State of California  
Department of Industrial Relations  
Division of Occupational Safety and Health  
Oakland District Office  
1515 Clay Street, Suite 1303  
Oakland, CA  94612  
Phone: (510) 622-2916  
Fax: (510) 622-2908

Citation and Notification of Penalty

Company Name: Gul Food Management, Inc.  
Establishment DBA: Jack in the Box and its successors  
Inspection Site: 1257 Park Street  
Alameda, CA  94501

Citation 1 Item 1  
Type of Violation: General

Title 8 CCR 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:

(7) Provide training and instruction:
(A) When the program is first established;
(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 December 22, 2020, the employer failed to effectively implement and/or maintain its Injury & Illness Prevention Program in that it did not effectively train employees on the hazard related to SARS-CoV-2, the virus causing COVID-19 in the following way:

Instance 1 - The employer asked an employee that was exposed to someone who had tested positive for Covid-19 to come to work before being tested and not self-quarantining.

Instance 2 - The employer did not follow their daily screening policy by inferring if an employee will come to the workplace after having been exposed to a confirmed case on or about November 19, 2020.

Date By Which Violation Must be Abated: August 16, 2021
Proposed Penalty: $560.00
Citation and Notification of Penalty

Company Name: Gul Food Management, Inc.
Establishment DBA: Jack in the Box and its successors
Inspection Site: 1257 Park Street Alameda, CA 94501

Citation 2 Item 1 Type of Violation: Serious

Title 8 CCR 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:

(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:

Violation:

Prior to and during the course of the inspection, including but not limited to, on December 22, 2020, the employer failed to effectively implement its Injury & Illness Prevention Program in that it did not communicate, identify, evaluate, or correct the following unhealthy conditions or work practices relating to SARS-CoV-2, the virus causing COVID-19, that affected its employees in the following instances:

INSTANCE 1 - The employer failed to have maintained and/or implement its system for referring employees whom are exposed to someone who is either positive, suspected to be positive and/or showing signs of the virus, for testing or medical evaluation and/or removing them from the workplace on or around November 19, 2020. [3203(a)(4)&(6)]

INSTANCE 2 - The employer failed to have maintained and/or implement its policy for screening employees in the workplace by requesting an employee to come to the workplace after having been exposed to a confirmed case on or about November 19, 2020. [3203(a)(4)&(6)]

Date By Which Violation Must be Abated: August 16, 2021
Proposed Penalty: $13500.00

Michael Chrisman / Wendy Hogle-Lui
Compliance Officer / District Manager

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