2019 ANNUAL
REPORT OF THE BUREAU
OF INVESTIGATIONS
(LABOR CODE SECTION 6315.3)

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Secretary
Labor and Workforce Development Agency

Victoria Hassid
Chief Deputy Director
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Chief
Division of Occupational Safety & Health

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Administrative Chief
Bureau of Investigations
EXECUTIVE SUMMARY OF ALLOCATION OF BUREAU RESOURCES DURING 2019 CALENDAR YEAR
(Labor Code section 6315.3(e))

STAFFING

In 2019, the Bureau of Investigations (henceforth, the Bureau) was staffed by the Administrative Chief, two attorneys, and an investigatory staff composed of a Supervising Special Investigator, one field investigator in Northern California (who worked part time in 2019), and two field investigators in Southern California. The Bureau maintained three vacancies throughout 2018 and 2019: two in Northern California and one in Southern California.

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 having a political or career executive appointment). [Since its inception, five 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; Nathan Schmidt, from August 2016 to July 2018; and Rocio Y. Garcia-Reyes, from August 2018 to the 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 there has been a fatality, or a 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). For any case in which the Bureau is required to conduct an investigation and in which serious injury or death has occurred, 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 evidence of a violation of the law is insufficient. (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 fewer than five employees have suffered a serious injury or a serious exposure. The Bureau is vested with the discretion to conduct an investigation in these cases—hence the term “Discretionary Investigations.” (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 determining 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 the lack of an employer-employee relationship, no serious violations, or other factors indicating that criminal violations have not occurred. 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, 2019, 201 investigations were in progress. During the calendar year, the Bureau referred 7 cases to prosecuting authorities, and 4 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 2019 (especially at the end of the year) will be considered for filing in calendar year 2020. In 2019, the Bureau closed 281 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 has fluctuated from year to year. Following this Executive Summary, a General Summary Table provides an overview of Bureau activity for the period 2007 to 2019.

Over the past ten years, the Bureau has attempted to prioritize the cases it recommends for prosecution in order to concentrate its limited 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 that result in cases charged by a prosecuting authority.

The Bureau has also continued to investigate two types of discretionary cases that are 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 are reported as part of “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 February 2019 in Sacramento 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 referred cases.

**SIGNIFICANT PROSECUTIONS (CONCLUSION)**

As demonstrated above and in the documents appended after this Executive Summary, the Bureau had significant successes in calendar year 2019. 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 rate of criminal prosecutions, which should have a significant deterrent impact on other potential violators in the state.
# General Summary Table (2007-2019)

<table>
<thead>
<tr>
<th>YEAR</th>
<th>CASES OPENED¹</th>
<th>CASES CLOSED BY BOI²</th>
<th>CASES REFERRED TO D.A.³</th>
<th>CASES REJECTED BY D.A.⁴</th>
<th>CASES PENDING D.A. DECISION⁵</th>
<th>CASES CHARGED BY D.A.⁶</th>
</tr>
</thead>
<tbody>
<tr>
<td>2019</td>
<td>255 251 0 0 4 0</td>
<td>281 206 75 7 6 0 0 1 0</td>
<td></td>
<td>3</td>
<td>13</td>
<td>4</td>
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<tr>
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<td>244 233 0 1 9 1</td>
<td>174 95 79 8 6 0 0 2 0</td>
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<td>5</td>
<td>13</td>
<td>9</td>
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<td>2017</td>
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<td>225 158 67 17 14 0 2 0 1</td>
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<td>13</td>
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<td>2014</td>
<td>184 171 0 12 0 1</td>
<td>188 119 69 21 19 0 2 0 0</td>
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<td>15</td>
<td>24</td>
<td>9</td>
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<tr>
<td>2013</td>
<td>200 189 0 6 0 5</td>
<td>136 102 34 29 27 0 0 0 2</td>
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<td>52</td>
<td>16</td>
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¹Opened Cases fall into the following categories: (A) Fatality; (B) Serious injury to five or more employees; (C) Request for prosecution by a Division representative/Discretionary; (D) Serious Injury to Fewer than Five Employees; (E) Serious exposure/Discretionary

²These 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.

³These cases referred for prosecution fall into the following categories: (H) Fatality; (I) Serious injury to five or more employees; (J) Request for prosecution by a Division representative/Discretionary; (K) Serious Injury to Fewer than Five Employees; (L) Serious exposure/Discretionary

⁴Cases 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.

