## State of California

Department of Industrial Relations Division of Occupational Safety and Health American Canyon District Office 3419 Broadway Street Ste H8 American Canyon, CA 94503

Phone: (707) 649-3700 Fax: (707) 649-3712

**Inspection #:** 1487776

**Inspection Dates:** 08/11/2020 - 04/05/2021

**Issuance Date:** 04/05/2021 **CSHO ID:** R4096

Optional Report #: 008-21



## **Citation and Notification of Penalty**

Company Name: GROCERY DELIVERY E-SERVICES USA INC.

Establishment DBA: HelloFresh

and its successors

**Inspection Site:** 2041 Factory St

Richmond, CA 94801

<u>Citation 1 Item 1</u> Type of Violation: **General** 

Title 8 CCR Section 3366(d). Washing Facilities.

- (d) Each lavatory shall be provided with running water and suitable cleansing agents. The water shall be available at temperatures of at least 850 F in those instances where:
- (1) Substances regulated as carcinogens in these orders are used; or
- (2) Skin contact may occur with substances designated skin (S) in section 5155.

Prior to and during the course of the inspection, including but not limited to, on August 11, 2020, the employer failed to ensure the portable handwashing facilities provided for the lavatories at the break area tent are refilled with potable water as necessary to ensure an adequate supply be available for handwashing.

Date By Which Violation Must be Abated: Corrected During Inspection Proposed Penalty: \$560.00

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<u>Citation 2 Item 1</u> 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:
- (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 August 11, 2020, the employer failed to implement and maintain an effective Injury Illness Prevention Program (IIPP) in that it did not 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 effectively identify and correct workplace hazards relating to COVID-19 affecting its employees who were in the workplace without or inadequately wearing face coverings, releasing infectious or potentially infectious particles into the air when breathing, speaking, coughing, or sneezing, and not maintaining physical distance of at least six feet in all directions. [3203(a)(4) & (6)];

Instance 2. The employer did not ensure employees maintained a physical distance of at least six feet apart in all directions from each other while working along the assembly lines. [3203(a)(6)].

Instance 3. The employer failed to effectively install physical barriers to prevent harmful exposures to employees from infectious droplets and aerosols at workstations along the assembly line where employees were working in close proximity of less than six feet in all directions from each other and at the break areas where employees are eating. [Title 8 CCR § 3203(a) (6).]

Or, in the alternative to Instance 3:

Title 8 CCR §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 Divisions inspection, including, but not limited to, on July 16, 2020, the employer failed to prevent harmful exposures of its employees to COVID-19 airborne particles by ensuring the use of feasible engineering controls, including, but not limited to, physical barriers, such as Plexiglas shields or other impermeable dividers or partitions, to separate employees eating and sitting in the breakroom from each other. [Title 8 CCR §5141(a).]

Proposed Penalty:	Corrected During Inspection \$8435.00
	Stephen Stevenson Kathy Garner Compliance Officer / District Manager
	Compliance Officer / District Manager