

State of California

Division of Occupational Safety and Health
Cal/OSHA High Hazard Unit (0950662;4502)
2000 East McFadden Street, Suite 111
Santa Ana, CA 92705

Inspection Number: 314757139
Inspection Dates: 08/02/2011 -
Issuance Date: 01/13/2012
CSHO ID: A8982
Optional Inspection Nbr: 008-012



Citation and Notification of Penalty

Company Name: TRI-STATE STAFFING, INC.
Inspection Site: 15835 SAN ANTONIO AVE, CHINO, CA 91708

Citation 1 Item 1 Type of Violation: General

§2500.10. Pull at Joints and Terminals.

(a) Flexible cords and cables shall be connected to devices and fittings so that strain relief is provided which will prevent pull from being directly transmitted to joints or terminal screws.

The employer had several flexible electrical cords located along the loading docks (door 222,237 and others) that were being used by employees to provide power to several different types of equipment. The flexible cords outer sheath has pulled loose from the plug causing a strain to be transferred to the terminal ends of the cord.

Date By Which Violation Must be Abated: 02/12/2012
Proposed Penalty: \$ 420.00

Citation 1 Item 2 Type of Violation: General

§3385. Foot Protection.

(a) Appropriate foot protection shall be required for employees who are exposed to foot injuries from electrical hazards, hot, corrosive, poisonous substances, falling objects, crushing or penetrating actions, which may cause injuries or who are required to work in abnormally wet locations.

The employer requires employees to wear safety shoes while working within the facility but failed to provide safety shoes for their employees. Employee are required to provide their own safety shoes without employer reimbursement.

Date By Which Violation Must be Abated: 02/12/2012
Proposed Penalty: \$ 375.00

See pages 1 through 4 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.

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Company Name: TRI-STATE STAFFING, INC.
Inspection Site: 15835 SAN ANTONIO AVE, CHINO, CA 91708

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

§3577. Protection Devices.

(e) Work rests. On offhand grinding machines, work rests shall be used to support the work. They shall be of rigid construction and designed to be adjustable to compensate for wheel wear. Work rests shall be kept adjusted closely to the wheel with a maximum opening of one-eighth inch. The work rest shall be secured after each adjustment. The adjustment shall not be made with the wheel in motion.

The employer has a Ryobi 6 inch bench grinder with an attached tool rest located in the maintenance shop that is used by employees. The work rest was measured with an opening of one quarter of an inch from the wheel.

Date By Which Violation Must be Abated: 02/12/2012
Proposed Penalty: \$ 280.00

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Company Name: TRI-STATE STAFFING, INC.
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Citation 1 Item 4 Type of Violation: **General**

§3578. Permissible Wheel Exposure for Periphery Grinding.

(g) Exposure Adjustment. Guards of the types described in subsections (a) and (b) of this section where the operator stands in front of the opening, shall be constructed so that the peripheral protecting member can be adjusted to the constantly decreasing diameter of the wheel. The maximum angular exposure above the horizontal plane of the wheel spindle as specified in subsections (a) and (b) of this section shall never be exceeded, and the distance between the wheel periphery and the adjustable tongue or the end of the peripheral member at the top shall never exceed one-fourth inch. (See Figures A-7, 8, 9, 10, 11, and 12 of Appendix B.)

The employer has a Ryobi 6 inch bench grinder with an attached tongue guard located in the maintenance shop that is used by employees. The tongue guard opening was measured with an opening of one half of an inch from the wheel.

Date By Which Violation Must be Abated: 02/12/2012
Proposed Penalty: \$ 280.00

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Citation and Notification of Penalty

Company Name: TRI-STATE STAFFING, INC.
Inspection Site: 15835 SAN ANTONIO AVE, CHINO, CA 91708

Citation 1 Item 5 Type of Violation: General

§3203. Injury and Illness Prevention Program.

(a) Effective July 1, 1991, every employer shall establish, implement and maintain an effective Injury and Illness Prevention Program (Program). The Program shall be in writing and, shall, at a minimum:

(4) Include procedures for identifying and evaluating work place hazards including scheduled periodic inspections to identify unsafe conditions and work practices. Inspections shall be made to identify and evaluate hazards. (A) When the Program is first established;

EXCEPTION: Those employers having in place on July 1, 1991, a written Injury and Illness Prevention Program complying with previously existing section 3203.

(B) Whenever new substances, processes, procedures, or equipment are introduced to the workplace that represent a new occupational safety and health hazard; and

(C) Whenever the employer is made aware of a new or previously unrecognized hazard.

(6) Include methods and/or procedures for correcting unsafe or unhealthy conditions, work practices and work procedures in a timely manner based on the severity of the hazard:

(A) When observed or discovered; and,

(B) When an imminent hazard exists which cannot be immediately abated without endangering employee(s) and/or property, remove all exposed personnel from the area except those necessary to correct the existing condition. Employees necessary to correct the hazardous condition shall be provided the necessary safeguards.

