

**STATE OF CALIFORNIA  
LABOR AND WORKFORCE DEVELOPMENT AGENCY  
DEPARTMENT OF INDUSTRIAL RELATIONS  
DIVISION OF OCCUPATIONAL SAFETY AND HEALTH  
BUREAU OF INVESTIGATIONS  
1515 CLAY STREET, SUITE 1901  
OAKLAND, CA 94612**

**2017 ANNUAL  
REPORT OF THE BUREAU  
OF INVESTIGATIONS  
(LABOR CODE SECTION 6315.3)**

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## **INTRODUCTION**

Enclosed is the 2017 annual report of Bureau of Investigations activity. Labor Code section 6315.3 requires the Bureau of Investigations to submit this report to the Chief of the Division of Occupational Safety and Health for submittal to the Director of the Department of Industrial Relations. Labor Code section 6315.3 requires the report to contain specific statistical data as well as summaries of investigative and prosecutorial activity. This report follows the specific format set forth in Labor Code section 6315.3 as outlined in the following Table of Contents.

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**EXECUTIVE SUMMARY OF ALLOCATION OF BUREAU RESOURCES  
DURING 2017 CALENDAR YEAR  
(Labor Code section 6315.3(e))**

**STAFFING**

In 2017, the Bureau of Investigations (henceforth the Bureau) was staffed by the Administrative Chief and an investigatory staff composed of a Supervising Special Investigator and three field investigators in Northern California and two field investigators in Southern California. Currently Northern California is staffed with one field investigator.

**BUREAU ORGANIZATIONAL STRUCTURE AND STATUTORY MANDATES**

The supervisor of the Bureau is designated the Administrative Chief pursuant to statute (Labor Code section 6315(c)). Since the passage of the California Occupational Safety and Health Act of 1973, Labor Code section 6300 et seq., the incumbent in this position has been a civil servant (rather than holding a political or career executive appointment). [Since its inception, four attorneys have served as Administrative Chief: John W. Hawkes, from 1974 to 1981; Michael D. Mason, from 1981 to February 2010; Amy D. Martin, from February 2010 to July 2016; and Nathan Schmidt August 2016 to present.] The Administrative Chief of the Bureau reports to the Chief of the Division of Occupational Safety and Health (DOSH).

The Bureau thus exists as an entity within the Division. Under the supervision of the Administrative Chief, the Bureau directs accident investigations involving violations of standards, orders, or special orders in which a fatality has occurred or serious injury or illness to five or more employees. The Bureau also directs investigations when the Division's civil compliance staff makes a request for prosecution, pursuant to Labor Code section 6315(a) (these are referred to as "BOI Discretionary" elsewhere in this report). For any case in which the Bureau is required to conduct an investigation and in which there is serious injury or death, the Bureau has a mandatory duty to refer the results of the investigation to the appropriate prosecuting authority with jurisdiction over appropriate action, unless the Bureau determines that there is legally insufficient evidence of a violation of the law. (Labor Code section 6315(g).)

In addition to these mandatory duties, the Bureau is also charged with responsibility for reviewing all inspection reports involving serious injuries in which there has been a serious injury to fewer than five employees or a serious exposure. The Bureau is vested with the discretion to conduct an investigation in these latter cases (hence the name "Discretionary Investigations" elsewhere in this report). The Labor Code was amended in 1984 to make it clear that the Bureau "may investigate those cases in which the Bureau finds criminal violations may have occurred." (Labor Code section 6315(a) [Stats 1984; Ch. 1138].)

In all cases, the focus of Bureau investigative activity is to determine whether criminal violations have occurred. Principally, the Bureau determines whether any of the provisions of Labor Code sections 6423 or 6425 or of certain Penal Code provisions have been violated. Cases that do not appear to satisfy the elements of a criminal violation are closed. These cases may involve a lack of an employer-employee relationship, no serious violations, or other factors indicating that criminal violations have not occurred. In order to ensure that a competent and professional investigation is conducted, the Bureau has continued its long-standing policy of conducting a preliminary investigation in all mandatory cases.

### **MEASURES, TRENDS, AND ACTIVITIES**

As of December 31, 2017, 172 investigations were in progress. During the calendar year, the Bureau referred 17 cases to prosecuting authorities, and 13 cases were filed for prosecution. It is not uncommon for cases to be filed the year after they are referred (or several years later), and this year is no exception. Some of the cases referred to the prosecuting authorities in 2017 (especially towards the end of the year) will be considered for filing in calendar year 2018. In 2017, the Bureau closed 225 cases (due to lack of sufficient evidence of any criminal violation).

Throughout its history, the number of cases that the Bureau has referred and filed fluctuates from year to year. Following this Executive Summary, a General Summary Table provides an overview of Bureau activity for the years 2005 to 2017.

Over the past nine years, the Bureau has attempted to prioritize the cases it recommends for prosecution in order to concentrate its resources on those most likely to result in criminal charges. Thus, although the General Summary Table shows a trend toward fewer case referrals, it also shows an increase in the percentage of referrals resulting in cases charged by a prosecuting authority.

The Bureau has also continued to investigate two types of discretionary cases that get reported separately as Discretionary Investigations (i.e., serious injury to fewer than five employees and instances of severe exposure). In addition, the Bureau continues to investigate other discretionary cases (e.g., misrepresentation cases, fraudulent documentation cases, amusement ride cases), which get reported within "Requests for Prosecution from a Division Representative".

To ensure greater public awareness of meritorious occupational safety and health cases and encourage more prosecutions, the Bureau has continued to participate in seminars sponsored by the California District Attorneys Association (CDAA) pertaining to worker safety and Cal/OSHA crimes. The Bureau staff attended a statewide conference in March 2017 in Riverside to increase mutual understanding of criminal prosecution of Cal/OSHA crimes and the Bureau's investigatory processes. In addition, as in past

years, Bureau staff has continued to participate in local Law Enforcement Task Forces and to meet with prosecuting authorities in order to strengthen lines of communication and ensure timely action on cases referred.

**SIGNIFICANT PROSECUTIONS**  
**(CONCLUSION)**

As demonstrated above and in the appended documents following this Executive Summary, the Bureau had significant successes in calendar year 2017. The Bureau intends to continue prioritizing resources and concentrating on the most criminally egregious cases. The Bureau will also continue its outreach to prosecutorial agencies throughout California. Based on these efforts, the Bureau believes that it will continue to have a high percentage rate of criminal prosecutions, which should have a significant deterrent impact on other potential violators in the state.

**DIVISION OF OCCUPATIONAL SAFETY AND HEALTH  
BUREAU OF INVESTIGATIONS GENERAL  
SUMMARY TABLE (2005-2017)**

YEAR	CASES OPENED <sup>1</sup>						CASES CLOSED BY BOI <sup>2</sup>			CASES REFERRED TO D.A. <sup>3</sup>						CASES REJECTED BY D.A. <sup>4</sup>	CASES PENDING D.A. DECISION <sup>5</sup>	CASES CHARGED BY D.A. <sup>6</sup>
	TOTAL	A	B	C	D	E	TOTAL	F	G	TOTAL	H	I	J	K	L			
2017	221	206	0	8	2	5	225	158	67	17	14	0	2	0	1	3	19	13
2016	205	201	0	4	0	0	163	100	63	18	18	0	0	0	0	15	18	18
2015	201	190	1	8	0	2	160	120	40	25	21	0	3	0	1	11	32	7
2014	184	171	0	12	0	1	188	119	69	21	19	0	2	0	0	15	24	9
2013	200	189	0	6	0	5	136	102	34	29	27	0	0	0	2	6	27	14
2012	162	152	0	0	0	10	170	147	23	26	24	0	0	0	2	10	18	12
2011	189	185	0	0	0	4	142	116	26	13	11	0	0	0	2	14	14	8
2010	161	155	0	0	0	6	94	75	19	14	13	0	0	0	1	11	25	9
2009	159	154	0	0	0	5	184	122	62	25	24	0	0	0	1	15	30	16
2008	183	174	0	0	0	9	134	86	48	34	31	0	0	0	3	37	36	16
2007	191	174	0	1	0	16	172	129	43	47	32	0	0	0	15	35	52	16
2006	234	226	0	5	0	3	169	122	47	56	53	0	3	0	0	39	54	14
2005	186	177	0	0	0	9	126	41	85	49	46	0	1	0	2	41	51	11

<sup>1</sup>Opened Cases fall into the following categories: (A) Fatality; (B) Serious injury to five or more employees; (C) Serious injury to one to four employees; (D) Serious exposure; (E) Request for prosecution by a Division representative, not otherwise categorized.

<sup>2</sup> These cases were not referred for prosecution, usually for the following reasons: (F) No serious accident-related citations were issued; (G) Insufficient evidence to prove criminal elements.

<sup>3</sup> These cases referred for prosecution fall into the following categories: (H) Fatality; (I) Serious injury to five or more employees; (J) Serious injury to one to four employees; (K) Serious exposure; (L) Request for prosecution by a Division representative, not otherwise categorized.

<sup>4</sup> Cases are usually rejected based upon a determination that there may be insufficient evidence to prove the criminal charge beyond a reasonable doubt or charges should not be filed, given substantial administrative action, in the interests of justice.

<sup>5</sup> This column refers to cases that have been referred by the Bureau and are awaiting a final decision by the prosecuting authority as to whether to file charges. Some of these cases may have been referred in years prior to the year reported.

<sup>6</sup> This column refers to cases referred by the BOI in which the prosecuting authority has filed criminal or civil charges or otherwise caused remedial action to be undertaken. Some of these cases may have been referred in years prior to the year reported.

