variety of work-related topics.

Additional information about Cal/OSHA is available on our [website](#) as well as on [Facebook](#) and [Twitter](#).

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