

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

Inspection #: 1516609
Inspection Dates: 02/17/2021 - 08/06/2021
Issuance Date: 08/09/2021
CSHO ID: Q0917
Optional Report #: 022-21



Citation and Notification of Penalty

Company Name: AllCali Products Inc.
Establishment DBA: Home of Chicken and Waffles
and its successors
Inspection Site: 444 Embarcadero West
Oakland, CA 94607

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

Title 8 Section 3205(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: Items (1) through (11).

Prior to and during the course of the inspection, including but not limited to, on February 27, 2021, the Employer failed to have established and implemented a written COVID-19 Prevention Program that included the elements set forth in Subsections (c)(1) through (c)(11).

Date By Which Violation Must be Abated:	September 13, 2021
Proposed Penalty:	\$0.00

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Company Name: AllCali Products Inc.
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Citation 1 Item 2 Type of Violation: **General**

Title 8 Section 3205. Written 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:

(3) Investigating and responding to COVID-19 cases in the workplace.

(B) The employer shall take the following actions when there has been a COVID-19 case at the place of employment:

- 1. Determine the day and time the COVID-19 case was last present and, to the extent possible the date of the positive COVID-19 test(s) and/or diagnosis, and the date the COVID-19 case first had one or more COVID-19 symptoms, if any were experienced.**
- 2. Determine who may have had a COVID-19 exposure. This requires an evaluation of the activities of the COVID-19 case and all locations at the workplace which may have been visited by the COVID-19 case during the high-risk exposure period.**
- 3. Give notice of the potential COVID-19 exposure, within one business day, in a way that does not reveal any personal identifying information of the COVID-19 case, to the following:**
 - a. All employees who may have had COVID-19 exposure and their authorized representatives.**
 - b. Independent contractors and other employers present at the workplace during the high-risk exposure period.**
- 4. Offer COVID-19 testing at no cost to employees during their working hours to all employees who had potential COVID-19 exposure in the workplace and provide them with the information on benefits described in subsections (c)(5)(B) and (c)(10)(C).**

5. Investigate whether any workplace conditions could have contributed to the risk of COVID-19 exposure and what could be done to reduce exposure to COVID-19 hazards.

Violation

Prior to and during the course of the inspection, including but not limited to, on February 27, 2021, the Employer failed to take the following actions when there had been a COVID-19 case at the place of employment during the months of November and December 2020:

INSTANCE 1 - The employer failed to provide an investigation report that records the day and time the COVID-19 case was last present in the workplace and, to the extent possible the date of the positive COVID-19 test(s) and/or diagnosis, and the date the COVID-19 case first had one or more COVID-19 symptoms, if any were experienced. [(c)(3)(B)1]

INSTANCE 2 - The employer failed to provide an investigation report that made a determination of who may have had a COVID-19 exposure from each COVID-19 case during the high-risk period at the workplace. [(c)(3)(B)2]

INSTANCE 3 - The employer failed to provide an investigation report that made a determination whether any workplace conditions could have contributed to the risk of COVID-19 exposure and what could be done to reduce exposure to COVID-19 hazards. [(c)(3)(B)5.]

Date By Which Violation Must be Abated:
Proposed Penalty:

Corrected During Inspection
\$675.00

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

Title 8 Section 3203(a) Injury and Illness Prevention Program

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: Comply with subsections (1) through (7).

VIOLAION:

Prior to and during the course of the inspection, including, but not limited to, the month of November 2020, the employer did not establish, implement and maintain an Injury and Illness Prevention Program in the following instances:

INSTANCE 1: The employer did not establish a written Injury and Illness Prevention Program. [3203(a)]

INSTANCE 2: The employer did not identify, evaluate, or correct the unhealthy conditions, or work practices relating to COVID-19 in that it did not implement effective screening and exclusion of an employee from the workplace when they had been exposed to a suspect and/or confirmed COVID-19 case on or about November 27, 2020. [3203(a)(4) & (6)]

INSTANCE 3: The employer did not provide effective training and instruction to its employees on COVID-19 that included the importance of not coming to work when they have been exposed to a suspect and/or confirmed COVID-19 case. [3203(a)(7)]

Date By Which Violation Must be Abated: **August 19, 2021**
Proposed Penalty: **\$15750.00**

Wendy Hogle-Lui
Compliance Officer / District Manager