

**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 #:** 1482357  
**Inspection Dates:** 07/08/2020 - 12/11/2020  
**Issuance Date:** 12/11/2020  
**CSHO ID:** U6267  
**Optional Report #:** 043-20



## Citation and Notification of Penalty

**Company Name:** H & R Labor Contracting, LLC.

**Establishment DBA:**

and its successors

**Inspection Site:** 16070 Wildwood Rd  
 Wasco, CA 93280

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

### **California Code of Regulations, Title 8, 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.

### **Alleged Violation Description (AVD):**

Prior to and during the course of the inspection, including, but not limited to, between May 25, 2020 and June 15, 2020, the employer, a provider of temporary employees, failed to implement and maintain an effective Injury and Illness Prevention Program (IIPP) for its employees assigned to Primex Farms, LLC 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 failure to provide or ensure the use of face coverings to prevent the release of infectious particles into the air when persons are breathing, speaking, coughing, or sneezing. [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 failure to provide or ensure the use of face coverings to prevent the release of infectious particles into the air when persons are breathing, speaking, coughing, or sneezing. [3203(a)(6)]

Or, in the Alternative to Instance 2

**California Code of Regulations, Title 8, Section 5141(a). Control of Hazard Exposure to Employees.**

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

**Alleged Violation Description (AVD):**

Prior to, and during the course of the inspection, including, but not limited to, between May 25, 2020 and June 15, 2020, the employer, a provider of temporary employees failed to prevent harmful exposures of its employees assigned to Primex Farms, LLC 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, face coverings to limit the release of infectious particles into the air when a person breathes, speaks, coughs, or sneezes.

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

**Corrected During Inspection  
\$11250.00**

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Efren Gomez  
Compliance Officer / District Manager