

State of California

Department of Industrial Relations
 Division of Occupational Safety and Health
 Los Angeles District Office
 320 West 4th Street, Room 820
 Los Angeles, CA 90013
 Phone: (213) 576-7451 Fax: (213) 576-7461

Inspection #: 1489025
Inspection Dates: 07/29/2020 – 02/04/2021
Issuance Date: 02/05/2021
CSHO ID: M5087
Optional Report #: 001-21



Citation and Notification of Penalty

Company Name: Los Angeles Apparel, Inc.

Establishment DBA:

and its successors

Inspection Site: 1020 E. 59th Street
 Los Angeles, CA 90001

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

T8 CCR 461. Permits to Operate.

(a) Except during the time that a request for a permit remains unacted upon or as permitted in Section 461 (f), no air tank shall be operated unless a permit to operate has been issued.

Prior to and during the course of the inspection, including but not limited to, on July 29, 2020, the employer operated air tanks used by employees without a permit to operate for the following instances:

1. Two air tanks located outside of the 1020 building along the east side of the property.
2. A Quincy air tank located within the 827 building.

A request for these air tank permits had not been submitted at the time of the initial inspection, nor was operation permitted by Section 461 (f).

Date By Which Violation Must be Abated:	Corrected During Inspection
Proposed Penalty:	\$450.00

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Citation 1 Item 2 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 July 29, 2020, several employees working for Los Angeles Apparel, Inc. suffered COVID-19 related illnesses and fatalities while working in a place of employment or in connection with any employment. The employer did not record fatalities on the OSHA 300 form.

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

T8 CCR 14300.40(a). Providing Records to Government Representatives.

(a) Basic requirement. When an authorized government representative asks for the records you keep under the provisions of this article, you must provide within four (4) business hours, access to the original recordkeeping documents requested as well as, if requested, one set of copies free of charge.

The employer failed to provide to the Division the Cal/OSHA 300, 300a and 301 forms or equivalent forms, for COVID-19 recordable illnesses within four (4) business hours requested on July 29, 2020.

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Citation 1 Item 4 Type of Violation: **General**

T8 CCR 2340.16(a). Work Space About Electric Equipment.

(a) Space about electric equipment.

Sufficient access and working space shall be provided and maintained about all electric equipment to permit ready and safe operation and maintenance of such equipment.

Prior to and during the course of the inspection, including, but not limited to, on July 29, 2020, one electrical supply panel workspace did not have sufficient access and working space in front of it. This panel was located adjacent to a C-14 rack system adjacent to the cutting area and was blocked by one blue trash barrel and miscellaneous materials.

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Citation 1 Item 5 Type of Violation: **General**

T8 CCR 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.

Prior to and during the course of the inspection, including, but not limited to, on July 29, 2020, employees along the north wall of the 911 building were exposed to abandoned or discontinued electrical conductors. These wires were not energized but were accessible from floor level and not maintained as if still in use.

Date By Which Violation Must be Abated:	Corrected During Inspection
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Citation 1 Item 6 Type of Violation: **General**

T8 CCR 2473.1(b). Conductors Entering Boxes, Cabinets, or Fittings.

(b) Unused openings in cabinets, boxes, and fittings shall be effectively closed.

Prior to and during the course of the inspection, including but not limited to, on July 29, 2020, employees were exposed to an electrical hazard of unused openings in the circuit breaker panel labeled USB P1. This electrical circuit breaker panel was located along the north wall of the 911 building and was energized and in use at time of inspection.

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Citation 1 Item 7 Type of Violation: **General**

T8 CCR 2510.4 Live Parts.

Fixtures, lampholders, lamps, rosettes, and receptacles shall have no live parts normally exposed to contact.

Prior to and during the course of the inspection, including, but not limited to, on July 29, 2020, employees were exposed to one combination electrical switch / dual receptacle that had its cover plate missing, creating an electrical opening. The voltage was 120 volts and it was located outside along the east side of the 1020 building adjacent to the two air tanks.

Date By Which Violation Must be Abated:

Corrected During Inspection

Proposed Penalty:

\$675.00

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Citation and Notification of Penalty

Company Name: Los Angeles Apparel, Inc.
Establishment DBA: and its successors
Inspection Site: 1020 E. 59th Street
Los Angeles, CA 90001

Citation 1 Item 8 Type of Violation: **General**

T8 CCR 3203(a)(1). 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.

Prior to and during the course of the inspection, including but not limited to, on July 29, 2020, the employer's Injury and Illness Prevention Program (Program) failed to identify the person or persons with authority and responsibility for implementing the Program.