**LA**

**SUMMARY OF REPORTS PROVIDED  
TO THE BUREAU IN 2017  
(LABOR CODE SECTION 6315.3(a))**

1A

**SUMMARY OF REPORTS**  
**PROVIDED TO THE BUREAU**  
**(LABOR CODE SECTION 6315.3(a))**  
**NORTHERN AND SOUTHERN BUREAU OFFICES**  
**2017 Calendar Year**

	<b><u>TOTALS</u></b>
<b>INITIAL ACCIDENT REPORTS</b>	<b>1,062</b>
<b>INVESTIGATION REPORTS</b>	<b>1,000</b>
<b>A. Fatalities</b>	<b>405</b>
<b>B. Serious Injury to Five or More Employees</b>	<b>0</b>
<b>C. Requests for Prosecution from a Division Representative</b>	<b>5</b>
<b>D. Serious Injury to Fewer Than Five Employees</b>	<b>588</b>
<b>E. Serious Exposure (Discretionary)</b>	<b>2</b>

! B

TOTALS FOR 2017 CALENDAR YEAR  
(LABOR CODE SECTION 6315.3(b)(1) and (2))

**1B**

**TOTALS FOR 2017 CALENDAR YEAR  
(LABOR CODE SECTIONS 6315.3(b)(1) and (2))**

<b>A.</b>	<b><u>FATALITIES</u></b> <b>(Labor Code section 6315.3(b)(1))</b>	<b><u>TOTALS</u></b>
1.	Investigations in Progress January 1, 2017:	182
2.	Court Cases in Progress January 1, 2017:	19
3.	Investigations Completed in Calendar Year):	14
4.	Cases Referred During Calendar Year:	14
5.	Investigations in Progress as of December 31, 2017:	158
6.	Court Cases in Progress as of December 31, 2017:	16

**1B**

**TOTALS FOR 2017 CALENDAR YEAR  
(LABOR CODE SECTIONS 6315.3(b)(1) and (2))**

<b>B.</b>	<b><u>SERIOUS INJURIES TO FIVE OR MORE EMPLOYEES</u></b> <b>(Labor Code section 6315.3(c))</b>	<b><u>TOTALS</u></b>
1.	Investigations in Progress January 1, 2017:	1
2.	Court Cases in Progress January 1, 2017:	0
3.	Investigations Completed in Calendar Year:	0
4.	Cases Referred During Calendar Year:	0
5.	Investigations in Progress as of December 31, 2017:	0
6.	Court Cases in Progress as of December 31, 2017:	0

**1B**

**TOTALS FOR 2017 CALENDAR YEAR  
(LABOR CODE SECTIONS 6315.3(b)(1) and (2))**

<b>C. <u>REQUESTS FOR PROSECUTION FROM A DIVISION REPRESENTATIVE</u> (Labor Code section 6315.3(c))</b>	<b><u>TOTALS</u></b>
1. Investigations in Progress January 1, 2017:	0
2. Court Cases in Progress January 1, 2017:	1
3. Investigations Completed in Calendar Year:	1
4. Cases Referred During Calendar Year:	1
5. Investigations in Progress as of December 31, 2017:	3
6. Court Cases in Progress as of December 31, 2017:	1

**1B**

**TOTALS FOR 2017 CALENDAR YEAR  
(LABOR CODE SECTIONS 6315.3(b)(1) and (2))**

<b>D. <u>SERIOUS INJURY TO FEWER THAN FIVE EMPLOYEES</u> (DISCRETIONARY) (Labor Codes section 6315.3(c))</b>	<b><u>TOTALS</u></b>
1. Investigations in Progress January 1, 2017:	10
2. Court Cases in Progress January 1, 2017:	0
3. Investigations Completed in Calendar Year:	2
4. Cases Referred During Calendar Year:	2
5. Investigations in Progress as of December 31, 2017:	9
6. Court Cases in Progress as of December 31, 2017:	2

**1B**

**TOTALS FOR 2017 CALENDAR YEAR  
(LABOR CODE SECTIONS 6315.3(b)(1) and (2))**

<b>E.</b>	<b><u>SEVERE EXPOSURE (DISCRETIONARY)</u></b> <b>(Labor Code section 6315.3(d))</b>	<b><u>TOTALS</u></b>
1.	Investigations in Progress January 1, 2017:	0
2.	Court Cases in Progress January 1, 2017:	0
3.	Investigations Completed in Calendar Year:	0
4.	Cases Referred During Calendar Year:	0
5.	Investigations in Progress as of December 31, 2017:	2
6.	Court Cases in Progress as of December 31, 2017:	0

II A

**SUMMARY OF CASES REFERRED TO PROSECUTORS IN 2017 AND  
FINAL COURT DISPOSITIONS IN 2017**

**-FATALITIES-**

**(LABOR CODE SECTION 6315.3(c))**

STATE OF CALIFORNIA  
BUREAU OF INVESTIGATIONS

BOI CASE NUMBER N1111-033-08PC

EMPLOYER\SUBJECT Merced Farm Labor

DATE REFERRED TO BOI 5/16/2008

DATE REFERRED TO DA 3/23/2009

SYNOPSIS The victim, Maria Vasquez, an employee of Merced Farm Labor died as a result of heat stroke injuries sustained while working in a vine field. The temperatures during her work day were around 95 degree range.

STATUTE/  
VIOLATIONS Labor Code sections 6423(a)(1) and 6425(a) and Penal Code section 192 (b)

T8 CCR SECTIONS 3395(c), 3395(d), 3395(e)(1), 3395(e)(2), and 3439(b)

FINAL DISPOSITION On April 22, 2009, the San Joaquin District Attorney's office filed a criminal complaint against Maria De Los Angeles Colunga, Elias Armenta and Raul Martinez for violating Penal Code section 192(b)[referencing CCR Title 8 section 3395(c)], Labor Code section 6425(a)-Felony, and five Misdemeanor counts referencing CCR Title 8 sections 3395(c), 3395(d) 3395(e)(1), 3395(e)(2) and 3439(b). Additionally, a Civil complaint was filed for Business & Professions Code sections 17203, 17204 and 17206 against Merced Farm Labor, a sole proprietorship, Maria De Los Angeles Colunga, individually and dba Merced Farm Labor and West Coast Grape Farming, Inc. On March 9, 2011, Ms. Colunga plead no contest to Misdemeanor Count 4 referencing CCR T8 section 3395(D). She was placed on 3 years formal probation, ordered to perform 40 hours of community service and to not engage in any farm labor business. Mr. Armenta plead no contest to Count 2 Felony Labor Code section 6425(a). He was placed on formal probation for 5 years, ordered to complete 80 hours of community service and not to engage in any farm labor business. An arrest warrant was issued for Raul Martinez. At the request of the District Attorney's office, the civil case was dismissed.

STATE OF CALIFORNIA  
BUREAU OF INVESTIGATIONS

BOI CASE NUMBER	N1111-022-10RR
EMPLOYER\SUBJECT	Randazzo Enterprises, LLC
DATE REFERRED TO BOI	6/16/2010
DATE REFERRED TO DA	10/24/2012
SYNOPSIS	The victim sustained fatal injuries as a result of a fall from a rooftop opening.
STATUTE/ VIOLATIONS	Labor Code section 6425(a)
T8 CCR SECTIONS	3203 and 1670(a)
FINAL DISPOSITION	No final prosecution decision.

STATE OF CALIFORNIA  
BUREAU OF INVESTIGATIONS

BOI CASE NUMBER N1111-039-10RR  
EMPLOYER\SUBJECT Sturgeon Services International  
DATE REFERRED TO BOI 7/30/2010  
DATE REFERRED TO DA 9/19/2012

SYNOPSIS Two employees, demolishing a citrus packing building, were on the platform of a scissors lift, about twenty feet high, attaching a lifting sling around an 80' x 40" x 8" wide, glue laminated beam. As the employees were attaching the sling to the beam, the beam toppled over knocking the scissor-lift sideways to the floor. The employees were tossed out of the platform lift to the concrete floor below. They both suffered severe head injuries which were immediately fatal to one employee and subsequently fatal to the other.

STATUTE/  
VIOLATIONS Penal Code section 192(b) and Labor Code section 6425(a)

T8 CCR SECTIONS 1734(b)(1), 1504

FINAL DISPOSITION No final prosecution decision.

STATE OF CALIFORNIA  
BUREAU OF INVESTIGATIONS

BOI CASE NUMBER	N1111-014-13RF
EMPLOYER\SUBJECT	Pacific States Industries dba Redwood Empire Sawmill
DATE REFERRED TO BOI	4/11/2013
DATE REFERRED TO DA	3/24/2014
SYNOPSIS	The victim was fatally injured when he was drawn into a moving conveyor belt drum.
STATUTE/ VIOLATIONS	Penal Code section 192(b), Labor Code sections 6425(a) and 6423(a)(1)
T8 CCR SECTIONS	3314(c), 3314(g)(2)(A), 3999(b), 3999(f), 4051(a), 6332(b), 3203(a)(6)
FINAL DISPOSITION	On November 10, 2016, the Sonoma County District Attorney's office filed a civil Business and Professions Code section 17200 against Pacific States Industries, Inc.

STATE OF CALIFORNIA  
BUREAU OF INVESTIGATIONS

BOI CASE NUMBER N1110-021-13RR  
EMPLOYER\SUBJECT Growers Street Cooling  
DATE REFERRED TO BOI 4/29/2013  
DATE REFERRED TO DA 12/28/2015

SYNOPSIS The victim died as a result of injuries sustained when he attempted to service a palletizing machine that was jammed by a broken piece of wood.

STATUTE/  
VIOLATIONS Labor Code section 6425(a)

T8 CCR SECTIONS 3314(c)(1)

FINAL DISPOSITION No final prosecution decision.

STATE OF CALIFORNIA  
BUREAU OF INVESTIGATIONS

BOI CASE NUMBER N1110-004-14PC

EMPLOYER\SUBJECT Galaxy Granite

DATE REFERRED TO BOI 2/7/2014

DATE REFERRED TO DA 4/4/2016

SYNOPSIS Three employees were unloading granite slabs from a cargo container for the employer, a licensed stone contractor. While attempting to remove one slab from a bundle, the bundle tipped over, landing on two of the three employees. Both employees suffered fatal crushing injuries.