⁵This 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.

⁶This 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.
I A

SUMMARY OF REPORTS PROVIDED TO THE BUREAU IN 2019
(LABOR CODE SECTION 6315.3(a))
SUMMARY OF REPORTS
PROVIDED TO THE BUREAU
(LABOR CODE SECTION 6315.3(a))
NORTHERN AND SOUTHERN BUREAU
OFFICES 2019 Calendar Year

TOTALS

INITIAL ACCIDENT REPORTS 1444

INVESTIGATION REPORTS 1241

A. Fatalities 975

B. Serious Injury Suffered by Five or More Employees 0

C. Requests for Prosecution from a Division Representative 0

D. Serious Injury Suffered by Fewer Than Five Employees 266

E. Serious Exposure (Discretionary) 0
IB

TOTALS FOR 2019 CALENDAR YEAR
(LABOR CODE SECTION 6315.3(b)(1) and (2))
1B

TOTALS FOR 2019 CALENDAR YEAR
(LABOR CODE SECTIONS 6315.3(b)(1) and (2))

A. **FATALITIES**
   (Labor Code section 6315.3(b)(1))

<table>
<thead>
<tr>
<th>Action</th>
<th>Total</th>
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<tbody>
<tr>
<td>1. Investigations in Progress January 1, 2019:</td>
<td>222</td>
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<td>2. Court Cases in Progress January 1, 2019:</td>
<td>14</td>
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<tr>
<td>3. Investigations Completed in Calendar Year:</td>
<td>6</td>
</tr>
<tr>
<td>4. Cases Referred During Calendar Year:</td>
<td>6</td>
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<tr>
<td>5. Investigations in Progress as of December 31, 2019:</td>
<td>198</td>
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<tr>
<td>6. Court Cases in Progress as of December 31, 2019:</td>
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</tbody>
</table>
### B. SERIOUS INJURIES TO FIVE OR MORE EMPLOYEES

(Labor Code section 6315.3(c))

<table>
<thead>
<tr>
<th>Description</th>
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<tbody>
<tr>
<td>1. Investigations in Progress January 1, 2019:</td>
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<tr>
<td>2. Court Cases in Progress January 1, 2019:</td>
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<tr>
<td>3. Investigations Completed in Calendar Year:</td>
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</tr>
<tr>
<td>4. Cases Referred During Calendar Year:</td>
<td>0</td>
</tr>
<tr>
<td>5. Investigations in Progress as of December 31, 2019:</td>
<td>0</td>
</tr>
<tr>
<td>6. Court Cases in Progress as of December 31, 2019:</td>
<td>0</td>
</tr>
</tbody>
</table>
### 1B

**TOTALS FOR 2019 CALENDAR YEAR**
*(LABOR CODE SECTIONS 6315.3(b)(1) and (2))*

#### C. REQUESTS FOR PROSECUTION FROM A DIVISION REPRESENTATIVE/DISCRETIONARY
*(Labor Code section 6315.3(c))*

<table>
<thead>
<tr>
<th>REQUEST</th>
<th>TOTALS</th>
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<td>1. <strong>Investigations in Progress January 1, 2019:</strong></td>
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<td>2. <strong>Court Cases in Progress January 1, 2019:</strong></td>
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<tr>
<td>3. <strong>Investigations Completed in Calendar Year:</strong></td>
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</tr>
<tr>
<td>4. <strong>Cases Referred During Calendar Year:</strong></td>
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</tr>
<tr>
<td>5. <strong>Investigations in Progress as of December 31, 2019:</strong></td>
<td>0</td>
</tr>
<tr>
<td>6. <strong>Court Cases in Progress as of December 31, 2019:</strong></td>
<td>1</td>
</tr>
</tbody>
</table>
1B

TOTALS FOR 2019 CALENDAR YEAR
(LABOR CODE SECTIONS 6315.3(b)(1) and (2))

D. SERIOUS INJURY TO FEWER THAN FIVE EMPLOYEES
(DISCRETIONARY)
(Labor Codes section 6315.3(c))

<table>
<thead>
<tr>
<th></th>
<th>TOTALS</th>
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<tr>
<td>1</td>
<td>Investigations in progress January 1, 2019:</td>
</tr>
<tr>
<td>2</td>
<td>Court cases in progress January 1, 2019:</td>
</tr>
<tr>
<td>3</td>
<td>Investigations completed in calendar year:</td>
</tr>
<tr>
<td>4</td>
<td>Cases referred during calendar year:</td>
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<tr>
<td>5</td>
<td>Investigations in progress as of December 31, 2019:</td>
</tr>
<tr>
<td>6</td>
<td>Court cases in progress as of December 31, 2019:</td>
</tr>
</tbody>
</table>
### 1B

