Citation and Notification of Penalty

Company Name: Ralphs Grocery Company
Establishment DBA: Ralphs Store # 280 and its successors
Inspection Site: 4311 Lincoln Blvd.
Marina Del Rey, CA  90292

Citation 1 Item 1 Type of Violation: Regulatory

T8 CCR 14300.4. Recording Criteria.

(a) Basic requirement. Each employer required by this article to keep records of fatalities, injuries, and illnesses must record each fatality, injury and illness that:
(1) Is work-related; and
(2) Is a new case; and
(3) Meets one or more of the general recording criteria of Section 14300.7 or the application to specific cases of Section 14300.8 through Section 14300.12.

Prior to and during the course of the inspection, including but not limited to, on December 1, 2020, several employees working for Ralphs Grocery Company Store #280 suffered COVID-19 related illnesses and a fatality while working in a place of employment or in connection with any employment. The employer did not record the fatality on the OSHA 300 form.

Date By Which Violation Must be Abated: July 21, 2021
Proposed Penalty: $425.00
Citation and Notification of Penalty

Company Name: Ralphs Grocery Company
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Citation 1 Item 2   Type of Violation: Regulatory


(a) Basic requirement. At the end of each calendar year, you must:

(1) Review the Cal/OSHA Form 300 to verify that the entries are complete and accurate, and correct any deficiencies identified;

(2) Create an annual summary of injuries and illnesses recorded on the Cal/OSHA Form 300 using the Cal/OSHA Form 300A Annual Summary of Work-related Injuries and Illnesses;

(3) Certify the annual summary; and

(4) Post the annual summary.

Prior to and during the course of the Division’s inspection, including, but not limited to, on December 1, 2020, the employer failed to certify the OSHA’s Form 300A "Summary of Work - Related Injuries and Illnesses" for the period of 2016 to 2020.

Date By Which Violation Must be Abated:        July 21, 2021
Proposed Penalty:                $425.00

See pages 1 through 5 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.

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Citation and Notification of Penalty

Company Name: Ralphs Grocery Company
Establishment DBA: Ralphs Store # 280 and its successors
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Marina Del Rey, CA  90292

Citation 1 Item 3  Type of Violation: General

(c) Written COVID-19 Prevention Program. Employers shall establish, implement, and maintain
an effective, written COVID-19 Prevention Program, which may be integrated into the
employer's Injury and Illness Program required by section 3203, or be maintained in a
separate document. The written elements of a COVID-19 Prevention Program shall include:

(8) Other engineering controls, administrative controls, and personal protective equipment.

(D)To protect employees from COVID-19 hazards, the employer shall evaluate its handwashing
facilities, determine the need for additional facilities, encourage and allow time for employee
handwashing, and provide employees with an effective hand sanitizer. Employers shall encourage
employees to wash their hands for at least 20 seconds each time. Provision or use of hand sanitizers
with methyl alcohol is prohibited.

Prior to and during the course of the Division's inspection, including, but not limited to, on December
1, 2020, the employer failed to provide the employees working in the Deli & Bakery Department and
the frontline with an effective hand sanitizer to protect employees from COVID-19 hazards.

Date By Which Violation Must be Abated: Corrected During Inspection
Proposed Penalty: $0.00
Citation and Notification of Penalty

Company Name: Ralphs Grocery Company
Establishment DBA: Ralphs Store # 280
and its successors
Inspection Site: 4311 Lincoln Blvd.
Marina Del Rey, CA 90292

Citation 2 Item 1  Type of Violation: Serious

T8 CCR §3205. COVID-19 Prevention Program.

(c) Written COVID-19 Prevention Program. Employers shall establish, implement, and maintain an effective, written COVID-19 Prevention Program, which may be integrated into the employer's Injury and Illness Program required by section 3203, or be maintained in a separate document. The written elements of a COVID-19 Prevention Program shall include:

(2) Identification and evaluation of COVID-19 hazards.

(D) The employer shall conduct a workplace-specific identification of all interactions, areas, activities, processes, equipment, and materials that could potentially expose employees to COVID-19 hazards. Employers shall treat all persons, regardless of symptoms or negative COVID-19 test results, as potentially infectious.

1. This shall include identification of places and times when people may congregate or come in contact with one another, regardless of whether employees are performing an assigned work task or not, for instance during meetings or trainings and including in and around entrances, bathrooms, hallways, aisles, walkways, elevators, break or eating areas, cool-down areas, and waiting areas.

2. This shall include an evaluation of employees' potential workplace exposure to all persons at the workplace or who may enter the workplace, including coworkers, employees of other entities, members of the public, customers or clients, and independent contractors. Employers shall consider how employees and other persons enter, leave, and travel through the workplace, in addition to addressing fixed work locations.

Prior to and during the course of the inspection, including but not limited to, on December 1, 2020, the employer failed to conduct a workplace-specific identification of all interactions, areas, activities, processes, equipment, and materials that could potentially expose employees to COVID-19 hazards. The employer failed to identify places and times where employees performed assigned work came in contact with other workers or with other customers in the following instances:

Instance 1: Bakery/Deli Services Department
Instance 2: Self-Checkout register area

Date By Which Violation Must be Abated: June 28, 2021
Proposed Penalty: $15300.00
Citation and Notification of Penalty

Company Name: Ralphs Grocery Company
Establishment DBA: Ralphs Store # 280 and its successors
Inspection Site: 4311 Lincoln Blvd.
           Marina Del Rey, CA  90292

Citation 3 Item 1  Type of Violation: Serious

(c) Written COVID-19 Prevention Program. Employers shall establish, implement, and maintain
an effective, written COVID-19 Prevention Program, which may be integrated into the
employer's Injury and Illness Program required by section 3203, or be maintained in a
separate document. The written elements of a COVID-19 Prevention Program shall include:

6) Physical distancing.

(A) All employees shall be separated from other persons by at least six feet, except where an
employer can demonstrate that six feet of separation is not possible, and except for momentary
exposure while persons are in movement. Methods of physical distancing include: telework or other
remote work arrangements; reducing the number of persons in an area at one time, including visitors;
visual cues such as signs and floor markings to indicate where employees and others should be
located or their direction and path of travel; staggered arrival, departure, work, and break times;
and adjusted work processes or procedures, such as reducing production speed, to allow greater
distance between employees.

VIOLATION:

Prior to and during the course of the inspection, including, but not limited to, on December 1, 2020
employer failed to ensure that employees were separated from other persons by at least six feet in
the following instances:

Instance 1: At the self-checkout where employees were assisting customers check out.
Instance 2: At the cash registers where employees were assisting customers bag their groceries within
six feet of other employees and customers.
Instance 3: At bakery/deli service counters where employees were assisting customers.
Or in the alternative to instances:

(8) Other engineering controls, administrative controls, and personal protective equipment.

(A) At fixed work locations where it is not possible to maintain the physical distancing requirement at all times, the employer shall install cleanable solid partitions that effectively reduce aerosol transmission between the employee and other persons.

Violation

Prior to and during the course of the inspection, including but not limited to, on December 1, 2020, the employer failed to install cleanable solid partitions that effectively reduce aerosol transmission between the employee and other persons in the following instances:

Instance 1. Employer failed to install partitions at the self-checkout.
Instance 2: The partitions that employer installed at the cash registers were not sufficiently high and/or wide between employees and other persons, including other employees and customers.
Instance 3: The partitions that employer installed at the bakery/deli services counters were not sufficiently high and/or wide.

Date By Which Violation Must be Abated: June 28, 2021
Proposed Penalty: $15300.00

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Victor Copelan
Compliance Officer / District Manager