STATUTE/  
VIOLATIONS Labor Code section 6425(a)

T8 CCR SECTIONS 3704, 3203(a)(7), 3203(a)(4), 3241(c)

FINAL DISPOSITION On June 1, 2016, the San Francisco District Attorney's office filed two counts of Felony Penal Code section 192(b)-Involuntary Manslaughter and three counts of Felony Labor Code section 6425(a), referencing CCR Title 8 sections 3203(a)(4), 3203(a)(7) and 3704 against Meng Chyang Peng. On 1/20/2017, Mr. Peng plead guilty to two Felony counts of Penal Code section 192(b) and three Felony counts of Labor Code section 6425 (a). The judge placed Mr. Peng on three year formal probation and ordered the defendant to serve one year in County jail which may be served in home detention, perform 200 hours of community service, Mr. Peng's contractor's state license was revoked, and he was ordered to pay victim restitution.

STATE OF CALIFORNIA  
BUREAU OF INVESTIGATIONS

BOI CASE NUMBER N1111-021-14RF  
EMPLOYER\SUBJECT Basalite Concrete Products dba Epic Plastics  
DATE REFERRED TO BOI 4/30/2014  
DATE REFERRED TO DA 4/20/2015

SYNOPSIS Employee fell into auger while at work site.

STATUTE/  
VIOLATIONS Penal Code section 192(b), Labor Code sections 6425(a) and 6423(a)(1)

T8 CCR SECTIONS 3314(c), 3999(f), 3314(1), 4001, 3225(a)(1), 3650(t)(7)

FINAL DISPOSITION On April 3, 2017, the San Joaquin County District Attorney's office filed against Basalite Building Products dba Epic Plastics, Epic Plastics, Pacific Coast Companies, Inc., What Properties, L.P., and Basalite Building Products LLC., for violating Felony Penal Code section 192(b), four counts of Felony Labor Code section 6425(a) and two counts of Misdemeanor Labor Code section 6423(a), referencing CCR T8 sections 3314, 3314(1), 3999(f)(1), 4001, 3225(A)(1) and 3650(t)(7).  
No final court decision.

STATE OF CALIFORNIA  
BUREAU OF INVESTIGATIONS

BOI CASE NUMBER N1111-032-14PC  
EMPLOYER\SUBJECT Disney Construction, Inc.  
DATE REFERRED TO BOI 6/2/2014  
DATE REFERRED TO DA 8/24/2015

SYNOPSIS Two employees were raised 80-100 feet in the air in a personnel platform attached to a Link Belt Crane. The workers attached a chain to the broken Kelly line with clamps and then ran the other end of the chain to the hook of the Link Belt crane. As the operator lowered the personnel platform with the two employees inside, the Kelly line suddenly stopped, being jammed in the sleeve of the Manitowoc crane, causing the hook on the Link Belt crane to tilt back. When the hook tilted back, it dislodged the personnel basket, causing it to fall approximately 80 feet.

STATUTE/  
VIOLATIONS Labor Code section 6425(a)

T8 CCR SECTIONS 1511(b), 1616.6(g)(1)(A)

FINAL DISPOSITION On April 14, 2016, the Yolo County District Attorney's office filed two Counts of Felony Penal Code section 192(b)-Involuntary Manslaughter and two Counts of Felony Labor Code section 6425(a) against Mark Robert Powell. On July 17, 2017, Mr. Powell entered a no contest plea to Misdemeanor Labor Code section 6425(a), the other charges were dismissed. The court sentenced Mr. Powell to two years' summary probation, complete 250 hours of community service, pay victim restitution, not violate any OSHA regulations, report OSHA inspections/citations within 48 hours, not work as a crane operator until certified and pay \$28,800 to Cal/OSHA.

STATE OF CALIFORNIA  
BUREAU OF INVESTIGATIONS

BOI CASE NUMBER N1111-002-15RF  
EMPLOYER\SUBJECT 1) Polydeck Screen Corporation 2) DSS Company DBA  
Knife River Construction  
DATE REFERRED TO BOI 01/08/2015  
DATE REFERRED TO DA 11/30/2016

SYNOPSIS A sales representative for Polydeck Screen Corporation was fatally injured while assisting with retrofitting an inclined screen at the DSS Company dba Knife River Construction. The victim was providing hand signals to the crane operator when the suspended load became wedged between the side plates of the inclined screen. When the victim bent down to communicate with an employee, the feed box pivoted and crushed the victim's head. The victim was transported to the hospital, where he was pronounced deceased.

STATUTE/  
VIOLATIONS Labor Code section 6425(a)

T8 CCR SECTIONS 3203(a)(4)(B), 3314(c), 3314(g) and 3314(d) and 3314(l)

FINAL DISPOSITION On December 12, 2017, the San Joaquin County District Attorney's office filed Five Felony counts against Knife River Construction Company, DSS Company dba Knife River construction, Knife River Corporation and MDU company dba Knife River company for violating Labor Code section 6425 (a), referencing CCR T8 sections 3203(a)(4), 3314(c), 3314(d), 3314(g) and 3314(l).

STATE OF CALIFORNIA  
BUREAU OF INVESTIGATIONS

BOI CASE NUMBER N1111-015-15PC  
EMPLOYER\SUBJECT Maggiora and Ghilotti, Inc.  
DATE REFERRED TO BOI 4/15/2015  
DATE REFERRED TO DA 11/19/2015

SYNOPSIS Employee was crushed by pipe encased with concrete.

STATUTE/  
VIOLATIONS Labor Code sections 6425(a) and 6423(a)(1)

T8 CCR SECTIONS 3650(1), 1511(b), and 1509(a)

FINAL DISPOSITION On February 11, 2016, the Sonoma County District Attorney's office filed Misdemeanor Labor Code Section 6425(a) and 6423(a)(1) against Mark Keeling Greving and Maggiora and Ghilotti Inc. for violating CCR Title 8 sections 3203 (a)(B) and /or (C) and/or 3203(a)(6)(A), 3241(c) and/or 3650(l). On September 22, 2017, terms of diversion and order was filed with the court in which the defendants agreed to implement and maintain an IIPP and Maggiora and Ghilotti Inc. agreed to pay \$85,000 victim restitution.

STATE OF CALIFORNIA  
BUREAU OF INVESTIGATIONS

BOI CASE NUMBER N1111-016-15RR  
EMPLOYER\SUBJECT 1) E.E. Hall, Inc. 2) Sandridge Partners LP  
DATE REFERRED TO BOI 4/27/2015  
DATE REFERRED TO DA 07/12/2017

SYNOPSIS Employee was welding on a used oil tank in the back of a pickup truck when the tank exploded. Employee was struck by a large toolbox and thrown approximately 15 feet.

STATUTE/  
VIOLATIONS Labor Code section 6425(a)

T8 CCR SECTIONS 5166(b)(1)

FINAL DISPOSITION No final prosecution decision.

STATE OF CALIFORNIA  
BUREAU OF INVESTIGATIONS

BOI CASE NUMBER N1111-046-15DC  
EMPLOYER\SUBJECT Skyline Decking, Inc. dba Skyline Fencing  
DATE REFERRED TO BOI 7/27/2015  
DATE REFERRED TO DA 5/23/2017

SYNOPSIS Employee fell from 4th story.

STATUTE/  
VIOLATIONS Labor Code section 6425(a)

T8 CCR SECTIONS 1670(a), 1511(b), 1509(a)

FINAL DISPOSITION The District Attorney's office declined to file.

STATE OF CALIFORNIA  
BUREAU OF INVESTIGATIONS

BOI CASE NUMBER N1111-008-16RR  
EMPLOYER\SUBJECT L C General Engineering & Construction, Inc.  
DATE REFERRED TO BOI 2/1/2016  
DATE REFERRED TO DA 10/23/2017

SYNOPSIS The victim was run over by a steamroller.

STATUTE/  
VIOLATIONS Labor Code section 6425

T8 CCR SECTIONS 1509(a), 1590(c)(1) and 1592(c)

FINAL DISPOSITION No final prosecution decision.

STATE OF CALIFORNIA  
BUREAU OF INVESTIGATIONS

BOI CASE NUMBER N1111-023-16RR  
EMPLOYER\SUBJECT Mark Crawford Logging, Inc.  
DATE REFERRED TO BOI 4/15/2016  
DATE REFERRED TO DA 8/28/2017

SYNOPSIS The victim was working downhill rigging logs. A log became dislodged from its resting point, teetered at the landing edge and proceeded unfettered down the hillside striking the victim in the head.

STATUTE/  
VIOLATIONS Labor Code section 6425(a) and Penal Code section 192(b)

T8 CCR SECTIONS 6329(a), 6329(b), 6328(k) and 6328(i)

FINAL DISPOSITION No final prosecution decision.

STATE OF CALIFORNIA  
BUREAU OF INVESTIGATIONS

BOI CASE NUMBER N1111-074-16RR  
EMPLOYER\SUBJECT Seven Island Painting, Inc.  
DATE REFERRED TO BOI 9/20/2016  
DATE REFERRED TO DA 08/04/2017

SYNOPSIS The victim, utilizing an articulating boom lift approximately 30 feet above the ground, was ejected from the basket. The victim sustained fatal head trauma after striking the ground.

STATUTE/  
VIOLATIONS Labor Code section 6425(a) and Penal Code section 182

T8 CCR SECTIONS 3638(d), 3648(o) and 3648(l)(4)

FINAL DISPOSITION No final prosecution decision.

STATE OF CALIFORNIA  
BUREAU OF INVESTIGATIONS

BOI CASE NUMBER N1111-080-16RR  
EMPLOYER\SUBJECT Coastal Viticultural Consultants dba North Coast  
Farming  
DATE REFERRED TO BOI 10/4/2016  
DATE REFERRED TO DA 9/25/2017

SYNOPSIS The fork truck operator was descending a steep paved road when the fork truck went off the pavement tipping over resulting in a crushing injury to the operator.

STATUTE/  
VIOLATIONS Penal Code section 192(b), Labor Code sections 6425(a), 6423, and 6326

T8 CCR SECTIONS 3328(a)(2), 3650(t)(33), 3650(t)(7) and 3203

FINAL DISPOSITION No final prosecution decision.

STATE OF CALIFORNIA  
BUREAU OF INVESTIGATIONS

BOI CASE NUMBER S1111-021-08RF

EMPLOYER\SUBJECT Pouk & Steinle, Inc.