**TOTALS FOR 2019 CALENDAR YEAR**  
(LABOR CODE SECTIONS 6315.3(b)(1) and (2))

<table>
<thead>
<tr>
<th>E.SEVERE EXPOSURE (DISCRETIONARY)</th>
<th>TOTALS</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>(Labor Code section 6315.3(d))</strong></td>
<td></td>
</tr>
</tbody>
</table>

1. Investigations in Progress January 1, 2019: 1

2. Court Cases in Progress January 1, 2019: 0

3. Investigations Completed in Calendar Year: 0

4. Cases Referred During Calendar Year: 0

5. Investigations in Progress as of December 31, 2019: 0

6. Court Cases in Progress as of December 31, 2019: 0
II A

SUMMARY OF CASES REFERRED TO PROSECUTORS IN 2019
AND FINAL COURT DISPOSITIONS IN 2019

-FATALITIES-

(LABOR CODE SECTION 6315.3(c))
Two employees, demolishing a citrus packing building, were on the platform of a scissors lift, about twenty feet high, placing the 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.

Penal Code section 192(b) and Labor Code section 6425(a)

1734(b)(1) and 1504

No final prosecution decision.
STATE OF CALIFORNIA
BUREAU OF INVESTIGATIONS

BOI CASE NUMBER       N1111-014-13PC
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. On April 25, 2019, a stipulation for final judgment was filed against Pacific States Industries dba Redwood Empire. The employer agreed to conduct relevant training, including 30 hour Cal/OSHA training for all salaried supervisors in Sonoma County, hire a full time Health and Safety Manager, pay $375,000.00 monetary relief to the victim’s family and $177,500.00 to the District Attorney’s office.
BOI CASE NUMBER
N1111-021-14PC

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., Whal 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). On February 19, 2019, Epic Plastics entered a no contest plea to Misdemeanor Labor Code section 6423(a)(2) referencing CCR Title 8 section 3999(f). The company was ordered to pay a fine, restitution, training and equipment for Cal/OSHA Bureau of Investigations totaling $350,000.00 and they were placed on 3 years informal probation.
BOI CASE NUMBER
N1111-008-16RF

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
On August 24, 2018, the San Francisco District Attorney's office filed four Felony counts, against Ramiro Pena Pena, Michael Sommer, Manuel Silao and L C General Engineering, for violating Penal Code section 192 and Labor Code section 6425(a), referencing CCR Title 8 sections 1509 (a), 1590(c) and 1510(b). November 18, 2019, a Business & Professions section 17200 proposed final judgment and injunction was filed for Michael Sommer. Mr. Summer agreed to provide training and operator's manuals to employees and pay $2,500.00 to the District Attorney's office and $2,500.00 to Cal/OSHA BOI for training and equipment. On November 20, 2019, a Business & Professions section 17200 proposed final judgment and injunction was filed for Manuel Silao. Mr. Silao agreed to provide training and operator's manuals to employees and pay $1,250.00 to the District Attorney's office and $1,250.00 to Cal/OSHA BOI for training and equipment. The final dispositions for Mr. Pena Pena and L C General are pending.
BOI CASE NUMBER  N1111-095-16RF
EMPLOYER\SUBJECT  Good View Roofing & Building Supply Corporation dba Good View Lumber & Building Supply Corp.
DATE REFERRED TO BOI  11/22/2016
DATE REFERRED TO DA  2/8/2018
SYNOPSIS  A warehouse worker was crushed by a forklift.

STATUTE/VIOLATIONS  Labor Code section 6425(a)

T8 CCR SECTIONS  3223(f), 3650(t)(33) and 3668(a)(1)

FINAL DISPOSITION  On May 17, 2018, the San Francisco District Attorney's office filed four Felonies against Alfred Chung To Lee, Alan Chung Ming Chang and Good View Roofing & Building Supply Corp., for violating Penal Code section 192(b) and three Felony counts of Labor Code section 6425(a), referencing CCR T8 sections 3233(f), 3650(t)(33) and 3668(a).
A maintenance worker was struck in the head by an aerial device.

