

The following sets out the 3 sets of citations against Overhill.

Citations for Regulatory, General and Serious Violations.

Total Penalty 236,525,

## **1476240**

Citation 1 – Item 1 Regulatory. \$500

Prior to and during the course of the inspection, the employer failed to maintain documentation of safety and health training for COVID-19 in accordance with t8CCR 3203(b)(2) for at least one (1) year that included the employee name or other identifier, training dates, and training providers.

Citation 1 – Item 2 Regulatory. \$500

During the course of the inspection, the employer failed to assure the prompt access of representatives of the Chief of the Division of Occupational Safety and Health (DOSH) to employee exposure and medical records and to analyses using exposure or medical records for employees with positive COVID-19 diagnoses at this work location.

Citation 1 – Item 3 Regulatory. \$500

The employer failed to make all records required by this section available for examination within 48 hours of a request to an authorized representative of the Division in accordance with t8CCR 5142(b)(3). These records include inspections and maintenance of the HVAC system for the past five years in accordance with t8CCR 5142(b)(1) and 5142(b)(2).

Citation 1 Item 4 Regulatory \$500

Prior to and during the course of the inspection, the employer failed to consider at least four (4) COVID-19 illnesses, to be work-related for employees of Overhill Farms, Inc. and Jobsource Nor America, Inc. in accordance with t8CCR 14300.5.

No information was received by the Division regarding exceptions in Section 14300.5(b)(2).

Citation 1 Item 5. Regulatory \$500

When an authorized government representative asked for the records kept under the provisions of this article, the Employer failed to provide access to the recordkeeping documents requested or one set of copies free of charge within four (4) business hours in accordance with t8CCR 14300.40(a) for the Cal/OSHA Form 300 (Log of Work-Related Injuries and Illnesses) for the current year of 2020.

*In the Alternative*

Prior to and during the course of the inspection, including, but not limited to, on June 26, 2020, the employer failed to enter each recordable injury or illness on within seven (7) calendar days on the Cal/OSHA Form 300, or its equivalent form, in accordance with t8CCR 14300.29(b)(3) and t8CCR 14300.29(b)(4).

Citation 1 Item 6. General \$500

The employer failed to verify that the required workplace hazard assessment for hand protection for assembly, packing and sanitation employees of Overhill Farms, Inc. and Jobsource North America, Inc. was performed through a written certification that identifies the workplace evaluated; the person certifying that the evaluation has been performed; the date(s) of the hazard assessment; and, which identifies the document as a certification of hazard assessment in accordance with t8CCR 3380(f)(2).

Citation 2 Item 1. Serious \$22500

Prior to and during the course of the Division's inspection, the employer failed to establish and implement an effective system for communicating with its own employees and contract employees of Jobsource North America, Inc. in a form readily understandable to those employees about COVID-19 and measures the employer was taking to ensure their occupational health and to prevent infection.

Citation 3 Item 1. Serious \$22500

Prior to and during the course of the Division's inspection, the employer failed to effectively identify or evaluate workplace hazards relating to COVID-19 that affected its own employees and contract employees of Jobsource North America, Inc., including, but not limited to, the following hazards:

Instance 1: Lack of physical distancing among employees during packing operations;  
Instance 2: Lack of physical distancing among employees working in the marinating area; and  
Instance 3: Lack of physical distancing among employees processing raw poultry in the MPO Raw area.

Citation 4 Item 1. Serious \$13,500

Prior to and during the course of the Division's inspection, the employer failed to effectively implement its written Injury and Illness Prevention Program covering its own employees and contract employees of Jobsource North America, Inc. in that employer did not investigate approximately three (3) COVID-19 illnesses.

Citation 5 Item 1. Serious \$22,500

Prior to and during the Division's inspection, the employer failed to effectively implement its Injury and Illness Prevention Program in that it did not implement methods or procedures to correct unhealthy conditions or work practices relating to COVID-19 that affected its own employees and contract employees of Jobsource North America, Inc., including but not limited to:

Instance 1: Lack of physical distancing among employees during packing operations;

Instance 2: Lack of physical distancing among employees working in the marinating area; and

Instance 3: Lack of physical distancing among employees processing raw poultry in the MPO Raw area.

Citation 6 Item 1. Serious \$22,500

Prior to and during the course of the Division's inspection, the employer failed to provide effective training and instruction to its own employees and contract employees of Jobsource North America, Inc. regarding the new occupational hazard of COVID-19, including but not limited to, training and instruction on how the virus is spread and measures to avoid infection, signs and symptoms of infection, and how to safely use cleaners and disinfectants.

**Summary of Penalties for Inspection Number 1476240**

Citation 1 Item 1, Regulatory	\$500.00
Citation 1 Item 2, Regulatory	\$500.00
Citation 1 Item 3, Regulatory	\$500.00
Citation 1 Item 4, Regulatory	\$500.00
Citation 1 Item 5, Regulatory	\$500.00
Citation 1 Item 6, General	\$935.00
Citation 2 Item 1, Serious	\$22500.00
Citation 3 Item 1, Serious	\$22500.00
Citation 4 Item 1, Serious	\$13500.00
Citation 5 Item 1, Serious	\$22500.00
Citation 6 Item 1, Serious	\$22500.00
<b>TOTAL PROPOSED PENALTIES:</b>	<b>\$106935.00</b>