

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 #: 1487201
Inspection Dates: 08/11/2020 - 08/13/2021
Issuance Date: 08/20/2021
CSHO ID: E7601
Optional Report #: 006-21



Citation and Notification of Penalty

Company Name: Ralphs Grocery Company #271

Establishment DBA:

and its successors

Inspection Site: 1240 Los Osos Valley Road
Los Osos, CA 93402

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

California Code of Regulations, Title 8, Section 2340.24. Discontinued Circuits.

When a circuit is abandoned or discontinued, its conductors shall be removed from the raceways, or be maintained as if in use.

Alleged Violation Description (AVD):

Prior to and during the course of the inspection, including, but not limited to, on August 11, 2020, the employer did not maintain the abandoned conductor located in the meat department

- (1) By removing the conductors from the raceway
- (2) As if the conductor was in use.

Date By Which Violation Must be Abated:	September 08, 2021
Proposed Penalty:	\$800.00

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

California Code of Regulations, Title 8, Section 2500.8. Uses Not Permitted.

(a) Unless specifically permitted otherwise in Section 2500.7, flexible cords and cables shall not be used:

- (1) as a substitute for the fixed wiring of a structure;
- (2) where run through holes in walls, ceilings, or floors;
- (3) where run through doorways, windows or similar openings;
- (4) where attached to building surfaces;
- (5) where concealed behind building walls, ceilings, or floors; or
- (6) Where installed in raceways, except as otherwise permitted in these Electrical Safety Orders.

Alleged Violation Description (AVD):

Prior to and during the course of the inspection, including, but not limited to, on August 11, 2020, the employer

- (1) Used a flexible cord as fixed wiring to power a battery charger and other appliances located in the warehouse area.
- (2) Attached a flexible cord to building surfaces used to power a battery charger in the warehouse area

Date By Which Violation Must be Abated:
Proposed Penalty:

September 08, 2021
\$600.00

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

California Code of Regulations, Title 8, Section 2500.25. Maintenance of Outer Sheath.

Flexible cords shall be repaired or replaced if the outer sheath is damaged such that any conductor insulation or conductor is exposed. Repair of the outer sheath shall only be permitted if the conductors are not damaged and the completed repair retains the insulation, outer sheath properties, and usage characteristics of the cord being repaired.

Alleged Violation Description (AVD):

Prior to and during the course of the inspection, including, but not limited to, on August 11, 2020, the employer did not repair or replace the other sheath of a Lester Electrical E-Series battery charger where the conductors were exposed.

Date By Which Violation Must be Abated:

September 08, 2021

Proposed Penalty:

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

California Code of Regulations, Title 8, Section 3203(a)(4), (6). 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:

(A) When the Program is first established;

(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.

[...]

(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.

Or, in the Alternative

California Code of Regulations, Title 8, Section 5141(a) Control of Harmful Exposure to Employees

(a) Engineering Controls. Harmful exposures shall be prevented by engineering controls whenever feasible.

Alleged Violation Description (AVD):

Prior to and during the course of the Division's inspection, including, but not limited to, on August 11, 2020, the employer failed to implement and maintain an effective Injury and Illness Prevention Program relating to COVID-19 that affected its employees, including but not limited to the following hazards:

(a) Failure to identify and evaluate the failure to effectively identify or evaluate workplace hazards relating to COVID-19 hazard of a lack of physical distancing between employees and customers including, but not limited to the following locations:

Location 1: Front of the store check stands where employees at the work station were closer than six feet from customers at the point-of-sale / credit card machine.

Location 2: Front of the store check stands where employees at the bagging area were closer that six feet from customers. [Sec. 3203(a)(4)]

(b) Failure to effectively implement methods or procedures to correct unhealthy conditions or work practices relating to COVID-19 hazard of a lack of effective physical barriers at the facility, including, but not limited to the following locations:

Location 1: Front of the store check stands where employees at work station were closer than six feet from customers at the point-of-sale / credit card machine.

Location 2: Front of the store check stands where employees at the bagging area were closer that six feet from customers. [Sec. 3203(a)(6)]

Or, in the Alternative to Instance b

T8CCR. 5141

Section 5141. Control of Harmful Exposure to Employees.

(a) Engineering Controls. Harmful exposures shall be prevented by engineering controls whenever feasible.

Alleged Violation Description (AVD):

Prior to, and during the course of the Division's inspection, including, but not limited to, on August 11, 2020, the employer failed to prevent harmful exposures of its 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 installation of Plexiglas screens or other physical barriers to limit contact and block potentially infectious particles from being released among its employees who were stationed and working closer than six feet from customers at the following locations:

Location 1: Front of the store check stands where employees at work station were closer than six feet from customers at the point-of-sale / credit card machine.

Location 2: Front of the store check stands where employees at the bagging area were closer that six feet from customers. [Sec. 5141 (a)]

Date By Which Violation Must be Abated:

September 01, 2021

Proposed Penalty:

\$18000.00

Compliance Officer / Efren Gomez
District Manager