

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 #: 1475903
Inspection Dates: 05/19/2020 - 09/24/2020
Issuance Date: 09/24/2020
CSHO ID: 14283
Optional Report #: 036-20



Citation and Notification of Penalty

Company Name: Ralphs Grocery Company
Establishment DBA: Ralphs Grocery Store #284
and its successors
Inspection Site: 10772 Jefferson Blvd.
Culver City, CA 90230

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

California Code of Regulations, Title 8, Section 3225(a) - Access to Exits

(a) Exits shall be so located and arranged that they are readily accessible at all times. Where exits are not immediately accessible from an open floor area, safe and continuous passageways, aisles, or corridors leading directly to every exit and so arranged as to provide convenient access for each occupant to at least two exits by separate ways of travel shall be maintained, except as a single exit or limited dead ends are permitted by other provisions of these regulations.

(1) Every required exit shall be maintained free of all obstructions or impediments to full instant use in the case of fire or other emergency.

Violation

Prior to and during the course of the inspection, including, but not limited to May 19, 2020 the employer did not maintain a safe unobstructed exit for employee use, at the Produce back room. Exit was blocked with boxes for produce and wooden crates.

Date By Which Violation Must be Abated:	Corrected During Inspection
Proposed Penalty:	\$750.00

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

California Code of Regulations, Title 8, Section 5194(h)(1) - Hazard Communication.

(h) Employee Information and Training.

(1) Employers shall provide employees with effective information and training on hazardous chemicals in their work area at the time of their initial assignment, and whenever a new chemical hazard is introduced into their work area. Information and training may relate to general classes of hazardous chemicals to the extent appropriate and related to reasonably foreseeable exposures of the job. Chemical-specific information must always be available through labels and safety data sheets.

Violation

Prior to and during the course of the inspection, including, but not limited to, on May 19, 2020, an employee performing work at the Seafood department, was not provided with effective information and training on hazardous chemicals used in his work area / seafood department.

Date By Which Violation Must be Abated:	Corrected During Inspection
Proposed Penalty:	\$560.00

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

California Code of Regulations, Title 8, Section 6151(c) - Portable Fire Extinguishers

(c) General Requirements.

(1) The employer shall provide portable fire extinguishers and shall mount, locate and identify them so that they are readily accessible to employees without subjecting the employees to possible injury.

Violation

Prior to and during the course of the inspection, including, but not limited to May 19, 2020 the fire extinguishers located at Produce back and Receiving rooms were not readily accessible to the employees.

Date By Which Violation Must be Abated:	Corrected During Inspection
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Citation 2 Item 1 Type of Violation: **Repeat Regulatory**

California Code of Regulations, Title 8, Section 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.

Violation

Employer failed to (immediately) report to the Division the serious injury suffered by an employee, fatal Covid-19 infection on or about April 11, 2020.

The Ralphs Grocery Company was previously cited for a violation of this occupational safety and health standard or its equivalent standard CCR Title 8 Sec: 342(a), which was contained in OSHA inspection number 1159015, citation number 1, item number 1, was affirmed as a final order on October 3, 2017, and the employer has abated or indicated abatement of this earlier violation, with respect to a workplace located at 3255 Golden Lantern Dana Point, CA 92629.

Date By Which Violation Must be Abated:

November 10, 2020

Proposed Penalty:

\$10000.00

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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:

(1) Identify the person or persons with authority and responsibility for implementing the Program.
(2) Include a system for ensuring that employees comply with safe and healthy work practices.

Substantial compliance with this provision includes recognition of employees who follow safe and healthful work practices, training and retraining programs, disciplinary actions, or any other such means that ensures employee compliance with safe and healthful work practices.

(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.

Exception: Employers having fewer than 10 employees shall be permitted to communicate to and instruct employees orally in general safe work practices with specific instructions with respect to hazards unique to the employees' job assignments as compliance with subsection (a)(3).

(4) Include procedures for identifying and evaluating work place hazards including scheduled periodic inspections to identify unsafe conditions and work practices. Inspections shall be made to identify and evaluate hazards:

(A) When the Program is first established;

Exception: Those employers having in place on July 1, 1991, a written Injury and Illness Prevention Program complying with previously existing section 3203.

(B) Whenever new substances, processes, procedures, or equipment are introduced to the workplace that represent a new occupational safety and health hazard; and

(C) Whenever the employer is made aware of a new or previously unrecognized hazard.

(5) Include a procedure to investigate occupational injury or occupational illness.

(6) Include methods and/or procedures for correcting unsafe or unhealthy conditions, work practices and work procedures in a timely manner based on the severity of the hazard:

(A) When observed or discovered; and,

(B) When an imminent hazard exists which cannot be immediately abated without endangering employee(s) and/or property, remove all exposed personnel from the area except those necessary to correct the existing condition. Employees necessary to correct the hazardous condition shall be provided the necessary safeguards.

(7) Provide training and instruction:

(A) When the program is first established;

Exception: Employers having in place on July 1, 1991, a written Injury and Illness Prevention Program complying with the previously existing Accident Prevention Program in Section 3203.

(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.

Violation

Prior to and during the course of the inspection, including, but not limited to, on May 19, 2020, the employer failed to provide effective training and instruction regarding the new occupational hazard of COVID-19, including but not limited to, training and instruction on how the virus is spread, measures to avoid infection, signs and symptoms of infection, and how to safely use cleaners and disinfectants.

Date By Which Violation Must be Abated:

October 08, 2020

Proposed Penalty:

\$13500.00

Victor Copelan
Compliance Officer / District Manager