Labor Code section 6425(a)

3203(a) and 3328(a)(2)

On October 31, 2019, the San Francisco District Attorney’s office filed a Business and Professions Code section 17200 Final judgment. Cirque Du Soleil America, Inc. agreed to pay civil penalties of $50,000 to the District Attorney’s office, $50,000 to Cal/OSHA Bureau of Investigations unit for training and equipment, $10,000 cost recovery to the District Attorney’s office and $10,000 cost recovery to Cal/OSHA BOI unit.
**STATE OF CALIFORNIA**  
**BUREAU OF INVESTIGATIONS**

<table>
<thead>
<tr>
<th><strong>BOI CASE NUMBER</strong></th>
<th>N1110-026-17DC</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>EMPLOYER\SUBJECT</strong></td>
<td>Process Cooling International dba Applied Process Cooling Corporation APCCO</td>
</tr>
<tr>
<td><strong>DATE REFERRED TO BOI</strong></td>
<td>5/5/2017</td>
</tr>
<tr>
<td><strong>DATE REFERRED TO DA</strong></td>
<td>5/3/2019</td>
</tr>
<tr>
<td><strong>SYNOPSIS</strong></td>
<td>The victim fell approximately 18 feet off a roof.</td>
</tr>
<tr>
<td><strong>STATUTE/ VIOLATIONS</strong></td>
<td>Labor Code section 6425(a)</td>
</tr>
<tr>
<td><strong>T8 CCR SECTIONS</strong></td>
<td>3212(e)(1) thru (e)(6) and 1509(a)</td>
</tr>
<tr>
<td><strong>FINAL DISPOSITION</strong></td>
<td>The District Attorney's office declined to file.</td>
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<td><strong>BOI CASE NUMBER</strong></td>
<td>N1111-061-17RR</td>
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<tr>
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<tr>
<td><strong>EMPLOYER\SUBJECT</strong></td>
<td>Barnett Logging</td>
</tr>
<tr>
<td><strong>DATE REFERRED TO BOI</strong></td>
<td>09/12/2017</td>
</tr>
<tr>
<td><strong>DATE REFERRED TO DA</strong></td>
<td>12/31/2019</td>
</tr>
</tbody>
</table>

**SYNOPSIS**

The victim, a logger, was riding the carriage rigging up a hill when he was flung off.

**STATUTE/VIOLATIONS**

Labor Code section 6425(a)

**T8 CCR SECTIONS**

6260

**FINAL DISPOSITION**

No final prosecution decision.
The victim was pulled into a stump grinder.

Labor Code section 6425(a)

3328(a)(2), 3421(a) and 3421(c)(2)

No final prosecution decision.
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.

Labor Code sections 6425(a), 6423 (a)(1), and 6423 (a)(2)

1541(a)(1), 1541(k)(1), 1541(k)(2), 1541.1(c) and 1541.1(h)

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 S1111-019-09PC
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 12/ 20/12, the Orange County Grand Jury indicted Mr. Faulkinbury and Mr. Richardson. 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 were ordered to complete community service. The District Attorney’s office also filed a civil Business and Professions Code section 17200 complaint against Solus. On January 29, 2019, a final judgement pursuant to stipulation was filed on Solus Industrial Innovations. The total settlement was for One Million Six Hundred Thousand Dollars ($1,600,000).
BOI CASE NUMBER S1111-069-10PC

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. On 1/29/2019, Nibbelink Masonry entered a nolo contendere plea to violating Labor Code section 6423(a). They were placed on probation and ordered to pay a $10,000 fine. The other counts were dismissed.
<table>
<thead>
<tr>
<th>BOI CASE NUMBER</th>
<th>S1111-007-13RR</th>
</tr>
</thead>
<tbody>
<tr>
<td>EMPLOYER/SUBJECT</td>
<td>C R &amp; R</td>
</tr>
<tr>
<td>DATE REFERRED TO BOI</td>
<td>3/1/2013</td>
</tr>
<tr>
<td>DATE REFERRED TO DA</td>
<td>10/13/2014</td>
</tr>
</tbody>
</table>

**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) and 3301(f)

**FINAL DISPOSITION**

No final prosecution decision.
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.

