

State of California

Department of Industrial Relations
Division of Occupational Safety and Health
Foster City District Office
1065 East Hillsdale Blvd, Suite 110
Foster City, CA 94404
Phone: (650) 573-3812 Fax: (650) 573-3817

Inspection #: 1482004
Inspection Dates: 07/06/2020 - 08/28/2020
Issuance Date: 08/28/2020
CSHO ID: W1289
Optional Report #: 004-21

**Citation and Notification of Penalty**

Company Name: M & J Williams Inc.
Establishment DBA: Grocery Outlet Bargain Market
and its successors
Inspection Site: 3520 Homestead Road
Santa Clara, CA 95050

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

Title 8 CCR §3203(a). 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;

(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.

Prior to, and during the course of the inspection, including, but not limited to, on July 6, 2020, the employer failed to effectively implement procedures to correct unhealthy conditions relating to COVID-19 created by individuals releasing infectious or potentially-infectious particles into the air when speaking, coughing, or sneezing, in that the employer did not install physical barriers at the checkout registers in the workplace.

Or, in the alternative:

Title 8 CCR §5141(a). Control of Harmful Exposure to Employees.

(a) Engineering Controls. Harmful exposures shall be prevented by engineering controls whenever feasible.

Prior to, and during the course of the inspection, including, but not limited to, on July 06, 2020, the employer failed to prevent harmful exposures of employees to infectious or potentially infectious airborne particles by ensuring the use of engineering controls to prevent the spread of COVID-19, including, but not limited to, plexiglass screens or other physical barriers to limit contact and block potentially infectious particles from being released at the checkout registers when a person breathes, speaks, coughs, or sneezes.

Date By Which Violation Must be Abated:	Corrected During Inspection
Proposed Penalty:	\$2025.00

Kamal Bhatia / Barbara Kim
Compliance Officer / District Manager