

**DIVISION OF OCCUPATIONAL SAFETY AND
HEALTH BUREAU OF INVESTIGATIONS
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OAKLAND, CA 94612**

**2024 ANNUAL REPORT
OF THE BUREAU
OF INVESTIGATIONS
(LABOR CODE SECTION 6315.3)**

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**EXECUTIVE SUMMARY OF ALLOCATION OF BUREAU
RESOURCES DURING CALENDAR YEAR 2024
(Labor Code section 6315.3(e))**

STAFFING

In 2024, the Bureau of Investigations (Bureau) was staffed by the Administrative Chief, two attorneys, and an investigatory staff composed of one Supervising Special Investigator II (Chief Investigator), two Supervising Special Investigators, and nine Special Investigators. The Chief Investigator, two Supervising Special Investigators, and eight of the Special Investigator positions were hired in 2024. The staff are in Sacramento, Oakland, Redding, Modesto, Fresno, Bakersfield, Los Angeles, Riverside, and San Diego.

BUREAU ORGANIZATIONAL STRUCTURE AND STATUTORY MANDATES

The supervisor of the Bureau is designated the Administrative Chief pursuant to Labor Code section 6315(c). The Administrative Chief of the Bureau shall be an attorney and reports to the Chief of the Division of Occupational Safety and Health (DOSH or Cal/OSHA).

The Bureau exists as an entity within Cal/OSHA. 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 DOSH'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 investigate, 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 responsible for reviewing all inspection reports involving serious injuries in which fewer than five employees have suffered a serious injury or serious exposure. The Bureau is vested with the discretion to conduct investigations in such cases.

In all cases, the focus of the Bureau's investigative activity is on determining whether criminal violations have occurred. Principally, the Bureau determines whether any of the provisions of Labor Code sections 6423 and 6425, or certain Penal Code or Insurance Code provisions, have been violated. The Bureau closes cases that do not rise to the level of reasonable belief to satisfy the elements of a criminal violation.

MEASURES, TRENDS, AND ACTIVITIES

As of December 31, 2024, 336 investigations were in progress. This number includes 267 cases in progress as of January 1, 2024, plus 282 cases opened during the calendar year, minus 213 cases closed and referred. During the 2024 calendar year, the Bureau referred eight cases to prosecuting authorities. In 2024, the Los Angeles District Attorney's Office filed charges in one case referred by BOI from a prior calendar year. The Bureau closed 205 cases in 2024; 35 were closed after a field investigation due to lack of sufficient evidence of criminal violation ("field closure"), and 170 were closed after an administrative investigation because no serious accident-related citations were issued by Cal/OSHA ("administrative closure").

Following this Executive Summary, a General Summary Table provides an overview of Bureau activity for the period 1/1/2022 to 12/31/2024. Over the past year, the Bureau prioritized cases most likely to result in criminal charges. The Bureau 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 serious 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 participates in local law enforcement task forces and meets with prosecuting authorities to strengthen lines of communication and ensure timely action on referred cases.

CONCLUSION

As demonstrated above and in the documents appended after this Executive Summary, the Bureau had significant successes in the calendar year 2024. There were 11 positions filled in 2024, giving the Bureau the ability to investigate more cases than it did in 2023. The Bureau prioritized resources and concentrated on the most criminally egregious cases. The Bureau continued its outreach to prosecutorial agencies throughout California. Based on these continuing efforts, the Bureau hopes to have a significant deterrent impact on other potential violators in the state.

There was one significant prosecution in 2024:

On February 14, 2024, the Los Angeles County District Attorney's Office convicted Warren Lee, owner of Value Plus Global, for violating one count of Labor Code Section 6425(a) referencing California Code of Regulations (CCR), Title 8 (T8), Section 3650(t)(4), causing fatal injuries to an employee who, while standing on a raised forklift, fell approximately 13 feet. Lee was sentenced to 6 months of probation and ordered to pay restitution to the victim's family in addition to court fines.

**DIVISION OF OCCUPATIONAL SAFETY AND HEALTH
BUREAU OF INVESTIGATIONS**

**General Summary Table
(1/1/2024 – 12/31/2024, 1/1/2023 – 12/31/2023, and 1/1/2022 – 12/31/2022)**

Year	Cases Opened ¹						Cases Closed by BOI ²			Cases Referred to D.A. ³						Cases Rejected by D.A. ⁴	Cases Pending D.A. Decision ⁵	Cases Charged by D.A. ⁶
	Total	A	B	C	D	E	Total	F	G	Total	H	I	J	K	L			
2024	282	274	0	1	6	1	205	170	35	8	7	0	0	1	0	2	11	1
*2023	265	264	0	1	0	0	159	157	2	4	4	0	0	0	0	3	4	3
2022	258	256	0	1	0	1	777	712	65	3	3	0	0	0	0	2	7	7

¹ Opened 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.

