

**State of California**

Department of Industrial Relations  
Division of Occupational Safety and Health  
Van Nuys District Office  
6150 Van Nuys Blvd, Suite 405  
Van Nuys, CA 91401  
Phone: (818) 901-5403 Fax: (818) 901-5578

**Inspection #:** 1476202  
**Inspection Dates:** 05/26/2020 - 09/24/2020  
**Issuance Date:** 09/24/2020  
**CSHO ID:** O6260  
**Optional Report #:** 017-20



**Citation and Notification of Penalty**

**Company Name:** Ralphs #222  
**Establishment DBA:** and its successors  
**Inspection Site:** 14049 Ventura Blvd.  
Sherman Oaks, CA 91423

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

Title 8, California Code of Regulations, Section 14300.7(b)(1)(B). General Recording Criteria.

(b) Implementation.

(1) How do I decide if a case meets one or more of the general recording criteria? A work-related injury or illness must be recorded if it results in one or more of the following:

(B) Days away from work, See Section 14300.7(b)(3)

**Violation**

Prior to and during the course of the inspection, including, but not limited to, on May 26, 2020, the employer failed to record an employee's days away from work on the OSHA Form 300 for the calendar year 2020 submitted to the Division.

**Date By Which Violation Must be Abated:** **October 29, 2020**  
**Proposed Penalty:** **\$200.00**

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

Title 8, California Code of Regulations, Section 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.

## **Violation**

Prior to and during the course of the inspection, including, but not limited to, on May 26, 2020, the employer failed to implement and maintain an effective Injury and Illness Prevention Program (IIPP) in the following instances:

**Instance 1:** The employer failed to effectively identify or evaluate workplace hazards relating to COVID-19 including, but not limited to the inability of employees to maintain physical distancing between themselves and customers due to the number of customers in the store; **[3203(a)(4)]** and

**Instance 2:** The employer failed to effectively implement methods or procedures to correct unhealthy conditions or work practices relating to COVID-19, including, but not limited to the inability of employees to maintain physical distancing between themselves and customers due to the number of customers in the store. **[3203(a)(6)]**

**Date By Which Violation Must be Abated:**

**October 13, 2020**

**Proposed Penalty:**

**\$13500.00**

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### Citation 3 Item 1 Type of Violation: **Repeat Regulatory**

Title 8, California Code of Regulations, Section 342(a). Reporting Work-Connected Fatalities and Serious Injuries.

(a) Every employer shall report immediately to the Division of Occupational Safety and Health any serious injury or illness, or death, of an employee occurring in a place of employment or in connection with any employment. The report shall be made by the telephone or through a specified online mechanism established by the Division for this purpose. Until the division has made such a mechanism available, the report may be made by telephone or email.

Immediately means as soon as practically possible but not longer than 8 hours after the employer knows or with diligent inquiry would have known of the death or serious injury or illness. If the employer can demonstrate that exigent circumstances exist, the time frame for the report may be made no longer than 24 hours after the incident.

Serious injury or illness is defined in section 330(h), Title 8, California Administrative Code.

### **Violation**

Employer failed to immediately report to the Division the fatality of an employee who fell ill of COVID-19 on or about May 12, 2020.

The Ralphs Grocery Company was previously cited for a violation of this occupational safety and health standard, which was contained in OSHA inspection number 1159015, citation number 1, item number 1 and was affirmed as a final order on October 3, 2017, with respect to a workplace located at 32555 Golden Lantern, Dana Point, CA.

**Date By Which Violation Must be Abated:**  
**Proposed Penalty:**

**October 29, 2020**  
**\$10000.00**

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Zulfiqar Merchant  
Compliance Officer / District Manager