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.
<table>
<thead>
<tr>
<th>BOI CASE NUMBER</th>
<th>S1111-030-13XC</th>
</tr>
</thead>
<tbody>
<tr>
<td>EMPLOYER\SUBJECT</td>
<td>KTI, Inc., dba Rialto Concrete Products, Inc.</td>
</tr>
<tr>
<td>DATE REFERRED TO BOI</td>
<td>5/30/2013</td>
</tr>
<tr>
<td>DATE REFERRED TO DA</td>
<td>5/19/2015</td>
</tr>
<tr>
<td>SYNOPSIS</td>
<td>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.</td>
</tr>
<tr>
<td>STATUTE/VIOLATIONS</td>
<td>Labor Code section 6425(a)</td>
</tr>
<tr>
<td>T8 CCR SECTIONS</td>
<td>3650 (t)(3), 3650 (t)(5)</td>
</tr>
<tr>
<td>FINAL DISPOSITION</td>
<td>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. The case was dismissed in 2019.</td>
</tr>
</tbody>
</table>
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 led 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).
**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).
<table>
<thead>
<tr>
<th><strong>BOI CASE NUMBER</strong></th>
<th>S1111-013-15XC</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>EMPLOYER\SUBJECT</strong></td>
<td>EGA CO. dba A &amp; B Electric</td>
</tr>
<tr>
<td><strong>DATE REFERRED TO BOI</strong></td>
<td>2/20/2015</td>
</tr>
<tr>
<td><strong>DATE REFERRED TO DA</strong></td>
<td>12/21/2017</td>
</tr>
<tr>
<td><strong>SYNOPSIS</strong></td>
<td>The victim became trapped under a large metal transformer that was being transported.</td>
</tr>
<tr>
<td><strong>STATUTE/VIOLATIONS</strong></td>
<td>Labor Code section 6425(a)</td>
</tr>
<tr>
<td><strong>T8 CCR SECTIONS</strong></td>
<td>3650(t)(33) and 3650(i)(1)</td>
</tr>
<tr>
<td><strong>FINAL DISPOSITION</strong></td>
<td>On February 15, 2018, the Los Angeles District Attorney’s office filed Felony Labor Code section 6425(a) against Jon Scott Kegans. On 2/20/2019, the case was dismissed.</td>
</tr>
</tbody>
</table>
STATE OF CALIFORNIA  
BUREAU OF INVESTIGATIONS

BOI CASE NUMBER  S1111-101-15RF
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  On July 25, 2018, the Los Angeles District Attorney’s office filed two Felony counts of Labor Code section 6425(a) referencing CCR T8 sections 1716.2 and 1509 against Ofir Gabay and Troy Builders Construction & Remodeling, Inc.
<table>
<thead>
<tr>
<th><strong>BOI CASE NUMBER</strong></th>
<th>S1111-115-15RF</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>EMPLOYER/SUBJECT</strong></td>
<td>1) Steeltech Reinforcing Inc; 2) Cobalt Construction Company, 3) Essey Construction Company Inc dba</td>
</tr>
<tr>
<td><strong>DATE REFERRED TO BOI</strong></td>
<td>11/18/2015</td>
</tr>
<tr>
<td><strong>DATE REFERRED TO DA</strong></td>
<td>12/21/2017</td>
</tr>
</tbody>
</table>

**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**
On October 12, 2018, the Los Angeles District Attorney’s office filed five Felony counts of Labor Code section 6425(a) referencing CCR T8 sections 1511(a), 1511(b), 1644(a)(6), 1637(a) and 1509(a) against Steeltech Reinforcing, Inc. and Cobalt Construction Company.
<table>
<thead>
<tr>
<th>BOI CASE NUMBER</th>
<th>S1111-012-16RR</th>
</tr>
</thead>
<tbody>
<tr>
<td>EMPLOYER/SUBJECT</td>
<td>SW Forage LLC</td>
</tr>
<tr>
<td>DATE REFERRED TO BOI</td>
<td>02/16/2016</td>
</tr>
<tr>
<td>DATE REFERRED TO DA</td>
<td>12/21/2017</td>
</tr>
<tr>
<td>SYNOPSIS</td>
<td>The victim was crushed in a hay baler/compactor.</td>
</tr>
<tr>
<td>STATUTE/VIOLATIONS</td>
<td>Penal Code sections 192, 187 and Labor Code section 6425(a)</td>
</tr>
<tr>
<td>T8 CCR SECTIONS</td>
<td>3314(e), 3314(g), 3203(a)(4), 3314(c), 3314(i)(1) and 3328(g)</td>
</tr>
<tr>
<td>FINAL DISPOSITION</td>
<td>No final prosecution decision.</td>
</tr>
</tbody>
</table>
BOI CASE NUMBER
S1110-031-16DC

