

State of California

Department of Industrial Relations
Division of Occupational Safety and Health
Los Angeles District Office
320 West 4th Street, Room 820
Los Angeles, CA 90013
Phone: (213) 576-7451 Fax: (213) 576-7461

Inspection #: 1474250
Inspection Dates: 05/06/2020 - 09/24/2020
Issuance Date: 09/24/2020
CSHO ID: P5111
Optional Report #: 032-20



Citation and Notification of Penalty

Company Name: Ralphs Grocery Company
Establishment DBA: and its successors
Inspection Site: 7257 West Sunset Boulevard
West Hollywood, CA 90046

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

California Code of Regulations, Title 8 § 2340.1. Maintenance.

Electrical equipment shall be maintained free from recognized hazards that are likely to cause death or serious physical harm to employees.

Violation:

Prior to and during the course of the inspection, including but not limited to May 6, 2020, the employer did not ensure the electrical panel cover to the Marathon vertical cardboard bailer was properly maintained and free from recognized hazards.

Date By Which Violation Must be Abated:	Corrected During Inspection
Proposed Penalty:	\$750.00

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

California Code of Regulations, Title 8 § 2340.16. Work Space About Electric Equipment.

(a) Space about electric equipment.
Sufficient access and working space shall be provided and maintained about all electric equipment to permit ready and safe operation and maintenance of such equipment.

Violation:

Prior to and during the course of the inspection, including but not limited to May 6, 2020, the employer did not ensure sufficient access and working space was provided or maintained about electrical panels in the warehouse area of the store.

Instance 1: Panel A
Instance 2: Panel AA

Date By Which Violation Must be Abated: **Corrected During Inspection**
Proposed Penalty: **\$750.00**

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

California Code of Regulations, Title 8 § 2340.17. Guarding of Energized Parts.

- (a) Except as elsewhere required or permitted by these orders, energized parts of electric equipment operating at 50 volts or more shall be guarded against accidental contact by use of approved cabinets or other forms of approved enclosures or by any of the following means:
- (1) By location in a room, vault, or similar enclosure that is accessible only to qualified persons.
 - (2) By suitable permanent, substantial partitions or screens so arranged that only qualified persons will have access to the space within reach of the energized parts. Any openings in such partitions or screens shall be so sized and located that persons are not likely to come into accidental contact with the energized parts or to bring conducting objects into contact with them.
 - (3) By location on a suitable balcony, gallery, or platform so elevated and otherwise located as to prevent access by unqualified persons; or
 - (4) By elevation of 8.0 feet (2.44 m) or more above the floor or other working surface.

Violation:

Prior to and during the course of the inspection, including, but not limited to, on May 6, 2020, the employer failed to ensure an energized electrical panel AA, circuit #6 (formerly Exhaust Fan) which contained a 225 amp 120/208 volt 3-phase breaker was guarded against accidental contact by use of approved cabinets or other forms of approved enclosures, or any other means in accordance with this section.

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Proposed Penalty:

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Citation 1 Item 4 Type of Violation: **General**

California Code of Regulations, Title 8 § 3203(a)(5). 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:
...
(5) Include a procedure to investigate occupational injury or occupational illness.
...

Violation:

Prior to and during the course of the inspection, including, but not limited to, on May 6, 2020, the employer failed to effectively investigate approximately twenty-two (22) COVID-19 illnesses of employees, in accordance with section (a)(5) of this standard.

Date By Which Violation Must be Abated: **Corrected During Inspection**
Proposed Penalty: **\$935.00**

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Citation 1 Item 5 Type of Violation: **General**

California Code of Regulations, Title 8 § 5162. Emergency Eyewash and Shower Equipment.

(c) Location. Emergency eyewash facilities and deluge showers shall be in accessible locations that require no more than 10 seconds for the injured person to reach. If both an eyewash and shower are needed, they shall be located so that both can be used at the same time by one person. The area of the eyewash and shower equipment shall be maintained free of items which obstruct their use.

Violation:

Prior to and during the course of the inspection, including but not limited to May 6, 2020, the employer did not ensure the emergency eyewash in the porter area was maintained free of obstructive items.

Date By Which Violation Must be Abated:	Corrected During Inspection
Proposed Penalty:	\$935.00

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

California Code of Regulations, Title 8 § 6151. Portable Fire Extinguishers.

(e)(3) Portable fire extinguishers shall be subjected to an annual maintenance check. Stored pressure extinguishers do not require an internal examination. The employer shall record the annual maintenance date and retain this record for one year after the last entry or the life of the shell, whichever is less. The record shall be available to the Chief upon request.

Violation:

Prior to and during the course of the inspection, including but not limited to May 6, 2020, the employer did not ensure portable fire extinguishers were subject to an annual maintenance check.

- Instance 1: Extinguisher located outside entrance to employee break room
- Instance 2: Extinguisher located inside employee break room
- Instance 3: Extinguisher located at deli service work desk
- Instance 4: Extinguisher located at produce cooler entry

Date By Which Violation Must be Abated:	Corrected During Inspection
Proposed Penalty:	\$750.00

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Citation and Notification of Penalty

Company Name: Ralphs Grocery Company
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Citation 2 Item 1 Type of Violation: **Serious**

California Code of Regulations, Title 8 § 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 6, 2020, the employer failed to implement and maintain an effective Injury and Illness Prevention Program (IIPP), including, but not limited to the following instances:

Instance 1: The employer failed to effectively identify and evaluate workplace hazards relating to COVID-19, including, but not limited to:

- a) The inability of employees to maintain physical distancing between themselves and customers due to the number of customers in the store, and
- b) The lack of physical distancing or physical barriers between employees and customers at Registers 1 through 8 prior to April 13, 2020; **[3203(a)(4)]**

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:

- a) The inability of employees to maintain physical distancing between themselves and customers due to the number of customers in the store, and
- b) The lack of physical distancing or physical barriers between employees and customers at Registers 1 through 8 prior to April 13, 2020; **[3203(a)(6)]**

Or, in the Alternative to Instance 2b

Prior to and during the course of the inspection, including, but not limited to, on May 6, 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 Registers 1 through 8 when a person breathes, speaks, coughs, or sneezes.

Date By Which Violation Must be Abated:
Proposed Penalty:

Corrected During Inspection
\$6750.00

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

California Code of Regulations, Title 8 § 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.

Violation:

Prior to and during the course of the inspection, including, but not limited to, on May 6, 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, in accordance with section (a)(7) of this standard.

Date By Which Violation Must be Abated: **October 06, 2020**
Proposed Penalty: **\$13500.00**

Victor Copelan
Compliance Officer / District Manager