² 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.

³ These 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.

⁴ 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.

⁵ 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.

⁶ 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.

* For the 2023 Annual Report numbers, they changed slightly due to the enhancements with the new case management system and the new numbers are correct.

IA
SUMMARY OF REPORTS
PROVIDED TO THE BUREAU
(LABOR CODE SECTION 6315.3(a))
NORTHERN AND SOUTHERN BUREAU
OFFICES Calendar Year 2024

	TOTALS
INITIAL ACCIDENT REPORTS	2,309
INVESTIGATION REPORTS	
A. Fatalities	274
B. Serious Injury Suffered by Five or More Employees	0
C. Requests for Prosecution from a Division Representative	1
D. Serious Injury Suffered by Fewer Than Five Employees (Discretionary)	2,033
E. Serious Exposure (Discretionary)	1

IB

**TOTALS FOR CALENDAR YEAR 2024
(LABOR CODE SECTIONS 6315.3(b)(1) and (2))**

A.	<u>FATALITIES</u> (Labor Code section 6315.3(b)(1))	<u>TOTALS</u>
	1. Investigations In Progress January 1, 2024:	266
	2. Court Cases In Progress January 1, 2024:	6
	3. Investigations Completed in Calendar Year:	204
	4. Cases Referred During Calendar Year:	7
	5. Investigations In Progress as of December 31, 2024:	329
	6. Court Cases In Progress as of December 31, 2024:	5

IB

TOTALS FOR CALENDAR YEAR 2024

(LABOR CODE SECTIONS 6315.3(b)(1) and (2))

B.	<u>SERIOUS INJURIES TO FIVE OR MORE EMPLOYEES</u>	<u>TOTALS</u>
	(Labor Code section 6315.3(c))	
	1. Investigation In Progress January 1, 2024:	0
	2. Court Cases In Progress January 1, 2024:	0
	3. Investigations Completed in Calendar Year:	0
	4. Cases Referred During Calendar Year:	0
	5. Investigations In Progress as of December 31, 2024:	0
	6. Court Cases In Progress as of December 31, 2024:	0

IB

TOTALS FOR CALENDAR YEAR 2024

(LABOR CODE SECTIONS 6315.3(b)(1) and (2))

	<u>TOTALS</u>
C. <u>REQUEST FOR PROSECUTION FROM A DIVISION</u>	
<u>REPRESENTATIVE/DISCRETIONARY</u>	
(Labor Code section 6315.3(c))	
1. Investigation In Progress January 1, 2024:	1
2. Court Cases In Progress January 1, 2024:	0
3. Investigations Completed in Calendar Year:	0
4. Cases Referred During Calendar Year:	0
5. Investigations In Progress as of December 31, 2024:	1
6. Court Cases In Progress as of December 31, 2024:	1

IB

TOTALS FOR CALENDAR YEAR 2024
(LABOR CODE SECTIONS 6315.3(b)(1) and (2))

D.	<u>SERIOUS INJURY TO FEWER THAN FIVE EMPLOYEES</u>	<u>TOTALS</u>
	(Labor Code section 6315.3(c))	
	1. Investigation In Progress January 1, 2024:	0
	2. Court Cases In Progress January 1, 2024:	0
	3. Investigations Completed in Calendar Year:	1
	4. Cases Referred During Calendar Year:	1
	5. Investigations In Progress as of December 31, 2024:	5
	6. Court Cases In Progress as of December 31, 2024:	1

IB

**TOTALS FOR CALENDAR YEAR 2024
(LABOR CODE SECTIONS 6315.3(b)(1) and (2))**

E.	<u>SERIOUS EXPOSURE (DISCRETIONARY)</u> (Labor Code section 6315.3(d))	<u>TOTALS</u>
	1. Investigation In Progress January 1, 2024:	0
	2. Court Cases In Progress January 1, 2024:	0
	3. Investigations Completed in Calendar Year:	0
	4. Cases Referred During Calendar Year:	0
	5. Investigations In Progress as of December 31, 2024:	1
	6. Court Cases In Progress as of December 31, 2024:	0