DATE REFERRED TO BOI 3/26/2008

DATE REFERRED TO DA 3/4/2009

SYNOPSIS At the time of the incident, the victim, an underground technician and his crew had completed excavation of a trench measuring approximately 45 feet long and 11 feet in depth. The victim, along with several other crew members, was working inside the trench completing final excavation by hand, when the side of the excavation collapsed on the victim, fatally crushing him. The subsequent investigation determined that the victim was working in an area (approximately 14 feet in length) without the required protective system (shoring). The investigation also determined that while shoring had been set in a portion of the excavation, the protective system had been improperly installed.

STATUTE/  
VIOLATIONS Labor Code sections 6425(a), 6423 (a)(1), 6423 (a)(2)

T8 CCR SECTIONS 1541(a)(1), 1541(k)(1), 1541(k)(2), 1541.1(c), 1541.1(h)

FINAL DISPOSITION On 9/29/09, Pouk & Steinle, Cesar Medina, and Arnold Arias were charged by the Riverside District Attorney's office with a Felony for violating Labor Code section 6425(a). On June 23, 2010, a stipulation of final judgment was filed against Pouk & Steinle, Inc., in which the employer was to pay \$1,213,000 in civil penalties for violating Business and Professions Code section 17200. The Defendant was also ordered to pay \$200,000 to the District Attorney's office and \$12,000 to Cal/OSHA for investigative and attorney costs. The Defendant also contributed \$200,000 to the Riverside County Attorney Law Enforcement Training Subfund and \$50,000 to the Riverside County Attorney Expert Witness Subfund. On December 2, 2009, a bench warrant was issued for Cesar Medina. On June 23, 2010, the complaint against Mr. Arias was amended to add Count 2, a violation of LC 6423(a)(1) a misdemeanor. Mr. Arias was placed on 36 months summary probation, he was ordered to complete 160 hours community service, attend all safety & training meetings required by the International Line Builders safety directors office, visit every field crew working under his jurisdiction (and prepare a written report) a minimum of twice a month and conduct a safety assessment to assure all work is compliant. Count one was dismissed. No final court disposition for Mr. Medina.

STATE OF CALIFORNIA  
BUREAU OF INVESTIGATIONS

BOI CASE NUMBER S1111-019-09RF  
EMPLOYER\SUBJECT Solus Industrial Innovations LLC  
DATE REFERRED TO BOI 3/20/2009  
DATE REFERRED TO DA 12/30/2010

SYNOPSIS Two employees were troubleshooting a hot water tank that had been leaking. The hot water tank exploded, broke through the roof about 30 feet above the floor and returned through the roof and fell into the workplace about 25 feet from its original location. Both employees were killed instantly and a third employee was injured by flying shrapnel and was treated and released at the hospital.

STATUTE/  
VIOLATIONS Penal Code section 192 and Labor Code section 6425(a)

T8 CCR SECTIONS 3328(g)

FINAL DISPOSITION On March 8, 2012, the Orange County District Attorney's office filed two Felony counts against Roy Thomas Faulkinbury and Carl Edward Richardson for violating Labor Code section 6425 referencing Title 8 sections 467(a), 3328(a),(b), (f), (h), and (g). On December 20, 2012, the Orange County Grand Jury indicted Mr. Faulkinbury and Mr. Richardson for violating two counts of Felony Labor Code section 6425(a) referencing CCR T8 sections 467(a), 3328(a)(b)(f) and (g). On 2/14/2014, Carl Richardson and Roy Faulkinbury entered a no contest plea to the two felony counts of Labor Code section 6425(a). The Defendants must pay a collective total of \$450,000 to the victim's families and they are ordered to complete community service. The District Attorney's office also filed a civil Business and Professions Code complaint against Solus.

STATE OF CALIFORNIA  
BUREAU OF INVESTIGATIONS

BOI CASE NUMBER S1111-069-10RF  
EMPLOYER\SUBJECT Nibbelink Masonry Construction Corp.  
DATE REFERRED TO BOI 10/4/2010  
DATE REFERRED TO DA 12/28/2012

SYNOPSIS The victim, a masonry helper, was required to climb up a fixed scaffolding ladder to reach the upper scaffolding platform. The entrance to the platform from the top of the ladder did not have a gate or other required means of access and was instead blocked by cross rails. The configuration required that the victim attempt to transition from the ladder to the platform by hanging on the outside of the scaffold, while attempting to crawl between the cross rails. While the victim was attempting climb between the rails, he slipped and fell approximately 25 feet to the concrete below. The victim sustained fatal head injuries.

STATUTE/  
VIOLATIONS Labor Code section 6425(a)

T8 CCR SECTIONS 1637(n)(1)

FINAL DISPOSITION On May 24, 2014, the San Bernardino District Attorney's office filed Felony Labor Code section 6425(a) against Nibbelink Masonry Construction Corp. referencing CCR T8 section 3668.

STATE OF CALIFORNIA  
BUREAU OF INVESTIGATIONS

BOI CASE NUMBER S1111-085-11PC  
EMPLOYER\SUBJECT Abraham Zarfani aka Avarham Zafrani  
DATE REFERRED TO BOI 9/18/2011  
DATE REFERRED TO DA 7/29/2013

SYNOPSIS The victim was employed as a laborer by Abraham Zafrani, an unlicensed contractor. The victim and the crew were working along the face of unshored vertical excavation, which was being prepared for the construction of a retaining wall. The victim was excavating a two foot deep trench at the base of the vertical cut when the face of the improperly shored excavation collapsed, fatally crushing him.

STATUTE/  
VIOLATIONS Labor Code section 6425(a)

T8 CCR SECTIONS 1541.1(a)(1), 1541.1(a)(2)

FINAL DISPOSITION On September 15, 2014, the Ventura County District Attorney's office filed a Felony complaint against Abraham Zafrani for violating Labor Code section 6425(a). On July 11, 2017, the jury found Mr. Zafrani guilty of both counts [Penal Code section 192(b) and Labor Code section 6425(a)]. On October 20, 2017, Mr. Zafrani was sentenced by the court to serve 180 days in Ventura County jail, 550 days of mandatory supervision and pay victim restitution.

STATE OF CALIFORNIA  
BUREAU OF INVESTIGATIONS

BOI CASE NUMBER S1111-079-12PC  
EMPLOYER\SUBJECT Oldcastle Precast, Inc.  
DATE REFERRED TO BOI 11/12/2012  
DATE REFERRED TO DA 3/27/2015

SYNOPSIS Two victims, both general laborers, were tying wire ties around post tensioned cables inside a form pile. Victim #1 and victim #2 were working on the opposite end of the pile. Prior to the victims tying, the cables were pre-stressed, however, the elongation of the cables were overstressed, causing the stress head at the form's dead end to tear loose from the form's mold. The stress head with the wire cables retracted striking victim #1, killing him instantly. Victim #2 was also struck and received serious injuries to his lower left leg.

STATUTE/  
VIOLATIONS Labor Code section 6425(a)

T8 CCR SECTIONS 3328(a) and 3203(a)(4)

FINAL DISPOSITION On 11/10/2015, the San Bernardino District Attorney's office filed Business and Professions Code section 17200 against Oldcastle Precast for violating CCR T8 sections 1623(a)(3) and 1631(h). Two counts of Felony Labor Code section 6425(a) were also filed against the Employer [dismissed]. On August 17, 2017, a final judgment was reached and the defendant was ordered to pay \$750,000 civil penalty, \$25,000 to Cal/OSHA Bureau of Investigations to be used to purchase equipment or training and the company was placed on 5-year permanent injunction.

STATE OF CALIFORNIA  
BUREAU OF INVESTIGATIONS

BOI CASE NUMBER S1111-007-13RR

EMPLOYER\SUBJECT C R & R

DATE REFERRED TO BOI 3/1/2013

DATE REFERRED TO DA 10/13/2014

SYNOPSIS The victim, a maintenance mechanic/welder, was working in the welding shop of a large trash collection and recycling company. In an attempt to find a leak on a hydraulic tank, the victim placed the tank on the forks of a forklift and filled the tank with water and pressurized it with air. There was no pressure gauge or pressure relief valve on the tank. The victim was kneeling in front of the tank when the end of the tank blew off and struck him on the forehead. As a result, the Victim sustained severe blunt force trauma to his head and died in the ambulance on the way to the hospital.

STATUTE/  
VIOLATIONS Labor Code section 6425(a)

T8 CCR SECTIONS 3301(c), 3301(f)

FINAL DISPOSITION No final prosecution decision.

STATE OF CALIFORNIA  
BUREAU OF INVESTIGATIONS

BOI CASE NUMBER S1111-010-13RF

EMPLOYER\SUBJECT Prime Wheel Corp.

DATE REFERRED TO BOI 3/13/2013

DATE REFERRED TO DA 5/8/2015

SYNOPSIS The victim, a maintenance mechanic, was reaching into an open tank filled with a solution used in the plating process to check the incoming flow into the tank from an adjacent pump/filer assembly that been repaired earlier by the victim. As the victim was reaching into the tank, he was subsequently fatally crushed by one of several moving hoist assemblies that were part of the plating line system. The hoist assemblies were equipped with safety interlocks to stop the units from traveling upon striking an object, but the interlock switches had been physically bypassed and were non-functioning.

STATUTE/  
VIOLATIONS Labor Code section 6425(a)

T8 CCR SECTIONS 3314(c), 4002(a) and 3328(b)

FINAL DISPOSITION On February 24, 2016, the Los Angeles District Attorney's office filed three Felony Labor Code section 6425(a) counts against Ernesto Cruz and two counts of Felony Labor Code section 6425(a) against Prime Wheel Corporation.

STATE OF CALIFORNIA  
BUREAU OF INVESTIGATIONS

BOI CASE NUMBER S1111-011-13RF  
EMPLOYER\SUBJECT Los Angeles Engineering, Inc.  
DATE REFERRED TO BOI 3/15/2013  
DATE REFERRED TO DA 9/16/2014

SYNOPSIS The victims were employed by a utility contractor as laborers. The victims and their co-workers had completed excavating a 45 foot long and 14 foot deep trench. The trench had been dug to facilitate the installation of reinforced concrete piping that was part of larger storm water reclamation project. The victims were working inside the trench, completing final excavation by hand, when the side of the excavation collapsed onto the victims, fatally crushing one victim and injuring the second. The subsequent investigation determined that the victims were working in an area (approximately 28 feet in length) without the required protective system.

