

State of California

Department of Industrial Relations
Division of Occupational Safety and Health
Long Beach District Office
1500 Hughes Way, Suite C201
Long Beach, CA 90810
Phone: (424) 450-2630 Fax: (424) 450-2675

Inspection #: 1504266
Inspection Dates: 11/30/2020 - 06/15/2021
Issuance Date: 06/15/2021
CSHO ID: T9318
Optional Report #: 12-21

**Citation and Notification of Penalty**

Company Name: Garfield Beach CVS, LLC
Establishment DBA: CVS Pharmacy #8844
and its successors
Inspection Site: 6510 SOUTH ST
Lakewood, CA 90713

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

California Code of Regulations Title 8. 3203. 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.
- (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:
 - (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:

Prior to and during the course of the inspection, including but not limited to, November 20, 2020, the employer failed to implement and maintain an effective written Injury and Illness Prevention Program in the following instances:

Instance 1: The employer failed to effectively identify and evaluate workplace hazards related to COVID-19, including but not limited to the following hazards:

a) The lack of access to the sink for hand washing in the photo processing area to prevent COVID-19 from spreading.

b) The lack of physical distancing between employees working as pharmacy techs in the pharmacy area.

c) The lack of physical barriers in the in the pharmacy area where employees work as clerks within six feet of each other. [3203(a)(4)]

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:

a) The lack of access to the sink for hand washing in the photo processing area to prevent COVID-19 from spreading.

b) The lack of physical distancing or between employees working as pharmacy techs in the pharmacy area.

c) The lack of physical barriers in the in the pharmacy area where employees work as clerks within six feet of each other [3203(a)(6)]

Instance 3:

Prior to and during the course of the investigation, the employer failed to effectively train employees on COVID-19 information, including but not limited to prevention, symptoms, reporting and the employer's procedures to control and prevent transmission for employees working with the public as clerks and in the pharmacy area who had potential exposures to cases of COVID-19. [3203(a)(7)]

Or, in the Alternative to Instance 2b & 2c.

T8CCR. 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 November 20, 2020, the employer failed to prevent harmful exposures of employees to infectious or potentially infectious airborne particles by ensuring the use of engineering controls to prevent the spread of COVID-19,

including, but not limited to, plexiglass screens or other physical barriers to limit contact and block potentially infectious particles from being released when an employee breathes, speaks, coughs, or sneezes in the following areas:

- a) In the Clerk area.
- b) In the Pharmacy.

Date By Which Violation Must be Abated:
Proposed Penalty:

July 19, 2021
\$935.00

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

California Code of Regulations Title 8. 3205. COVID-19 Prevention.

(c) Written COVID-19 Prevention Program.

(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 inspection, including but not limited to, November 30, 2020, the employer did not evaluate its handwashing facilities, and determine the need for additional facilities. The sink behind the front checkout counter was unavailable for employees to wash their hands because it was obstructed (used for storage).

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

California Code of Regulations Title 8, 3272. Aisles, Walkways, and Crawlways.

(c) Permanent aisles, ladders, stairways, and walkways shall be kept reasonably clear and in good repair. Where, due to lack of proper definition, such aisles or walkways become hazardous, they shall be clearly defined by painted lines, curbing, or other method of marking.

Prior to and during the course of the inspection, including, but not limited to November 30, 2020, the employer did not ensure that the walkway behind the front checkout counter was kept reasonably clear.

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Proposed Penalty: \$935.00

Adrienne McCambridge
Compliance Officer

Hien Le
District Manager