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
The District Attorney’s office declined to file.
State of California
Bureau of Investigations

BOI Case Number: S1111-047-16RR
Employer/Subject: Hayden Industrial Products LLC
Date Referred to BOI: 7/21/2016
Date Referred to DA: 4/6/2018

Synopsis: The victim, a painter, died from lack of oxygen.

Statute/Violations: Labor Code section 6425

T8 CCR Sections: 5144(i)(8), 5194(h)(2)(E) and 3202(a)(4)

Final Disposition: No final prosecution decision.
BOI CASE NUMBER: S1111-052-16RF
EMPLOYER/SUBJECT: Village Management Services, Inc
DATE REFERRED TO BOI: 08/08/2016
DATE REFERRED TO DA: 12/31/2018
SYNOPSIS: A boom lift tipped over.

STATUTE/VIOLATIONS
Labor Code section 6425(a)

T8 CCR SECTIONS
1509(a), 3328(a)(2), 3638(d) and 3648(l)

FINAL DISPOSITION
On August 1, 2019, the Orange County District Attorney’s office filed Felony Labor Code section 6425(a) against Village Management Services, Inc., referencing CCR Title 8 sections 1509, 3328(a)(2), 3638(d) and 3648(l). Albaro Torres and Israel Mercado Aguila were charged with Felony Labor Code section 6425(a), referencing CCR Title 8 sections 1509, 3328(a)(2), 3638(d) and 3648(l).
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.

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

On September 27, 2019, the Los Angeles District Attorney's office filed a Felony criminal complaint against D&D Construction Specialties, Inc., for violating Penal Code section 192(b), two counts of Labor Code section 6425(a) referencing CCR T8 sections 5157 and 1509, and two counts causing death with prior conviction for violating Labor Code section 6425(c) referencing Los Angeles criminal court case BA384059 conviction on 11/9/2011. Daniel T. Moore was charged with violating Penal Code section 192(b) and two counts of Labor Code section 6425(a). Marty K. Hamilton was charged with violating two counts of Labor Code section 6425(a).
<table>
<thead>
<tr>
<th>BOI CASE NUMBER</th>
<th>S1111-007-17DC</th>
</tr>
</thead>
<tbody>
<tr>
<td>EMPLOYER\SUBJECT</td>
<td>Universal Packaging Systems, Inc dba PakLab</td>
</tr>
<tr>
<td>DATE REFERRED TO BOI</td>
<td>01/23/2017</td>
</tr>
<tr>
<td>DATE REFERRED TO DA</td>
<td>10/22/2018</td>
</tr>
<tr>
<td>SYNOPSIS</td>
<td>The victim fell 33 feet through a skylight.</td>
</tr>
<tr>
<td>STATUTE/ VIOLATIONS</td>
<td>Labor Code section 6425(a)</td>
</tr>
<tr>
<td>T8 CCR SECTIONS</td>
<td>3212(e)</td>
</tr>
<tr>
<td>FINAL DISPOSITION</td>
<td>The District Attorney’s office declined to file.</td>
</tr>
<tr>
<td>BOI CASE NUMBER</td>
<td>S1111-002-18RR</td>
</tr>
<tr>
<td>--------------------------</td>
<td>----------------</td>
</tr>
<tr>
<td>EMPLOYER\SUBJECT</td>
<td>1) Air Engineering Services; 2) Ceco Concrete Construction LLC; 3) Regis Holding LLC</td>
</tr>
<tr>
<td>DATE REFERRED TO BOI</td>
<td>01/05/2018</td>
</tr>
<tr>
<td>DATE REFERRED TO DA</td>
<td>10/22/2018</td>
</tr>
</tbody>
</table>

SYNOPSIS

The victim fell 25 feet.

STATUTE/VIOLATIONS

Labor Code section 6425

T8 CCR SECTIONS

1632(d), 1632(b)(1), 1670(a) and 1509(a)

FINAL DISPOSITION

No final prosecution decision.
The victim, in the process of descending on a boson's chair, fell approximately 80-feet from the top of an 8-story building.