STATUTE/  
VIOLATIONS Labor Code section 6425(a)

T8 CCR SECTIONS 1541(k), 1541.1(a)

FINAL DISPOSITION On January 7, 2016, the Los Angeles District Attorneys office filed Felony and Misdemeanor Labor Code section 6425(a) against Los Angeles Engineering, Inc.

STATE OF CALIFORNIA  
BUREAU OF INVESTIGATIONS

BOI CASE NUMBER S1111-021-13PC  
EMPLOYER\SUBJECT Jerich International dba Jerich USA, Inc.  
DATE REFERRED TO BOI 4/18/2013  
DATE REFERRED TO DA 7/28/2014

SYNOPSIS The victim, employed by a logistics company as a warehouse laborer, walked into an area of the warehouse where 500- and 1,000-pound bales of recyclable paper were received, stacked and stored. A 1000 pound bale of paper came loose from the stack and struck the victim in the head, killing him. The employer did not stack or restrain the bales of paper in a way that would keep them from falling.

STATUTE/  
VIOLATIONS Labor Code section 6425(a)

T8 CCR SECTIONS 3203(a)(7), 3241(c)

FINAL DISPOSITION On March 4, 2016, the Los Angeles District Attorney's office filed Felony Labor Code section 6425(a), referencing CCR Title 8 section 3241(c) against Jerich USA Inc. dba Jerich International. On December 14, 2016, Jerich International entered a guilty plea to Misdemeanor 6425(a). The court imposed 2 years summary probation and the defendant was ordered to pay \$41,133 in victim restitution and \$25,000 to the District Attorney's Bumble Bee Food Fund.

STATE OF CALIFORNIA  
BUREAU OF INVESTIGATIONS

BOI CASE NUMBER S1111-029-13PC

EMPLOYER\SUBJECT 1) Burrtec Waste Industries, Inc.;2) Securitas Security Services, Inc.

DATE REFERRED TO BOI 5/25/2013

DATE REFERRED TO DA 12/10/2015

SYNOPSIS The victim suffered fatal injuries when a sliding gate came off the track and fell crushing him to death.

STATUTE/  
VIOLATIONS Labor Code section 6425(a)

T8 CCR SECTIONS Securitas-3324(a), Burrtec-3324(a), 3328(g)

FINAL DISPOSITION On February 27, 2017, the San Bernardino District Attorney's Office filed Business & Professions Code section 17203 against Securitas for repeatedly violating Labor Code section 6425(a), referencing CCR Title 8 section 3324. The Final Judgment pursuant to Stipulation directed Securitas to pay a civil penalty of \$770,000.

STATE OF CALIFORNIA  
BUREAU OF INVESTIGATIONS

BOI CASE NUMBER S1111-030-13RF  
EMPLOYER\SUBJECT KTI, Inc., dba Rialto Concrete Products, Inc.  
DATE REFERRED TO BOI 5/30/2013  
DATE REFERRED TO DA 5/19/2015

SYNOPSIS The victim was killed instantly when he was crushed by a Hyster Challenger Model # H620B lift truck. The lift truck's cab was elevated 11 feet above the ground and it was equipped with one seat for the operator. There were no seats for passengers. The victim was riding on the lift truck when he fell and was crushed to death.

STATUTE/  
VIOLATIONS Labor Code section 6425(a)

T8 CCR SECTIONS 3650 (t)(3), 3650 (t)(5)

FINAL DISPOSITION On May 26, 2016, the San Bernardino District Attorney's office filed a Business and Professions Code section 17200 complaint against Ken Thompson Inc. dba Rialto Concrete Products for Injunction, Civil penalties and other equitable relief.

STATE OF CALIFORNIA  
BUREAU OF INVESTIGATIONS

BOI CASE NUMBER S1111-037-13RF  
EMPLOYER\SUBJECT Midwest Roofing Company  
DATE REFERRED TO BOI 6/19/2013  
DATE REFERRED TO DA 11/17/2014

SYNOPSIS The victim was employed by a roofing company and was working on a two-story residential apartment building, 17 feet 4 inches above ground. The victim was working without fall protection between the leading edge of the roof and the end of an exposed roof joist and was using a circular saw to trim the end of a damaged roof joist. The victim subsequently fell off the roof, sustained massive head injuries and died six days later. The employer had a prior history of not utilizing fall protection on previous jobsites and had been convicted for violating Labor Code section 6425(a) after an employee, without required fall protection, fell through a roof opening while removing structural roof sheeting and sustained fatal injuries.

STATUTE/  
VIOLATIONS Labor Code section 6425(c)

T8 CCR SECTIONS 1670(a)

FINAL DISPOSITION On June 30, 2016, the Los Angeles District Attorney's office filed Felony Labor Code Section 6425(a) against Midwest Roofing Company, Inc., Workforce Business Services Inc., and Darren Tangen, referencing Title 8 section 1670(a), Felony Penal Code section 192(b)-Involuntary Manslaughter against Midwest Roofing and Darren Tangen, and Felony Labor Code section 6425(c) against Darren Tangen referencing a prior conviction under Labor Code section 6425(a).

STATE OF CALIFORNIA  
BUREAU OF INVESTIGATIONS

BOI CASE NUMBER S1111-070-13PC  
EMPLOYER\SUBJECT Celco Construction Company  
DATE REFERRED TO BOI 9/9/2013  
DATE REFERRED TO DA 7/15/2015

SYNOPSIS The victim, employed by an unlicensed lighting technician contractor, was working on a lighting upgrade project for a local school district. The victim was installing lighting controls within the drop ceiling and was working on an energized conductor (wire) when he was fatally electrocuted.

STATUTE/  
VIOLATIONS Labor Code section 6425(a) and Insurance Code section 1871.4

T8 CCR SECTIONS 3314(j)

FINAL DISPOSITION On 6/17/16, the Riverside County District Attorney's office filed Felony Labor Code section 6425(a) against Bryan Hernandez Mendoza and Alonso Estrada. Additionally, Mr. Estrada was charged with violating Felony Insurance Code and Penal Code sections. Celin Cortes was charged with violating Insurance Code section 1871.4(a)(1), Penal Code section 182(a)(1) and 487(a). On 2/17/17, Mr. Cortes entered a guilty plea to Felony Insurance Code section 1871.4 and was ordered to serve 180-day house arrest, 36 months' summary probation and pay a \$300.00 fine. On 2/17/17, Mr. Medoza entered a guilty plea to Misdemeanor LC 6425 (a). The court ordered him to serve 30-day house arrest, 36 months' summary probation and pay a \$150.00 fine. On 2/17/17, Mr. Estrada entered a guilty plea to Felony LC 6425(a) and PC 129 and 487. The court ordered him to serve 270-day house arrest, 36 months' formal probation and pay a \$300.00 fine.

STATE OF CALIFORNIA  
BUREAU OF INVESTIGATIONS

BOI CASE NUMBER S1111-082-13PC  
EMPLOYER\SUBJECT Key Energy Services California, Inc.  
DATE REFERRED TO BOI 10/12/2013  
DATE REFERRED TO DA 10/10/2014

SYNOPSIS The victim was employed by an oil well rigging company as a floor hand. During assembly of an oil rig, he was standing on an I-beam under a load being raised by a forklift. The load was not properly secured to the forks, however, and an error on the part of the operator resulted in the load falling off, striking the victim and killing him.

STATUTE/  
VIOLATIONS Labor Code section 6425(a)

T8 CCR SECTIONS 3650(t)(12), 3650(t)(27)

FINAL DISPOSITION On 11/30/2015, the Santa Barbara District Attorney's office filed three counts of Felony Labor Code section 6425, against Key Energy. Count 4 was filed against Jose Fidencio Rodriguez for violating Penal Code section 192(b) Involuntary Manslaughter, counts 5-7 were for Felony violations of LC section 6425(a). Count 8 was filed against Allen Wayne Wadkins for violating Felony LC section 6425(a). On 1/10/2017, Key Energy Services entered a no contest plea to count 2, counts 1 and 3 were dismissed. On 1/10/2017, Mr. Fidencio entered a no contest plea to Misdemeanor LC section 6425(a), the other counts were dismissed. The court imposed sentence for Mr. Fidencio was 5 years' summary probation. On 3/20/2017, Mr. Wadkins entered a no contest plea for violating Misdemeanor LC section 6407, the other counts were dismissed. The court imposed sentence was 3 years' summary probation and he was ordered to pay a \$1,000 fine. Sentencing for Key Energy is scheduled for 1/10/18.

STATE OF CALIFORNIA  
BUREAU OF INVESTIGATIONS

BOI CASE NUMBER S1111-083-13PC

EMPLOYER\SUBJECT R J Noble Company

DATE REFERRED TO BOI 10/7/2013

DATE REFERRED TO DA 5/13/2016

SYNOPSIS The victim was employed as a laborer at an asphalt recycling facility. The victim was cleaning mud and other debris from the end of the return conveyor, when the victim was caught by the end of an unguarded conveyor assembly (tail pulley) and pulled into the lower portion of the crushing unit and conveyor. The victim sustained massive blunt force trauma and died at the scene. The investigation determined that the victim routinely worked near several unguarded tail pulleys.

STATUTE/  
VIOLATIONS Labor Code section 6425(a)

T8 CCR SECTIONS 1509, 4001, 4002(a), 4070(a), 3999(b)

FINAL DISPOSITION On June 13, 2016, the Riverside District Attorney's office filed a Felony complaint against R. J. Noble Engineering Contractors and Robert Warren Lutz for violating two counts of Labor Code section 6425(a) referencing Title 8 sections 3999(b), 1509(a) and 3203(a)(4). On April 14, 2017, a compromise was reached wherein the defendants agreed to pay \$225,000 for the purpose of establishing a structured annuity for the victim's children, as well as \$171,400 to the children's mother, \$100,000 to the DA's office for cost recovery and \$3,600 to Cal/OSHA, payments totaled \$500,000.