(7) Provide training and instruction:

(A) When the program is first established;

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Citation and Notification of Penalty

Company Name: TRI-STATE STAFFING, INC.
Inspection Site: 15835 SAN ANTONIO AVE, CHINO, CA 91708

EXCEPTION: Employers having in place on July 1, 1991, a written Injury and Illness Prevention Program complying with the previously existing Accident Prevention Program in Section 3203.

(B) To all new employees;

(C) To all employees given new job assignments for which training has not previously been received;

(D) Whenever new substances, processes, procedures or equipment are introduced to the workplace and represent a new hazard;

(E) Whenever the employer is made aware of a new or previously unrecognized hazard; and,

(F) For supervisors to familiarize themselves with the safety and health hazards to which employees under their immediate direction and control may be exposed.

The employer failed to implement and/or failed to ensure implementation of the required elements of an Injury and Illness Prevention Program including but not limited to:

1. The employer failed to identify and evaluate a variety of hazards including but not limited to the hazard of occupational heat exposure and heat illness for employees exposed to the risk of heat illness. Reference §3203(a)(4).
2. The employer failed to establish and implement procedures for correcting the hazard of occupational heat exposure and heat illness. Reference §3203(a)(6) and §5193(f).
3. The employer failed to provide training on the hazard of occupational heat exposure and heat illness before employees were exposed to the risk of heat illness. Reference §3203(a)(7) and §5193(f).

Date By Which Violation Must be Abated:
Proposed Penalty:

02/12/2012
\$ 700.00

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Citation and Notification of Penalty

Company Name: TRI-STATE STAFFING, INC.
Inspection Site: 15835 SAN ANTONIO AVE, CHINO, CA 91708

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

§2340.24. Discontinued Circuits.

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

The employer had an electrical motor controller mounted on the wall with an opening in the face of the box. The electrical circuit was not live but was not being maintained as if it were in use.

Date By Which Violation Must be Abated: 02/12/2012
Proposed Penalty: \$ 185.00

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

§2500.25. Maintenance of Outer Sheath.

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

At the time of the inspection employees were observed using an employer provided flexible electrical cord to power a fan that was being used to cool a work location. The electrical cord was severely damaged exposing the inner conductors. The electrical cord was also lying against a metal fence.

Date By Which Violation Must be Abated: 02/12/2012
Proposed Penalty: \$ 750.00

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Citation and Notification of Penalty

Company Name: TRI-STATE STAFFING, INC.
Inspection Site: 15835 SAN ANTONIO AVE, CHINO, CA 91708

Citation 2 Item 1 Type of Violation: Serious

§3656. Order Pickers and Stock Pickers.

(e) Where a clearance restriction or the nature of the work prohibits the use of standard guardrails, and the employee is exposed to a fall of 4 feet or more, a personal fall arrest system, a personal fall restraint system or positioning device system as defined in Section 3207 of these Orders shall be used in accordance with the requirements of Section 1670 of the Construction Safety Orders as an alternative means of protecting employees from falling. The lanyard length for a personal fall arrest system shall be such that the operator has freedom of movement in the working area, but shall be rigged such that an employee can neither free fall more than 4 feet nor contact any lower level. Lanyards shall be so arranged as not to cause a condition where the operator could trip on the lanyard.

REF: 1670. Personal Fall Arrest Systems, Personal Fall Restraint Systems and Positioning Devices.
(b) Personal fall arrest systems and their use shall comply with the provisions set forth below. Effective January 1, 1998, except as permitted in subsections (c) and (d), body belts shall not be used as part of a personal fall arrest system.
(15) Personal fall arrest systems shall be inspected prior to each use for wear, damage, and other deterioration, and defective components shall be removed from service.

REF: 1670. Personal Fall Arrest Systems, Personal Fall Restraint Systems and Positioning Devices.
(b) Personal fall arrest systems and their use shall comply with the provisions set forth below. Effective January 1, 1998, except as permitted in subsections (c) and (d), body belts shall not be used as part of a personal fall arrest system.
(19) Each personal fall arrest system shall be inspected not less than twice annually by a competent person in accordance with the manufacturer's recommendations. The date of each inspection shall be documented.

At the time of the inspection employees were observed using employer provided harnesses and lanyards (personal fall arrest system)while operating stock pickers. The employees had not been trained and did not inspect the (personal fall arrest system)prior to each use for wear, damage, and other deterioration. REF: §1670(b)(15)

At the time of the inspection employees were observed using employer provided harnesses and lanyards (personal fall arrest system)while operating stock pickers. The employer did not ensure

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Company Name: TRI-STATE STAFFING, INC.
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that each personal fall arrest system was being inspected not less than twice annually by a competent person in accordance with the manufacturer's recommendations. The date of each inspection was not being documented. REF: §1670(b)(19)

Date By Which Violation Must be Abated: 01/20/2012
Proposed Penalty: \$ 11250.00

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Company Name: TRI-STATE STAFFING, INC.
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Citation 3 Item 1 Type of Violation: **Serious**

§3241. Live Loads.

