

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 #: 1482017
Inspection Dates: 06/23/2020 - 09/29/2020
Issuance Date: 09/29/2020
CSHO ID: 14283
Optional Report #: 040-20

**Citation and Notification of Penalty**

Company Name: Food 4 Less Holdings Inc.
Establishment DBA: Food 4 Less Store #770
 and its successors
Inspection Site: 1700 W. Sixth St.
 Los Angeles, CA 90017

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

California Code of Regulations, Title 8, Section 2340.16(b) - Work Space About Electric Equipment

(b) Work Space. Working space for equipment likely to require examination, adjustment, servicing, or maintenance while energized shall comply with the following dimensions, except as required or permitted elsewhere in these Orders.

(1) Depth. The depth of the working space in the direction of access to live parts shall not be less than indicated in Table 2340.16 unless permitted elsewhere in these orders.

Distances shall be measured from the live parts if they are exposed or from the enclosure front or opening if they are enclosed.

(2) Width. In addition to the dimensions of depth shown in Table 2340.16, the width of the workspace in front of the electric equipment shall not be less than the width of the equipment or 30 inches, whichever is greater.

In all cases, the workspace shall be adequate to permit at least a 90 degree opening of equipment doors or hinged panels.

(3) Height. The work space shall be clear and extend from the grade, floor, or platform to the height required by subsection (f) of this section. However, other equipment associated with the electrical installation and located above or below the electric equipment may extend not more than 6 in. (153 mm) beyond the front of the electric equipment.

Violation

Prior to and during the course of the inspection, including but not limited to, on June 23, 2020, the employer did not provide suitable workspace for the 208Y/120 voltage circuit breaker panels located at the warehouse area. The panels were blocked by boxes for produce and different equipment. The panels were servicing all the electrical appliances, receptacles and lighting used at the store.

Date By Which Violation Must be Abated:
Proposed Penalty:

Corrected During Inspection
\$750.00

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

California Code of Regulations, Title 8, Section 3203(a)(5) - 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:
(5) Include a procedure to investigate occupational injury or occupational illness.

Violation

Prior to and during the course of the inspection, including, but not limited to, on June 23, 2020, the employer failed to implement and maintain an effective Injury and Illness Prevention Program (IIPP) in the following instance:

Instance 1: The employer did not effectively investigate approximately twenty three (23) COVID-19 illnesses of employees that occurred in or about the month of June 2020.

Date By Which Violation Must be Abated:	October 13, 2020
Proposed Penalty:	\$750.00

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

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;

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 June 23, 2020, the employer failed to implement and maintain an effective Injury and Illness Prevention Program (IIPP) in the following instance:

Instance 1: 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, and signs and symptoms of infection.

Date By Which Violation Must be Abated:

October 13, 2020

Proposed Penalty:

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Citation 1 Item 4 Type of Violation: **General**

California Code of Regulations, Title 8, Section 5162(e) - Emergency Eyewash and Shower Equipment.

(e) Maintenance. Plumbed eyewash and shower equipment shall be activated at least monthly to flush the line and to verify proper operation. Other units shall be maintained in accordance with the manufacturer's instructions.

Violation

Prior to and during the course of the inspection, including but not limited to, on June 23, 2020, the employer did not properly maintain the Speakman 9200 wall mount eyewash used at the meat department.

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

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

California Code of Regulations, Title 8, Section 3203(a) - 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 June 23, 2020, the employer failed to implement and maintain an effective Injury and Illness Prevention Program (IIPP) in the following instances:

Instance 1: The employer failed to effectively identify or evaluate workplace hazards relating to COVID-19 including, but not limited to the inability of employees to maintain physical distancing between themselves and customers due to the number of customers in the store.

Instance 2: The employer failed to effectively implement methods or procedures to correct unhealthy conditions or work practices relating to COVID-19, including, but not limited to the inability of employees to maintain physical distancing between themselves and customers due to the number of customers in the store.

Date By Which Violation Must be Abated:

October 13, 2020

Proposed Penalty:

\$13500.00

Victor Copelan
Compliance Officer / District Manager