STATE OF CALIFORNIA  
BUREAU OF INVESTIGATIONS

BOI CASE NUMBER S1111-090-13XC  
EMPLOYER\SUBJECT 1) Julal Construction Inc.; 2) Afsharian Enterprises  
DATE REFERRED TO BOI 10/30/2013  
DATE REFERRED TO DA 8/1/2016

SYNOPSIS The victim was employed as a general laborer by Julal Construction and was working on large single-family residence. On the date of the incident, the victim was assisting with unloading large wooden beams that were being placed on the roof of the unfinished structure by a mobile crane. As the victim was removing the rigging from the beams, he fell through a large unguarded roof opening falling approximately 32 feet to the ground below. The victim sustained fatal injuries.

STATUTE/  
VIOLATIONS Labor Code section 6425(a)

T8 CCR SECTIONS 1621(a), 1632(b)(1)1670(a), 1644(a)(5), (a)(6), and (a)(7)

FINAL DISPOSITION On October 12, 2016, the Los Angeles District Attorney's office filed Felony Labor Code section 6425(a) referencing CCR Title 8 section 1632 (b)(1) against Julal Construction, Inc. On April 25, 2017, the case was dismissed in furtherance of justice per Penal Code section 1385.

STATE OF CALIFORNIA  
BUREAU OF INVESTIGATIONS

BOI CASE NUMBER S1111-034-14RF  
EMPLOYER\SUBJECT National Distribution Services Inc.  
DATE REFERRED TO BOI 5/6/2014  
DATE REFERRED TO DA 2/23/2017

SYNOPSIS The victim was working on top of a 9000 gallon tank doing repair work on a sleeve that is part of a man hole lid with a welder and hand grinder. The work lead to an explosion causing death to one employee and serious burns requiring hospitalization to another employee.

STATUTE/  
VIOLATIONS Penal Code sections 187 and 192, Labor Code section 6425(a)

T8 CCR SECTIONS 3203(b)(1), 3328(b), 5194, 4848(a), 3203(a) and 5420

FINAL DISPOSITION On April 25, 2017, the Riverside District Attorney's office filed four Felony counts against Carl Brad Johansson and Enrique Garcia [National Distribution], for violating Labor Code section 6425(a), referencing CCR T8 sections 3203(a) and 5420(a)(2).

STATE OF CALIFORNIA  
BUREAU OF INVESTIGATIONS

BOI CASE NUMBER S1111-055-14RF

EMPLOYER\SUBJECT Five Star Plastering

DATE REFERRED TO BOI 7/17/2014

DATE REFERRED TO DA 6/15/2016

SYNOPSIS Two employees were erecting a 22 foot 11 inch metal scaffold which was located 19 inches under an energized 12 kV high voltage power line. The scaffold was erected to suspend an advertising sign. One of the victims was standing on the top level of the scaffold when the top of his head came in contact with the high voltage power line, resulting in his electrocution. In an attempt to rescue his co-worker, the other victim was seriously injured when his neck came into contact with the same power line, shocking him and causing him to fall off the scaffold.

STATUTE/  
VIOLATIONS Labor Code section 6425(a)

T8 CCR SECTIONS 2946(a), 2948, 2946(b)(2), 1637(q), 3381(c)(2)(c), 3203(a)

FINAL DISPOSITION On April 7, 2017, the Orange County District Attorney's office filed two Felony counts against Five Star Plastering, Inc., Thomas Aaron Blythe, Timothy Scott Gordon and John Lawrence Alberts for violating Labor Code section 6425(a), referencing CCR T8 section 2946, 1637(q) and 3381.

STATE OF CALIFORNIA  
BUREAU OF INVESTIGATIONS

BOI CASE NUMBER S1111-080-14RF  
EMPLOYER\SUBJECT Santa Fe Packaging Corporation  
DATE REFERRED TO BOI 11/6/2014  
DATE REFERRED TO DA 5/12/2016

SYNOPSIS An employee was standing between two plastic rolls inside a running unguarded dual turret winding machine, cutting plastic film from a finished roll on the upper turret in preparation of placing the incoming feed onto a new roll. The victim instructed a co-worker to "jog" the finished roll to bring it down slightly, as the victim could not reach it. The co-worker activated the control button which caused the roll to move downward approximately 180 degrees. As a result, the victim was fatally crushed between the upper and lower rolls of the turret assembly.

STATUTE/  
VIOLATIONS Labor Code section 6425(a)

T8 CCR SECTIONS 4002(a), 3314(d), 3203(a)

FINAL DISPOSITION On June 16, 2017, the Los Angeles District Attorney's office filed three Felony counts against Santa Fe Packaging corporation, James Sikorsky and Saul Herrera, for violating Labor Code section 6425(a), referencing CCR T8 sections 3203(a), 4002(a) and 3314(d).

STATE OF CALIFORNIA  
BUREAU OF INVESTIGATIONS

BOI CASE NUMBER S1110-085-14RF  
EMPLOYER\SUBJECT American Building Innovation  
DATE REFERRED TO BOI 11/21/2014  
DATE REFERRED TO DA 12/19/2016

SYNOPSIS The victim, employed as a machine operator, was attempting to clear 2x4 lumber that was jammed under a robotic lifting arm, which was part of an automated framing machine. While the victim reached under the robotic arm, a sensor was activated that caused the arm to move downward fatally crushing the victim.

STATUTE/  
VIOLATIONS Penal Code section 192 and Labor Code section 6425(a)

T8 CCR SECTIONS 3314(c)

FINAL DISPOSITION On February 6, 2017, the Riverside District Attorney's office filed three Felony counts against Tin T. Vo [American Building Innovation], for violating Labor Code section 6425(a), referencing CCR T8 sections 3314 (c), 4002(a) and 3314(g).

STATE OF CALIFORNIA  
BUREAU OF INVESTIGATIONS

BOI CASE NUMBER S1111-092-14DC  
EMPLOYER\SUBJECT John Ryan Ward dba JRW and Company  
DATE REFERRED TO BOI 12/19/2014  
DATE REFERRED TO DA 12/19/2016

SYNOPSIS The victim was working on a ladder in the attic of a single family residence attempting to connect wiring from recently installed lighting into an energized circuit. The victim was not wearing personal protective equipment and was fatally electrocuted after making contact with the exposed energized circuit.

STATUTE/  
VIOLATIONS Labor Code section 6425(a)

T8 CCR SECTIONS 2320.3.2 and 2320.3

FINAL DISPOSITION The District Attorney's office declined to file.

STATE OF CALIFORNIA  
BUREAU OF INVESTIGATIONS

BOI CASE NUMBER S1111-094-14RF  
EMPLOYER\SUBJECT Caliber Auto Transfer of Mira Loma  
DATE REFERRED TO BOI 12/16/2014  
DATE REFERRED TO DA 12/19/2016

SYNOPSIS The victim, a temporary services employee, was employed as an unloader by the secondary employer which specialized in unloading of automobiles from multi-level rail cars. As part of the job duties, the victim was checking to ensure the tire straps had been removed. While walking along the edge of the railcar opening, the victim fell approximately 13 feet to the ground, sustaining fatal head trauma and multiple body fractures.

STATUTE/  
VIOLATIONS Labor Code section 6425(a)

T8 CCR SECTIONS 3210(c) and 3203

FINAL DISPOSITION On 11/14/2017, the Riverside District Attorney's office filed a Felony complaint against Caliber Auto Transfer of Mira Loma, for violating 2 counts of Labor Code section 6425, referencing T8 sections 3203 and 3210(c).

STATE OF CALIFORNIA  
BUREAU OF INVESTIGATIONS

BOI CASE NUMBER S1111-001-15PC  
EMPLOYER\SUBJECT 1) S. Moran Construction (Dude & Delilah); 2) Trinidad Rudy Monterroso  
DATE REFERRED TO BOI 1/4/2015  
DATE REFERRED TO DA 5/13/2016

SYNOPSIS An employee working on the replacement of plywood sheeting on a pitched roof of a residential structure, was fatally injured after falling in excess of 24 feet. The investigation revealed that employees were not provided with required fall protection harnesses or equipment.

STATUTE/  
VIOLATIONS Labor Code section 6425(a)

T8 CCR SECTIONS 1509(b), 1509(a), 1670(a)

FINAL DISPOSITION On January 27, 2017, the Los Angeles District Attorney's office filed one Felony against Trinidad Rudy Monterroso for violating Labor Code section 6425(a), referencing CCR Title 8 sections 1670(a). On August 29, 2017, count 1 was amended to a Misdemeanor and Mr. Monterroso entered a plea of guilty. The court ordered two years' summary probation and the defendant was ordered to pay \$12,720 in restitution.

STATE OF CALIFORNIA  
BUREAU OF INVESTIGATIONS

BOI CASE NUMBER S1111-013-15RR  
EMPLOYER\SUBJECT EGA CO. dba A & B Electric  
DATE REFERRED TO BOI 2/20/2015  
DATE REFERRED TO DA 12/21/2017

SYNOPSIS The victim became trapped under a large metal transformer that was being transported.

STATUTE/  
VIOLATIONS Labor Code section 6425(a)

T8 CCR SECTIONS 3650(t)(33) and 3650(i)(1)

FINAL DISPOSITION No final prosecution decision.

STATE OF CALIFORNIA  
BUREAU OF INVESTIGATIONS

BOI CASE NUMBER S1111-018-15RF

EMPLOYER\SUBJECT Scott Goehring

DATE REFERRED TO BOI 3/23/2015

DATE REFERRED TO DA 10/13/2016

SYNOPSIS An employee of an unlicensed contractor was painting a metal railing on the balcony of a multi-level condominium complex. The victim was transitioning from the balcony to a ladder when he fell 26 feet to his death. The victim was not wearing any fall protection.

