

State of California

Department of Industrial Relations
 Division of Occupational Safety and Health
 Long Beach District Office
 3939 Atlantic Avenue, Suite 212
 Long Beach, CA 90807
 Phone: (562) 506-0810 Fax: (562) 426-8340

Inspection #: 1483472
Inspection Dates: 07/15/2020 - 12/14/2020
Issuance Date: 12/14/2020
CSHO ID: L0323
Optional Report #: 003-21

**Citation and Notification of Penalty**

Company Name: CALIFORNIA ENTERPRISES EMPLOYMENT, INC.

Establishment DBA:

and its successors

Inspection Site: 3425 E Vernon Ave
 Los Angeles, CA 90058

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

California Code of Regulations, Title 8, 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, a provider of temporary employees, failed to report to the Division the serious illnesses suffered by its employees assigned to CLW Foods, LLC who fell ill of COVID-19 that occurred at the workplace or in connection with the employees' work:

Instance 1: Employee #1's COVID-19 illness that was confirmed on or about March 30, 2020 and resulted in hospitalization on or about April 1, 2020; and

Instance 2: Employee #2's COVID-19 illness that was confirmed on or about April 11, 2020 and resulted in hospitalization.

Date By Which Violation Must be Abated:

January 04, 2021

Proposed Penalty:

\$5000.00



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

California Code of Regulations, Title 8, Section 3203(a)(4) 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;

Exception: Those employers having in place on July 1, 1991, a written Injury and Illness Prevention Program complying with previously existing section 3203.

(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.

Violation:

Prior to and during the course of the inspection, the employer failed to conduct regular jobsite inspections to identify and evaluate workplace hazards relating to COVID-19, including, but not limited to the following:

Instance 1:

a) Lack of physical distancing in the IQF and Beyond areas where workers were stationed within six feet of each other across the conveyor lines;

b) Lack of physical distancing during packing operations;

c) Lack of physical distancing among employees standing outside, under the canopy, during employee appreciation luncheon;

Instance 2: Lack of proper face mask storage and sanitation;

Instance 3: Harmful conditions created by employees in the workplace, such as but not limited to failure to use face coverings in lavatories to limit the release of infectious particles into the air when employees are breathing, speaking, coughing, or sneezing.

Date By Which Violation Must be Abated:

January 04, 2021

Proposed Penalty:

\$1200.00

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

California Code of Regulations, Title 8, Section 3203(a)(7) Injury and Illness Prevention Program.

(7) Provide training and instruction:

(A) When the program is first established;

Exception: Employers having in place on July 1, 1991, a written Injury and Illness Prevention Program complying with the previously existing Accident Prevention Program in Section 3203.

(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 July 15, 2020, the employer failed to implement and maintain an effective Injury Illness Prevention Program (IIPP) to conduct training with its employees to include information on COVID-19 infection, including but not limited to training and instructions on how the virus is spread, its signs and symptoms, prevention, hygiene and safe work practices, reporting, and the employer's plan to control and prevent transmission.

Date By Which Violation Must be Abated:

January 04, 2021

Proposed Penalty:

\$18000.00

Hien Le
Compliance Officer / District Manager