Date By Which Violation Must be Abated:

March 04, 2021

Proposed Penalty:

\$335.00

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**Citation and Notification of Penalty**

Company Name: Los Angeles Apparel, Inc.

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Inspection Site: 1020 E. 59th Street
Los Angeles, CA 90001

Citation 1 Item 9 Type of Violation: **General**

T8 CCR 3203(a)(8). 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:

(8) Allow employee access to the Program.

(B) The employer shall provide access to the Program by doing one of the following:

1. Provide access in a reasonable time, place, and manner, but in no event later than five (5) business days after the request for access is received from an employee or designated representative.

a. Whenever an employee or designated representative requests a copy of the Program, the employer shall provide the requester a printed copy of the Program, unless the employee or designated representative agrees to receive an electronic copy of the Program.

b. One printed copy of the Program shall be provided free of charge. If the employee or designated representative requests additional copies of the Program within one (1) year of the previous request and the Program has not been updated with new information since the prior copy was provided, the employer may charge reasonable, non-discriminatory reproduction costs (per Section 3204(e)(1)(E)) for the additional copies. or,

2. Provide unobstructed access through a company server or website, which allows an employee to review, print, and email the current version of the Program. Unobstructed access means that the employee, as part of his or her regular work duties, predictably and routinely uses the electronic means to communicate with management or coworkers.

(C) The Program provided to the employee or designated representative need not include any of the records of the steps taken to implement and maintain the written Program.

(D) If an employer has distinctly different and separate operations with distinctly separate and different Programs, the employer may limit access to the Program (or Programs) applicable to the employee requesting it.

(E) The employer shall communicate the right and procedure to access the Program to all employees.

(F) Nothing in this section is intended to preclude employees and collective bargaining agents from collectively bargaining to obtain access to information in addition to that available under this

section.

Prior to and during the course of the inspection, including but not limited to, on July 29, 2020, the employer failed to include the element (8) of allowing employee access to the Program and failed to communicate to its employees the right and procedure to access the Program, and to establish a procedure to access the Program.

Date By Which Violation Must be Abated:

March 04, 2021

Proposed Penalty:

\$335.00

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Citation 1 Item 10 Type of Violation: **General**

T8 CCR 3668(d)(2). Powered Industrial Truck Operator Training.

(d) Refresher training and evaluation. Refresher training, including an evaluation of the effectiveness of that training, shall be conducted as required by subsection (d)(1) to ensure that the operator has the knowledge and skills needed to operate the powered industrial truck safely.
(2) An evaluation of each powered industrial truck operator's performance shall be conducted at least once every three years.

Prior to and during the course of the inspection, including, but not limited to, on July 29, 2020, employees had no refresher training within the last three years. Employees operated an electric "CombiLift" industrial truck (forklift) and had not been evaluated or trained within the last three years.

Date By Which Violation Must be Abated: **March 04, 2021**
Proposed Penalty: **\$1350.00**

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Company Name: Los Angeles Apparel, Inc.

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Inspection Site: 1020 E. 59th Street
Los Angeles, CA 90001

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

T8 CCR 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:

(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.

Prior to and during the course of the inspection, including but not limited to, on July 29, 2020, the employer failed to establish, implement, and maintain an effective Injury and Illness Prevention Program (Program) in following instances:

Instance 1: The employer failed to effectively identify or evaluate workplace hazards relating to Covid-19 including, but not limited to, the following hazards:

(a) Lack of physical distancing between employees operating sewing machines.

(b) Lack of physical barriers to separate employees operating sewing machines.

(c) Lack of physical distancing between employees handling and packing finished products.

(d) Lack of physical barriers to separate employees that were handling and packing finished products.

(e) Lack of cleaning and disinfecting procedures for shared workplaces and equipment shared between employees.

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) Lack of physical distancing between employees operating sewing machines.

(b) Lack of physical barriers to separate employees operating sewing machines.

(c) Lack of physical distancing between employees handling and packing finished products.

(d) Lack of physical barriers to separate employees that were handling and packing finished products.

(e) Lack of cleaning and disinfecting procedures for shared workplaces and equipment shared between employees.

Or, in the Alternative to Instance 2b and 2d,

T8 CCR 5141 (a). 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, July 29, 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 in the sewing and packing area when an employee breathes, speaks, coughs, or sneezes.