STATUTE/VIOLATIONS
Labor Code section 6425(a)

T8 CCR SECTIONS
3286(a)(1)(B)(4)

FINAL DISPOSITION
No final prosecution decision.
STATE OF CALIFORNIA
BUREAU OF INVESTIGATIONS

BOI CASE NUMBER          S1111-090-18RR
EMPLOYER/SUBJECT 1) Vahe Benlian dba Belian Brothers Construction, Inc; 2) Suren Karapetyan
DATE REFERRED TO BOI 11/07/2018
DATE REFERRED TO DA 10/11/2019

SYNOPSIS
A portable angle grinder with a metal cutoff wheel kicked back slicing the employee’s neck. The employee died as a result of the injury.

STATUTE/VIOLATIONS
Labor Code section 6425(a)

T8 CCR SECTIONS
1509(a)(b), 1512(b), 3395(i), 3328(a)(2), and 3556(a),

FINAL DISPOSITION
No final prosecution decision.
<table>
<thead>
<tr>
<th>BOI CASE NUMBER</th>
<th>S1111-098-18RR</th>
</tr>
</thead>
<tbody>
<tr>
<td>EMPLOYER\SUBJECT</td>
<td>Aardvark Clay &amp; Supplies, Inc.</td>
</tr>
<tr>
<td>DATE REFERRED TO BOI</td>
<td>09/21/2018</td>
</tr>
<tr>
<td>DATE REFERRED TO DA</td>
<td>12/30/2019</td>
</tr>
<tr>
<td>SYNOPSIS</td>
<td>A clay maker was fatally injured while working with a clay extruder.</td>
</tr>
<tr>
<td>STATUTE/VIOLATIONS</td>
<td>Labor Code section 6425(a)</td>
</tr>
<tr>
<td>T8 CCR SECTIONS</td>
<td>4625 and 4184(b)</td>
</tr>
<tr>
<td>FINAL DISPOSITION</td>
<td>No final prosecution decision.</td>
</tr>
</tbody>
</table>
II B

SUMMARY OF CASES REFERRED TO PROSECUTORS IN 2019
AND FINAL COURT DISPOSITIONS IN 2019

-SEVERE INJURY TO 5 OR MORE EMPLOYEES-

(LABOR CODE SECTION 6315.3(c))

NOTE: None in Northern or Southern California for 2019.
II C

SUMMARY OF CASES REFERRED TO PROSECUTORS IN 2019
AND FINAL COURT DISPOSITIONS IN 2019

-REQUESTS FOR PROSECUTION FROM A DIVISION
REPRESENTATIVE/DISCRETIONARY-

(LABOR CODE SECTION 6315.3(c))
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) and 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.
II D

SUMMARY OF CASES REFERRED TO PROSECUTORS IN 2019 AND FINAL COURT DISPOSITIONS IN 2019

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

  (LABOR CODE SECTION 6315.3(c))
<table>
<thead>
<tr>
<th>BOI CASE NUMBER</th>
<th>N1330-029-19RR</th>
</tr>
</thead>
<tbody>
<tr>
<td>EMPLOYER/SUBJECT</td>
<td>KAG Merchant Gas Group LLC</td>
</tr>
<tr>
<td>DATE REFERRED TO BOI</td>
<td>5/24/2019</td>
</tr>
<tr>
<td>DATE REFERRED TO DA</td>
<td>6/11/2019</td>
</tr>
<tr>
<td>SYNOPSIS</td>
<td>An oxygen delivery truck exploded resulting in the driver being seriously injured.</td>
</tr>
<tr>
<td>STATUTE/VIOLATIONS</td>
<td>Labor code sections 6423(a) and 6425(a)</td>
</tr>
<tr>
<td>T8 CCR SECTIONS</td>
<td>3328(C), 3203(a)(6)</td>
</tr>
<tr>
<td>FINAL DISPOSITION</td>
<td>No final prosecution decision.</td>
</tr>
</tbody>
</table>
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.

