

## State of California

Department of Industrial Relations  
Division of Occupational Safety and Health  
American Canyon District Office  
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American Canyon, CA 94503  
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**Inspection #:** 1483864  
**Inspection Dates:** 07/16/2020 - 01/13/2021  
**Issuance Date:** 01/13/2021  
**CSHO ID:** B5240  
**Optional Report #:** 003-21



## Citation and Notification of Penalty

**Company Name:** JBM Restaurant Group Inc  
**Establishment DBA:** Five Guys Burgers and Fries  
and its successors  
**Inspection Site:** 2780 Pinole Valley Rd  
Pinole, CA 94564

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

### **T8 CCR 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:**

**(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:**

**(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.**

Prior to, and during the course of the inspection, including, but not limited to, on July 16, 2020, the employer failed to implement and maintain an effective Injury and Illness Prevention Program (IIPP) in that it did not identify and evaluate or implement methods or procedures to correct unhealthy conditions relating to SARS-CoV-2 that affected its employees including, but not limited to, the lack of physical barriers to separate employees from the customers at the checkout counter. [3203(a)(4) &(6)]

Or in the alternative.

### **T8 CCR 5141. Control of Harmful Exposure to Employees.**

**(a) Engineering Controls. Harmful exposures shall be prevented by engineering controls whenever feasible.**

Prior to, and during the course of the inspection, including, but not limited to, on July 16, 2020, the