Date By Which Violation Must be Abated:
Proposed Penalty:

Corrected During Inspection
\$25000.00

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**Citation and Notification of Penalty****Company Name:** Los Angeles Apparel, Inc.**Establishment DBA:**

and its successors

Inspection Site: 1020 E. 59th Street
Los Angeles, CA 90001Citation 3 Item 1 Type of Violation: **Serious****T8 CCR 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:

(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.

Prior to and during the course of the inspection, including, but not limited to, on July 29, 2020, the employer failed to establish, implement, and maintain an effective Injury Illness Prevention Program (IIPP) in that it failed to provide effective training and instruction on the occupational hazard of COVID-19, such as how to prevent infection and spread of the virus, virus signs and symptoms, and the employer's plan to control and prevent virus transmission.

Date By Which Violation Must be Abated:**February 12, 2021****Proposed Penalty:****\$25000.00**

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Citation 4 Item 1 Type of Violation: **Serious**

T8 CCR 4070(a). Guarding.

(a) All moving parts of belt and pulley drives located 7 feet or less above the floor or working level shall be guarded.

Prior to and during the course of the inspection, including but not limited to, on July 29, 2020, employees were exposed to several belt and pulley drive assemblies for the three cutting tables located in the cutting area. These three Utica Mill Specialty (serial no. 4749-334) machines had unguarded belt and pulley assemblies that were measured at less than 7 feet from the floor or working level.

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\$6750.00

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Citation 5 Item 1 Type of Violation: **Serious**

T8 CCR 4075. Gears and Sprockets.

(a) All gears, sprockets and sprocket chain drives located 7 feet or less above the floor or working level shall be guarded.

Prior to and during the course of the inspection, including but not limited to, on July 29, 2020, employees were exposed to one gear and sprocket chain drive in the production area. This unguarded sprocket chain drive was located along the front side of the press/cutter machine (Tukatech Universal 9) and was less than 7 feet from the floor or working level.

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Citation 6 Item 1 Type of Violation: **Serious**

T8 CCR 4475(a). Commercial Sewing Machines.

(a) The lower pulley nip points shall be guarded.

Prior to and during the course of the inspection, including but not limited to, on July 29, 2020, employees in the sewing department used one commercial sewing machine (Juki, serial no. K80624) that had an unguarded pulley nip below the table.

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Citation 7 Item 1 Type of Violation: **Serious**

T8 CCR 5185(n). Changing and Charging Storage Batteries.

(n) Facilities for quick drenching or flushing of the eyes and body shall be provided in accordance with Section 5162 unless the storage batteries are:
(1) equipped with explosion resistant or flame arrestor type vents; or
(2) located in a compartment or other location such as to preclude employee exposure.
Ref: T8 CCR 5162. Emergency Eyewash and Shower Equipment

Prior to and during the course of the inspection, including but not limited to, on July 29, 2020, employees used two battery chargers that were used to charge electrical forklifts. The first location in the 1020 building, B33 row, had an Exide Gold charger (serial no. BD79355) to power a Benitez style industrial truck (serial no. B40748 606-64112). A second location at the entrance to the 911 building had an Ener System charger (serial RTK00 78 359) to power a Combilift reach truck (serial no. 50155) or industrial truck. Each location had no facility provided for quick drenching of the body or flushing of the eyes in the charging area.

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Citation 8 Item 1 Type of Violation: **Willful Regulatory**

T8 CCR 342(a). Reporting Work-Connected Fatalities and Serious Injuries.

(a) Every employer shall report immediately to the Division of Occupational Safety and Health any serious injury or illness, or death, of an employee occurring in a place of employment or in connection with any employment. The report shall be made by the telephone or through a specified online mechanism established by the Division for this purpose. Until the division has made such a mechanism available, the report may be made by telephone or email.

Employer failed to immediately report six deaths that occurred on or prior to July 29, 2020, or as soon as practically possible but not longer than 8 hours after the employer knew or with diligent inquiry would have known of the deaths.

Instance #1: On July 10th, during an onsite visit by LA County Health, the employer was told to report employee deaths to Cal/OSHA. In addition to being told to report the deaths, LA County Health sent an email to employer to report deaths to Cal/OSHA. On July 13th, the employer reported four deaths.

Instance #2: On July 23rd, Cal/OSHA received a complaint referral from LA County Health indicating a fifth employee death.

Instance #3: On July 29th, after opening an inspection for Instance #2, Cal/OSHA was informed of a sixth employee death that was not reported to Cal/OSHA until August 25, 2020.

Date By Which Violation Must be Abated:
Proposed Penalty:

February 12, 2021
\$25000.00

Juan Nava Victor Copelan
 Compliance Officer / District Manager