Labor Code section 6425(a)

1509(a), 2320.2(a) and 2340.2(a)

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).
<table>
<thead>
<tr>
<th>BOI CASE NUMBER</th>
<th>S1330-073-15RF</th>
</tr>
</thead>
<tbody>
<tr>
<td>EMPLOYER/SUBJECT</td>
<td>Johnny Walter Ford dba Dynamo Maintenance &amp; Repair Services</td>
</tr>
<tr>
<td>DATE REFERRED TO BOI</td>
<td>8/5/2015</td>
</tr>
<tr>
<td>DATE REFERRED TO DA</td>
<td>12/21/2017</td>
</tr>
</tbody>
</table>

**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**
On June 12, 2018, the Los Angeles District Attorney's office filed Labor Code section 6425(a), referencing CCR Title 8 section 5417(d) against Johnny Walter Ford.
STATE OF CALIFORNIA
BUREAU OF INVESTIGATIONS

BOI CASE NUMBER       S1331-119-15RF
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     On April 2, 2019, the San Bernardino District Attorney's office filed a
                       Business and Professions Code section 17200 against First Avenue, Inc.
                       dba Highland Commercial Roofing, referencing Labor Code section 6425
                       (a), CCR Title 8 sections 1509(a), 3212(e), 3203(a)(4), and 3203(a)(7).
The victim was trapped in a bag house enclosure.

STATE OF CALIFORNIA
BUREAU OF INVESTIGATIONS

BOI CASE NUMBER S1331-096-17RR
EMPLOYER\SUBJECT Alhambra Foundry Company LTD
DATE REFERRED TO BOI 08/28/2017
DATE REFERRED TO DA 10/22/2018
SYNOPSIS The victim was trapped in a bag house enclosure.

STATUTE/ VIOLATIONS Labor Code section 6425(a)
T8 CCR SECTIONS 3314(g)(2)(a), 3314(i), 3314(c), 5157(d)(1) and 5157(g)
FINAL DISPOSITION No final prosecution decision.
<table>
<thead>
<tr>
<th><strong>BOI CASE NUMBER</strong></th>
<th>S1330-010-18RR</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>EMPLOYER\SUBJECT</strong></td>
<td>Nationwide Plastic Products Inc</td>
</tr>
<tr>
<td><strong>DATE REFERRED TO BOI</strong></td>
<td>02/12/2018</td>
</tr>
<tr>
<td><strong>DATE REFERRED TO DA</strong></td>
<td>10/22/2018</td>
</tr>
<tr>
<td><strong>SYNOPSIS</strong></td>
<td>The victim's arm was trapped in a printing press.</td>
</tr>
<tr>
<td><strong>STATUTE/VIOLATIONS</strong></td>
<td>Labor Code section 6425(a)</td>
</tr>
<tr>
<td><strong>T8 CCR SECTIONS</strong></td>
<td>3314(c), 3314(e), 3314(g)(1), 3314(i)(l) and 3328(e)</td>
</tr>
<tr>
<td><strong>FINAL DISPOSITION</strong></td>
<td>No final prosecution decision.</td>
</tr>
</tbody>
</table>
SUMMARY OF CASES REFERRED TO PROSECUTORS IN 2019 AND FINAL COURT DISPOSITIONS IN 2019

-Severe Exposure-
(DISCRETIONARY INVESTIGATIONS)

(LABOR CODE SECTION 6315.3(d))

NOTE: None in Northern or Southern California for 2019
III A
SUMMARY OF INVESTIGATIONS
COMPLETED IN 2019 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 : S1111-006-17FC

EMPLOYER NAME : Aero Pacific Corporation dba Aero Pacific Manufacturing

T8 CCR VIOLATIONS : 3314(l)

REASON NOT REFERRED : Although a serious accident-related citation was issued, insufficient evidence to establish elements from a criminal perspective.
BOI CASE NUMBER : S1111-091-17FC

EMPLOYER NAME : 1) C & F Foods Inc; 2) Jesse Franco dba Pack-Rite sourcing LLC Packaging Specialties

T8 CCR VIOLATIONS : 3241

REASON NOT REFERRED : Although a serious accident-related citation was issued, insufficient evidence to establish elements from a criminal perspective.
BOI CASE NUMBER : S1111-084-18FC

EMPLOYER NAME : Outfront Media LLC

T8 CCR VIOLATIONS : 3416(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 2019 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 2019.
III C

SUMMARY OF INVESTIGATIONS COMPLETED IN 2019
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 2019
III D

SUMMARY OF INVESTIGATIONS COMPLETED IN 2019 BUT NOT REFERRED FOR PROSECUTION

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

(LABOR CODE SECTION 6315.3(d))

NOTE: None in Northern or Southern California for 2019