STATUTE/  
VIOLATIONS Labor Code section 6425(a)

T8 CCR SECTIONS 1670(a)

FINAL DISPOSITION On June 9, 2017, the Los Angeles District Attorney's office filed Felony Labor Code section 6425(a) against Scott Irwin Goehring, referencing CCR T8 section 1670(a).

STATE OF CALIFORNIA  
BUREAU OF INVESTIGATIONS

BOI CASE NUMBER S1111-047-15DC  
EMPLOYER\SUBJECT Se Chae Lee dba Lee's Painting Co  
DATE REFERRED TO BOI 6/2/2015  
DATE REFERRED TO DA 05/09/2017

SYNOPSIS The victim fell from a ladder while painting.

STATUTE/  
VIOLATIONS Labor Code section 6425(a)

T8 CCR SECTIONS 3276(d)(1), 3276(e)(16), 3276(f) and 1670(a)

FINAL DISPOSITION The District Attorney's office declined to file.

STATE OF CALIFORNIA  
BUREAU OF INVESTIGATIONS

BOI CASE NUMBER S1111-049-15PC

EMPLOYER\SUBJECT M & W Pumps, Inc.

DATE REFERRED TO BOI 6/6/2015

DATE REFERRED TO DA 12/30/2016

SYNOPSIS Two employees were operating a truck mounted pump hoist while installing a pump motor and water pipes into a water well. The location of a truck mounted pump hoist was positioned within 10 feet of an energized overhead 12 kV power line. As the operator was at the controls, the hoist tower cables came in contact with an energized overhead power line. The pump hoist was electrified and shocked the operator. The helper was holding the hoist cable that contacted the power line and was electrocuted.

STATUTE/  
VIOLATIONS Labor Code section 6425(a)

T8 CCR SECTIONS 5003(b)(3)

FINAL DISPOSITION On January 12, 2017, the Santa Barbara County District Attorney's office filed against M&W Pumps for violating Felony Labor Code section 6425 (a)-two counts, referencing CCR T8 section 2946(b)(3). On April 19, 2017, Frank and Lisa Morales entered a no contest plea to count 2, count 1 was dismissed and the defendants were placed on 5 year probation.

STATE OF CALIFORNIA  
BUREAU OF INVESTIGATIONS

BOI CASE NUMBER S1111-101-15RR  
EMPLOYER\SUBJECT Troy Builders Construction of Remodeling Inc  
DATE REFERRED TO BOI 10/02/2015  
DATE REFERRED TO DA 12/21/2017

SYNOPSIS The victim, while sheeting a roof, fell 20 feet to his death.

STATUTE/  
VIOLATIONS Penal Code sections 192, 182, 129 and Labor Code section 6425(a)

T8 CCR SECTIONS 1509(a) and 1716.2

FINAL DISPOSITION No final prosecution decision.

STATE OF CALIFORNIA  
BUREAU OF INVESTIGATIONS

BOI CASE NUMBER S1112-106-15RR  
EMPLOYER\SUBJECT Labor Ready/Arco National Construction Company, Inc.  
dba Arco National of California Company  
DATE REFERRED TO BOI 10/13/2015  
DATE REFERRED TO DA 12/28/2017

SYNOPSIS The victim was crushed by a wall.

STATUTE/  
VIOLATIONS Labor Code section 6425(a)

T8 CCR SECTIONS 1541(i)(1) and 1509(a)

FINAL DISPOSITION No final prosecution decision.

STATE OF CALIFORNIA  
BUREAU OF INVESTIGATIONS

BOI CASE NUMBER S1111-115-15RR  
EMPLOYER\SUBJECT 1) Steeltech Reinforcing, Inc; 2) Cobalt Construction  
Company; 3) Essey Construction Company, Inc .  
DATE REFERRED TO BOI 11/18/2015  
DATE REFERRED TO DA 12/21/2017

SYNOPSIS The victim, an Iron Worker, was walking on the top level of a scaffold,  
approximately 27 feet above the ground when he fell and sustained fatal injuries.

STATUTE/  
VIOLATIONS Labor Code section 6425(a)

T8 CCR SECTIONS 1509(a), 1511(b) and 1644(a)(6)

FINAL DISPOSITION No final prosecution decision.

STATE OF CALIFORNIA  
BUREAU OF INVESTIGATIONS

BOI CASE NUMBER S1111-012-16RR

EMPLOYER\SUBJECT SW Forage LLC

DATE REFERRED TO BOI 02/16/2016

DATE REFERRED TO DA 12/21/2017

SYNOPSIS The victim was crushed in a hay baler/compactor.

STATUTE/  
VIOLATIONS Penal Code sections 192, 187 and Labor Code section 6425(a)

T8 CCR SECTIONS 3314(e), 3314(g), 3203(a)(4), 3314(c), 3314(i)(1) and 3328(g)

FINAL DISPOSITION No final prosecution decision.

STATE OF CALIFORNIA  
BUREAU OF INVESTIGATIONS

BOI CASE NUMBER S1110-031-16RR  
EMPLOYER\SUBJECT Camarena Land Clearing dba Rich Camarena land  
Clearing Company  
DATE REFERRED TO BOI 04/15/2016  
DATE REFERRED TO DA 12/21/2017

SYNOPSIS The victim was run over by heavy equipment.

STATUTE/  
VIOLATIONS Labor Code section 6425(a)

T8 CCR SECTIONS 1509(a), 1509(b), 1590(b), 1590(5), 3395(i), 1510(c) and 1592(b)

FINAL DISPOSITION No final prosecution decision.

STATE OF CALIFORNIA  
BUREAU OF INVESTIGATIONS

BOI CASE NUMBER S1111-080-16RR  
EMPLOYER\SUBJECT 1) D & D Construction Specialties, Inc.; 2) Tyler  
Development Corporation  
DATE REFERRED TO BOI 10/21/2016  
DATE REFERRED TO DA 12/19/2016

SYNOPSIS The victim was employed by a licensed General Contractor as a laborer. The victim was assigned to clean water, muck and other debris from the bottom of a drainage sump, approximately 50 feet in depth and 48 inches in diameter. The victim stood on a metal bucket attached to a small crane which lowered him into the shaft opening. After 15 to 20 feet, the victim became unresponsive and he fell head first to the bottom of the shaft. The victim died as a result of drowning.

STATUTE/  
VIOLATIONS Penal Code section 192, Labor Code sections 6425(c) and 6425(a)

T8 CCR SECTIONS 1509(a)

FINAL DISPOSITION No final prosecution decision.

**II B**

**SUMMARY OF CASES REFERRED TO PROSECUTORS IN 2017 AND  
FINAL COURT DISPOSITIONS IN 2017**

**-SERIOUS INJURY TO 5 OR MORE EMPLOYEES-**

**(LABOR CODE SECTION 6315.3(c))**

**NOTE: None in Northern or Southern California for 2017.**

**ILC**

**SUMMARY OF CASES REFERRED TO PROSECUTORS IN 2017 AND  
FINAL COURT DISPOSITIONS IN 2017**

**-REQUESTS FOR PROSECUTION FROM A  
DIVISION REPRESENTATIVE-**

**(LABOR CODE SECTION 6315.3(c))**

STATE OF CALIFORNIA  
BUREAU OF INVESTIGATIONS

BOI CASE NUMBER S1230-123-07RF

EMPLOYER\SUBJECT K & B Amusements

DATE REFERRED TO BOI 11/16/2007

DATE REFERRED TO DA 4/15/2008

SYNOPSIS The Division conducted a routine inspection of amusement rides at a local carnival. During the inspection, it was determined that a ride had been involved in an accident that had not been reported to the Division as required. The accident resulted in minor injuries to a patron and major damage to the amusement ride. During the inspection it was also determined that the ride was being operated without a valid permit.

STATUTE/  
VIOLATIONS Labor Code sections 7906 and 7915(a)

T8 CCR SECTIONS 3911, 3912(a), 3920

FINAL DISPOSITION On April 25, 2008, a Misdemeanor complaint was filed against Barton P. Finlayson and Ricky Snyder for violating one count of Labor Code section 7915(a) for operating a Whirlybird amusement ride without a permit. On 10/17/2013, Mr. Finlayson entered a plea of guilty to Count 1 and he was ordered to pay \$419.00 fine. A warrant has been issued for Mr. Snyder.

STATE OF CALIFORNIA  
BUREAU OF INVESTIGATIONS

BOI CASE NUMBER S1235-132-17RR  
EMPLOYER\SUBJECT Sergio Ortega Hernandez dba Integrety Forklift  
DATE REFERRED TO BOI 11/28/2017  
DATE REFERRED TO DA 12/20/2017

SYNOPSIS Misrepresentation of Cal/OSHA logo.

STATUTE/  
VIOLATIONS

T8 CCR SECTIONS 3668

FINAL DISPOSITION No final prosecution decision.

ILD

SUMMARY OF CASES REFERRED TO PROSECUTORS IN 2017 AND  
FINAL COURT DISPOSITIONS IN 2017

**-SERIOUS INJURY TO FEWER THAN FIVE EMPLOYEES-  
(DISCRETIONARY INVESTIGATIONS)**

(LABOR CODE SECTION 6315.3(c))

BOI CASE NUMBER S1331-012-14RF

EMPLOYER\SUBJECT Metro Home LTD

DATE REFERRED TO BOI 2/19/2014

DATE REFERRED TO DA 1/5/2015

SYNOPSIS The victim, a general laborer, was removing waterproof backing from a retaining wall. The victim had been instructed to use a hand held garden sprayer and apply gasoline along the face of the wall, in an effort to loosen the waterproof backing for removal. The victim applied approximately one gallon of gasoline and when the gasoline proved ineffective he moved to another location along the wall that had not been treated with gasoline. The victim resumed using a portable propane torch that he had been using earlier in the day, in an effort to remove the backing. When the victim attempted to ignite the torch, the accumulated gasoline vapors exploded, engulfing the victim. The victim sustained burns to his face, hands, arms and torso and was hospitalized for 33 days and sustained severe scarring.

