

State of California

Department of Industrial Relations
 Division of Occupational Safety and Health
 Bakersfield District Office
 7718 Meany Avenue
 Bakersfield, CA 93308
 Phone: (661) 588-6400 Fax: (661) 588-6428

Inspection #: 1477159
Inspection Dates: 06/02/2020 – 01/11/2021
Issuance Date: 01/12/2021
CSHO ID: U6267
Optional Report #: 039-20

**Citation and Notification of Penalty**

Company Name: Grimmway Enterprises, Inc.

Establishment DBA:

and its successors

Inspection Site: Highway 115 & Hoyt Rd.
 Holtville, CA 92250

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

California Code of Regulations, Title 8, Section 3203(a)(6) 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: [...]

(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.

Alleged Violation Description (AVD):

Prior to and during the course of the Division's inspection, including, but not limited to, on May 13, 2020, the employer failed to implement and maintain an effective Injury and Illness Prevention Program (IIPP) in that it did not implement methods or procedures to correct unhealthy conditions or work practices relating to COVID-19 that affected its employees who were working outside harvesting carrots, including but not limited to:

Instance 1: The lack of physical distancing among employees, including, but not limited to the following locations:

a) Inside the cab of the carrot harvester where two employees were working within six feet of each other, and

b) Inside the work van that transported employees to and from the workplace where employees were seated within six feet of each other;

Instance 2: Permitting employees who were potentially ill and/or were infected with SARS-CoV-2 (the virus that causes COVID-19) to enter the workplace; and

Instance 3: Permitting employees who complained of and exhibited signs and symptoms of COVID-19 to enter and remain at the workplace.

Date By Which Violation Must be Abated:

January 27, 2021

Proposed Penalty:

\$15,300.00

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

California Code of Regulations, Title 8, Section 3203(a)(7) Injury and Illness Prevention Program.

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

(7) Provide training and instruction:

(A) When the program is first established;

(B) To all new employees;

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

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

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

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

Alleged Violation Description (AVD):

Prior to and during the course of the Division's inspection, including, but not limited to, on May 13, 2020, the employer failed to provide effective training and instruction regarding the new occupational hazard of COVID-19, including but not limited to, training and instruction on how the virus is spread, measures to avoid infection, signs and symptoms of infection, and how to safely use cleaners and disinfectants, how and when to report symptoms and illness to management, and the employer's plan to control and prevent virus transmission.

Date By Which Violation Must be Abated:

January 27, 2021

Proposed Penalty:

\$15,300.00

Efren Gomez
 Compliance Officer / District Manager