II A

SUMMARY OF CASES REFERRED TO PROSECUTORS IN 2024
AND FINAL COURT DISPOSITIONS IN 2024
AND SUMMARY OF FIELD CLOSURES WITH SERIOUS
CITATIONS IN 2024
-FATALITIES-

(LABOR CODE SECTION 6315.3(c) and (d)

STATE OF CALIFORNIA
BUREAU OF INVESTIGATIONS

BOI CASE NUMBER N1110-004-23RR

EMPLOYER/SUBJECT California Terra Garden, Inc

DATE REFERRED TO BOI 01/26/2023

DATE REFERRED TO DA 02/23/2024

SYNOPSIS On January 24th, the Foster City District Office was notified by Concord Farm that three employees were deceased on January 23rd in Half Moon Bay. The three employees were victims of a shooting by a former employee.

STATUTES/VIOLATIONS Labor Code Section 6315(i)

T8 CCR SECTIONS 3203

FINAL DISPOSITION No final prosecution decision.

STATE OF CALIFORNIA
BUREAU OF INVESTIGATIONS

BOI CASE NUMBER	N1110-005-23RR
EMPLOYER/SUBJECT	Concord Farms, Inc.
DATE REFERRED TO BOI	01/27/2023
DATE REFERRED TO DA	02/23/2024
SYNOPSIS	On January 24th, the Foster City District Office was notified by Concord Farm that three employees were deceased on January 23rd in Half Moon Bay. The three employees were victims of a shooting by a former employee.
STATUTES/VIOLATIONS	LC Section 6315(i).
T8 CCR SECTIONS	3203(A)
FINAL DISPOSITION	No final prosecution decision.

STATE OF CALIFORNIA
BUREAU OF INVESTIGATIONS

BOI CASE NUMBER N1110-019-23RR

EMPLOYER/SUBJECT Carone & Company, Inc. dba Diablo Valley Rock

DATE REFERRED TO BOI 03/15/2023

DATE REFERRED TO DA 12/30/2024

SYNOPSIS DOSH American Canyon District Office was notified of a fatality on 3/15/2023 at 3:03 pm, by the employer, Carone & Company Inc., located at 925 Waterbird Way Martinez, Contra Costa County. The employee was run over by an earth moving vehicle.

STATUTES/VIOLATIONS PC Section 192(b), LC Sections 6315(g) and 6425(a)

T8 CCR SECTIONS 3203, 3666(a)

FINAL DISPOSITION No final prosecution decision.

STATE OF CALIFORNIA
BUREAU OF INVESTIGATIONS

BOI CASE NUMBER N1110-022-21RR

EMPLOYER/SUBJECT Kristich Monterey Pipe Company

DATE REFERRED TO BOI 01/25/2021

DATE REFERRED TO DA 03/24/2024

SYNOPSIS January 23, 2021, DOSH Fremont District Office was notified by Monterey County Coroner and Kristich Monterey Pipe Co. of a fatality in Royal Oaks. A laborer was cleaning inside a cement mixer when the machine started up causing fatal injuries.

STATUTES/VIOLATIONS LC Section 6315(i)

T8 CCR SECTIONS 3314(c), 3314(g)(2)(A), 3328(g)

FINAL DISPOSITION No final prosecution decision.

STATE OF CALIFORNIA
BUREAU OF INVESTIGATIONS

BOI CASE NUMBER N1110-088-23RR

EMPLOYER/SUBJECT Darcy & Harty Construction, Inc

DATE REFERRED TO BOI 10/05/2023

DATE REFERRED TO DA 05/03/2024

SYNOPSIS DOSH San Francisco was notified by the employer of a fatality that occurred in the City of San Francisco on 09/28/2023. According to the employer, employee was standing on a trench when it collapsed and died on the scene.

STATUTES/VIOLATIONS LC Section 6315(i)

T8 CCR SECTIONS 1541 (i) (3), 1541 (k) (1), 1541 (c) (2) (A), 1541 (d) (2), 1541 (c) (2), 1541.1 (a) (1)

FINAL DISPOSITION No final prosecution decision.

STATE OF CALIFORNIA
BUREAU OF INVESTIGATIONS

BOI CASE NUMBER	S1110-033-23RR
EMPLOYER/SUBJECT	C H D S, Inc dba Curtis Drilling Co
DATE REFERRED TO BOI	04/28/2023
DATE REFERRED TO DA	12/17/2024
SYNOPSIS	On April 28th, 2023, DOSH Long Beach District Office was notified of a fatality in the city of Santa Fe Springs. Curtis Drilling Company was drilling with an auger for caissons when a skid steer came around the corner and pinned employee between auger and skid steer.
STATUTES/VIOLATIONS	LC Sections 6315(g) and 6425(a)
T8 CCR SECTIONS	1509(a), 3328(b), 1592(e)
FINAL DISPOSITION	No final prosecution decision.