STATUTE/  
VIOLATIONS Labor Code section 6425(a)

T8 CCR SECTIONS 1534(a), 3328(b) and 5158(e)(1)(F)

FINAL DISPOSITION On January 13, 2017, the Los Angeles District Attorney's office filed three Felony counts against Roman Shukman and Metrohome, LTD, for violating Labor Code section 6425(a), referencing CCR Title 8 sections 1534(a), 3328(b) and 5158(e)(1)(F).

BOI CASE NUMBER S1331-040-14RF  
EMPLOYER\SUBJECT C&L Sparks Inc Dba Sparks Electric Inc  
DATE REFERRED TO BOI 6/10/2014  
DATE REFERRED TO DA 11/30/2015

SYNOPSIS The victim, an electrician, was installing electrical components on the first floor of a commercial retail space. As part of the overall project, the employer was establishing temporary power, but the temporary meter was not installed. In an effort to bypass the meter, the site foreman instructed the victim to use three flattened conduit straps as jumpers within the meter socket. As the victim attempted to insert the conduit strap into the meter socket, a phase-to-ground short occurred, causing an arc-flash explosion. The victim sustained severe burns to his face, arms, and chest area and was hospitalized for a prolonged period. Another site foreman was standing next to the victim at the time of the incident, and he sustained burn injuries to his arms and face.

STATUTE/  
VIOLATIONS Labor Code section 6425(a)

T8 CCR SECTIONS 1509(a), 2320.2(a) and 2340.2(a)

FINAL DISPOSITION On May 16, 2017, the Los Angeles District Attorney's office filed four Felony counts against C & L Sparks, Inc., dba Sparks Electric, John Carroll and Andrew Dominguez for violating Labor Code section 6425(a), referencing CCR Title 8 sections 1509(a), 2305.4, 2320.2(a), and 2340.2 (a).

BOI CASE NUMBER S1330-073-15RR  
EMPLOYER\SUBJECT Johnny Walter Ford dba Dynamo Maintenance & Repair Services  
DATE REFERRED TO BOI 8/5/2015  
DATE REFERRED TO DA 12/21/2017

SYNOPSIS The victim was using gasoline to remove flooring when the gasoline vapors ignited. The victim was seriously burned.

STATUTE/  
VIOLATIONS Labor Code section 6425(a)

T8 CCR SECTIONS 5417(d)

FINAL DISPOSITION No final prosecution decision.

BOI CASE NUMBER S1331-119-15RR  
EMPLOYER\SUBJECT First Avenue Inc dba Highland Commerical Roofing  
DATE REFERRED TO BOI 12/08/2015  
DATE REFERRED TO DA 12/21/2017

SYNOPSIS The victim sustained serious injury after falling through a skylight.

STATUTE/  
VIOLATIONS Labor Code section 6425(a)

T8 CCR SECTIONS 1509(a) and 3212(e)

FINAL DISPOSITION No final prosecution decision.

**II E**

**SUMMARY OF CASES REFERRED TO PROSECUTORS IN 2017 AND  
FINAL COURT DISPOSITIONS IN 2017**

**-Severe Exposure-  
(DISCRETIONARY INVESTIGATIONS)**

**(LABOR CODE SECTION 6315.3(d))**

**NOTE: None in Northern or Southern California for 2017**

**III A**

**SUMMARY OF INVESTIGATIONS COMPLETED IN  
2017 BUT NOT REFERRED FOR PROSECUTION**

**-FATALITIES-**

**(LABOR CODE SECTION 6315.3(d))**

DEPARTMENT OF INDUSTRIAL RELATIONS  
DIVISION OF OCCUPATIONAL SAFETY AND HEALTH  
BUREAU OF INVESTIGATIONS  
STATE OF CALIFORNIA

BOI CASE NUMBER : N1111-009-16FC

EMPLOYER NAME : 1) EPI Brentwood/Elite Plumbing Inc. 2) TWE Enterprises  
3) Brookfield Norcal Builders, Inc.

T8 CCR VIOLATIONS : 1509(a)(4), 1514(a), 1514(a), 3650(l), 3650(f)  
and 3668

REASON NOT REFERRED : Although a serious accident-related citation was  
issued, insufficient evidence to establish  
elements from a criminal perspective.

DEPARTMENT OF INDUSTRIAL RELATIONS  
DIVISION OF OCCUPATIONAL SAFETY AND HEALTH  
BUREAU OF INVESTIGATIONS  
STATE OF CALIFORNIA

BOI CASE NUMBER : N1110-054-16FC

EMPLOYER NAME : Czirban Concrete Construction

T8 CCR VIOLATIONS : 3666(a)

REASON NOT REFERRED : Although a serious accident-related citation was issued, insufficient evidence to establish elements from a criminal perspective.

DEPARTMENT OF INDUSTRIAL RELATIONS  
DIVISION OF OCCUPATIONAL SAFETY AND HEALTH  
BUREAU OF INVESTIGATIONS  
STATE OF CALIFORNIA

BOI CASE NUMBER : N1111-065-16FC

EMPLOYER NAME : 1) WM. Bolthouse Farm, Inc. 2) Advance Staffing

T8 CCR VIOLATIONS : 3314(c) and 3942(a)

REASON NOT REFERRED : Although a serious accident-related citation was issued, insufficient evidence to establish elements from a criminal perspective.

DEPARTMENT OF INDUSTRIAL RELATIONS  
DIVISION OF OCCUPATIONAL SAFETY AND HEALTH  
BUREAU OF INVESTIGATIONS  
STATE OF CALIFORNIA

BOI CASE NUMBER : N1110-069-16FC

EMPLOYER NAME : Sutter Home Winery, Inc. dba Trinchero Family

T8 CCR VIOLATIONS : 3650(I)

REASON NOT REFERRED : Although a serious accident-related citation was issued, insufficient evidence to establish elements from a criminal perspective.

DEPARTMENT OF INDUSTRIAL RELATIONS  
DIVISION OF OCCUPATIONAL SAFETY AND HEALTH  
BUREAU OF INVESTIGATIONS  
STATE OF CALIFORNIA

BOI CASE NUMBER : N1111-078-16FC

EMPLOYER NAME : Goodwill Industries of Sacramento Valley &  
Northern Nevada, Inc.

T8 CCR VIOLATIONS : 4345(e) and 3203(a)

REASON NOT REFERRED : Although a serious accident-related citation was  
issued, insufficient evidence to establish  
elements from a criminal perspective.

DEPARTMENT OF INDUSTRIAL RELATIONS  
DIVISION OF OCCUPATIONAL SAFETY AND HEALTH  
BUREAU OF INVESTIGATIONS  
STATE OF CALIFORNIA

BOI CASE NUMBER : N1111-088-16FC

EMPLOYER NAME : 1) CG Roxanne LLC;  
2) Personnel Preference, Inc.

T8 CCR VIOLATIONS : 3650(t)(15)

REASON NOT REFERRED : Although a serious accident-related citation was issued, insufficient evidence to establish elements from a criminal perspective.

DEPARTMENT OF INDUSTRIAL RELATIONS  
DIVISION OF OCCUPATIONAL SAFETY AND HEALTH  
BUREAU OF INVESTIGATIONS  
STATE OF CALIFORNIA

BOI CASE NUMBER : N1110-092-16FC

EMPLOYER NAME : Bob Williams

T8 CCR VIOLATIONS : 3296(e)(9)

REASON NOT REFERRED : Although a serious accident-related citation was issued, insufficient evidence to establish elements from a criminal perspective.

DEPARTMENT OF INDUSTRIAL RELATIONS  
DIVISION OF OCCUPATIONAL SAFETY AND HEALTH  
BUREAU OF INVESTIGATIONS  
STATE OF CALIFORNIA

BOI CASE NUMBER : N1111-094-16FC

EMPLOYER NAME : 1) Alamillo Rebar, Inc. 2) Webcor Construction LLP dba Webcor

T8 CCR VIOLATIONS : 1637(l), 1637(c), 1717(a)(1) and 1509(a)

REASON NOT REFERRED : Although a serious accident-related citation was issued, insufficient evidence to establish elements from a criminal perspective.

DEPARTMENT OF INDUSTRIAL RELATIONS  
DIVISION OF OCCUPATIONAL SAFETY AND HEALTH  
BUREAU OF INVESTIGATIONS  
STATE OF CALIFORNIA

BOI CASE NUMBER : S1111-026-15FC

EMPLOYER NAME : Hampton Tedder Electric

T8 CCR VIOLATIONS : 2943(d)(1) and 2943 (e)(2)(a)

REASON NOT REFERRED : Although a serious accident-related citation was issued, insufficient evidence to establish elements from a criminal perspective.

**III B**

**SUMMARY OF INVESTIGATIONS COMPLETED IN  
2017 BUT NOT REFERRED FOR PROSECUTION**

**-SERIOUS INJURY TO 5 OR MORE EMPLOYEES-**

**(LABOR CODE SECTION 6315.3(d))**

**NOTE: None in Northern or Southern California for 2017.**

**III C**

**SUMMARY OF INVESTIGATIONS COMPLETED IN  
2017 BUT NOT REFERRED FOR PROSECUTION**

**-REQUESTS FOR PROSECUTION FROM A  
DIVISION REPRESENTATIVE-**

**(LABOR CODE SECTION 6315.3(d))**

**NOTE: None in Northern or Southern California for 2017.**

**III D**

**SUMMARY OF INVESTIGATIONS COMPLETED IN  
2017 BUT NOT REFERRED FOR PROSECUTION**

**-SERIOUS INJURY TO FEWER THAN FIVE EMPLOYEES-  
(DISCRETIONARY INVESTIGATIONS)**

**(LABOR CODE SECTION 6315.3(d))**

DEPARTMENT OF INDUSTRIAL RELATIONS  
DIVISION OF OCCUPATIONAL SAFETY AND HEALTH  
BUREAU OF INVESTIGATIONS  
STATE OF CALIFORNIA

BOI CASE NUMBER : S1331-084-14FC

EMPLOYER NAME : 1) Kachina Builders and Contractors, Inc.; 2) W K R B Bldrs, Inc.  
dba Online Bldrs; 3) JR Garza Construction and Management Inc.

T8 CCR VIOLATIONS : 1632(b)(1)

REASON NOT REFERRED : Other: Assigned investigator resigned.