

**State of California**

Department of Industrial Relations  
 Division of Occupational Safety and Health  
 Bakersfield District Office  
 7718 Meany Avenue  
 Bakersfield, CA 93308  
 Phone: (661) 588-6400 Fax: (661) 588-6428

**Inspection #:** 1491024  
**Inspection Dates:** 09/03/2020 - 02/26/2021  
**Issuance Date:** 02/26/2021  
**CSHO ID:** U6267  
**Optional Report #:** 007-21

**Citation and Notification of Penalty**

**Company Name:** Grimmway Enterprises, Inc.

**Establishment DBA:**

and its successors

**Inspection Site:** 6900 Mountain View Road  
 Bakersfield, CA 93307

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

**California Code of Regulations, Title 8, Section 342(a). Reporting Work-Connected Fatalities and Serious Injuries.**

(a) Every employer shall report immediately by telephone or telegraph to the nearest District Office of 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.

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.

**Alleged Violation Description (AVD):**

Employer failed to immediately report to the Division a COVID-19 related serious illness suffered by an employee working in the shipping department on or about August 12, 2020

**Date By Which Violation Must be Abated:**

**March 17, 2021**

**Proposed Penalty:**

**\$5000.00**

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

**California Code of Regulations, Title 8, Section 14300.29(a). Forms.**

(a)Basic requirement. You must use Cal/OSHA 300, 300A, and 301 forms, or equivalent forms, for recordable injuries and illnesses. The Cal/OSHA Form 300 is called the Log of Work-Related Injuries and Illnesses, the Cal/OSHA Form 300A is called the Summary of Work-Related Injuries and Illnesses, and the Cal/OSHA Form 301 is called the Injury and Illness Incident Report. Appendices A through C give samples of the Cal/OSHA forms. Appendices D through F provide elements for development of equivalent forms consistent with Section 14300.29(b)(4) requirements. Appendix G is a worksheet to assist in completing the Cal/OSHA Form 300A.

**Alleged Violation Description (AVD):**

Prior to and during the course of the investigation, including but not limited to September 3, 2020, the Employer did not completely update the Cal/OSHA 300 for calendar year 2020. The employer did not record a COVID-19 illness that was away from work for 14 days starting July 22, 2020.

**Date By Which Violation Must be Abated:**

**March 17, 2021**

**Proposed Penalty:**

**\$425.00**

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

**California Code of Regulations, Title 8, Section 3203(b) Injury and Illness Prevention Program.**

(b) Records of the steps taken to implement and maintain the Program shall include:

[...]

(2) Documentation of safety and health training required by subsection (a)(7) for each employee, including employee name or other identifier, training dates, type(s) of training, and training providers. This documentation shall be maintained for at least one (1) year.

**Reference:**

California Code of Regulations, Title 8, 3203(a)(7) Injury and Illness Prevention Program.

(7) Provide training and instruction:

[...]

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

**Alleged Violation Description (AVD):**

Prior to and during the course of the investigation, the employer did not maintain documentation of safety and health training for an employee on the new hazard of COVID-19.

**Date By Which Violation Must be Abated:**

**March 17, 2021**

**Proposed Penalty:**

**\$425.00**

Efren Gomez  
 Compliance Officer / District Manager