STATE OF CALIFORNIA
BUREAU OF INVESTIGATIONS

BOI CASE NUMBER S1110-057-23RR

EMPLOYER/SUBJECT Chalmers Construction Services, Inc; KNA Construction Inc.

DATE REFERRED TO BOI 06/07/2023

DATE REFERRED TO DA 12/17/2024

SYNOPSIS On June 7, 2023, DOSH Van Nuys District Office was notified by LA City Fire department of a fatality and two serious injuries involving the employees of a construction contractor, occurring in Pacoima. Three employees were performing excavation underneath the foundation of a retaining wall when the wall collapsed. As a result, two employees sustained serious injuries, and one employee was pronounced dead at the scene.

STATUTES/VIOLATIONS LC Sections 6315(g) and 6425(a)

T8 CCR SECTIONS 1541(i), 1541(k)(1)

FINAL DISPOSITION No final prosecution decision.

STATE OF CALIFORNIA
BUREAU OF INVESTIGATIONS

BOI CASE NUMBER N1330-065-24RR

EMPLOYER/SUBJECT Wilkinson Construction Inc., Global Steel Fabricators Inc.

DATE REFERRED TO BOI 09/19/2024

DATE REFERRED TO DA 09/19/2024

SYNOPSIS On December 20, 2023, the employer failed to ensure that a defective or damaged plank on the Whalen Jack bracket scaffold was not used and removed from service. As a result, an employee was seriously injured as he fell approximately 10 feet 6 inches when the plank on the scaffold failed and broke apart.

STATUTES/VIOLATIONS LC 6315(i) and Section 6425(a)

T8 CCR SECTIONS 1645(d)(3), 1637(f)(6), 1637(f)(7)

FINAL DISPOSITION No final prosecution decision.

STATE OF CALIFORNIA
BUREAU OF INVESTIGATIONS

BOI CASE NUMBER S1110-129-18PC

EMPLOYER/SUBJECT Warren Lee dba Value Plus Global, Valueplus Logistics, Inc

DATE REFERRED TO BOI 12/24/2018

DATE REFERRED TO DA 01/19/2023

SYNOPSIS On 12/21/2018, the victim was standing on a raised forklift fork, approximately 13 feet high, to access shelving racks and retrieve a product when he fell to the concrete floor, causing fatal injuries.

STATUTES/VIOLATIONS LC Sections 6315(g) and 6425

T8 CCR SECTIONS 3650(t)(4), 3668(a)(1), 3650(s)

FINAL DISPOSITION On February 14, 2024, defendant, Warren Lee, entered a plea of No contest to one misdemeanor count of Labor Code section 6425(a). The defendant was sentenced to six months of probation and ordered to pay fines and restitution.

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

BOI CASE NUMBER N1110-039-22FC

EMPLOYER NAME All-Tex, Inc dba Inline Distributing Company,
Hanover R.S. Construction LLC,
LF Staffing Services, Inc dba Labor Finder,
San Gabriel Temporary Staffing Services, LLC dba Labor Max
Staffing,
Vincent Contractors, Inc dba Trencore Plastering, Inc

SYNOPSIS On April 4, 2022, DOSH American Canyon District Office,
received a fatality by phone. The Director of Health and Safety
for Labor Max Staffing dba Labor Max, in Walnut Creek, CA.
Employee, construction laborer, 62, was fatally struck by a
garbage truck.

STATUTES/VIOLATIONS LC Sections 6315(g) and 6425(a)

T8 CCR SECTIONS 1509(a), 1599(g), 1598(a), 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	S1110-134-22FC
EMPLOYER NAME	Jilk Heavy Construction
SYNOPSIS	On November 4, 2022, 9:05 AM, the Rialto Police Department notified DOSH of a fatality. At approximately 9:00 AM, an employee was working, on foot, assisting in the staging of telephone poles when a pole rolled off the forks of a PIT and crushed him.
STATUTES/VIOLATIONS	LC Sections 6315(g) and 6425(a)
T8 CCR SECTIONS	3668(a)(1), 3650(t)(13), 3650(t)(28)
REASON NOT REFERRED	Although a serious accident-related citation was issued, insufficient evidence to establish elements from a criminal perspective.