(c) Material, wherever stored, shall not create a hazard. It shall be limited in height and shall be piled, stacked, or racked in a manner designed to prevent it from tipping, falling, collapsing, rolling or spreading. Racks, bins, planks, sleepers, bars, strips, blocks, sheets, shall be used where necessary to make the piles stable.

Several stacks of stored material in excess of 8 feet high located in the south west corner of the facility near roll-up door (E) were tipping and some had fallen over due to improper stacking. Employees access the storage area while working.

Date By Which Violation Must be Abated: 01/20/2012
Proposed Penalty: \$ 9000.00

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Company Name: TRI-STATE STAFFING, INC.
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Citation 4 Item 1 Type of Violation: **Serious**

§5185. Changing and Charging Storage Batteries.

(1) Facilities for quick drenching or flushing of the eyes and body shall be provided unless the storage batteries are:

- (1) equipped with explosion resistant or flame arrestor type vents; or
- (2) located in a compartment or other location such as to preclude employee exposure.

The employer has a large forklift battery charging area located in the south west corner of the building and a charging area located in the maintenance shop. Both areas were not equipped with an emergency eyewash for the flushing of the eyes that met ANSI requirements. Both areas were not equipped with an emergency shower unit for the quick drenching of the body. REF:§5162

Date By Which Violation Must be Abated: 01/20/2012
Proposed Penalty: \$ 6750.00

See pages 1 through 4 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.

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Citation and Notification of Penalty

Company Name: TRI-STATE STAFFING, INC.
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Citation 5 Item 1 Type of Violation: **Serious**

§4353. Stationary Compaction Equipment and Balers.
(g) Compaction equipment shall be provided with a locking system to prevent unauthorized operation.

The employers green bailer located next to the maintenance shop has a locking system but the employer failed to ensure that the key was removed when left unattended to prevent unauthorized operation.

Date By Which Violation Must be Abated: 01/20/2012
Proposed Penalty: \$ 4500.00

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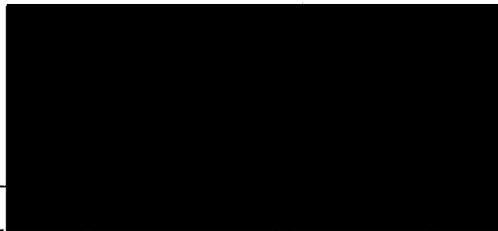
Citation 6 Item 1 Type of Violation: **Serious**

§3650. Industrial Trucks. General.

(t) Industrial trucks and tow tractors shall be operated in a safe manner in accordance with the following operating rules:(9) Vehicles shall not exceed the authorized or safe speed, always maintaining a safe distance from other vehicles, keeping the truck under positive control at all times and all established traffic regulations shall be observed. For trucks traveling in the same direction, a safe distance may be considered to be approximately 3 truck lengths or preferably a time lapse -3 seconds -passing the same point.

The employer failed to establish an authorized or safe speed for forklifts (industrial truck). On August 2nd, 2011 several forklift operators were observed traveling at a high rate of speed.

Date By Which Violation Must be Abated: 01/20/2012
Proposed Penalty: \$ 9000.00



Compliance Officer/District Manager

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State of California
Division of Occupational Safety and Health
Cal/OSHA High Hazard Compliance Unit
2000 East McFadden Avenue, Suite 111
Santa Ana, CA 92705
Tel (714) 567-7100 Fax (714) 567-6074

NOTICE OF PROPOSED PENALTIES

Company Name: TRI-STATE STAFFING, INC.
Inspection Site: 15835 SAN ANTONIO AVE, CHINO, CA 91708
Mailing Address: 15835 FERN AVE, CHINO, CA 91710
Issuance Date: 01/13/2012
Reporting ID: 0950662
Index Code: 4502

Summary of Penalties for Inspection Number 314757139

Citation 1, General	= \$	2990.00
Citation 2, Serious	= \$	11250.00
Citation 3, Serious	= \$	9000.00
Citation 4, Serious	= \$	6750.00
Citation 5, Serious	= \$	4500.00
Citation 6, Serious	= \$	9000.00
TOTAL PROPOSED PENALTIES	= \$	43490.00

Penalties are due within 15 working days of receipt of this notification unless contested. If you are appealing any item of this citation, remittance is still due on all items that are not appealed. Enclosed for your use is a Penalty Remittance Form.

If you are paying electronically: Please have this form on-hand when you are ready to make your payment. The company name, index code, reporting ID and Citation number(s) will be required to ensure that the payment is accurately posted to your account. Please go to www.dir.ca.gov/dosh to access the secure payment processing site.

If you are paying by check: Mail this Notice of Proposed Penalties, the Penalty Remittance Form, along with a copy of the Citation and Notification of Penalty to:

**DEPARTMENT OF INDUSTRIAL RELATIONS
CASHIER, ACCOUNTING OFFICE**
