

BEFORE THE
STATE OF CALIFORNIA
OCCUPATIONAL SAFETY AND HEALTH
APPEALS BOARD

In the Matter of the Appeal of:

[REDACTED]

[REDACTED]

Santa Fe Springs, CA [REDACTED]

Employer

DOCKETS 11-R3D6-3112
and 3113

TRANSMITTAL

The attached Order was issued on the date indicated therein. If you are dissatisfied with the Order, you have thirty (30) days from the date of service of the Order in which to petition for reconsideration. The petition for reconsideration must be sent to:

**Occupational Safety and Health Appeals Board
2520 Venture Oaks Way, Suite 300
Sacramento, California 95833**

Your petition for reconsideration must fully comply with the requirements of Labor Code Sections 6616, 6617, 6618, and 6619 and with Title 8, California Code of Regulations, Section 390.1.

For further information, call: (916) 274-5751.

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In the Matter of the Appeal of:

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[REDACTED]
Santa Fe Springs, CA [REDACTED]

Employer

DOCKETS 11-R3D6-3112
and 3113

ORDER

Good cause having been shown, the above captioned matter is resolved as set forth in the attached summary table.

IT IS STIPULATED by and between the parties that this stipulation and Order, and the terms and conditions set forth therein, are not intended to be and shall not be construed by anyone as an admission of any wrongdoing whatsoever by Employer, except for purposes of administration and enforcement of the California Occupational Safety and Health Act and in proceedings before the Appeals Board, and that the stipulation and Order will not be used in any other proceeding between the parties or involving any other person, whether said proceeding be legal, equitable, or administrative in nature.

Employer does not admit that it has violated any statute, standard, order, or regulation in connection with any of the matters alleged in the citation.

The parties further stipulate that they have entered into this agreement in order to avoid protracted litigation and costs associated therewith.


The parties further stipulate that no findings or conclusions have been made by any trier-of-fact regarding any citations or fines at issue herein.

IT IS SO ORDERED.

The penalty total set forth in the attached summary table is payable in 12 installments. The first payment of \$237.50 is due on or before June 1,

2012. Thereafter, \$237.50 is due on the 1st of every succeeding month until the total is fully paid. Any late payment will render the entire balance immediately due and payable.

Dated: April 25, 2012


SANDRA L. HITT
Administrative Law Judge

SLH:ml

Pursuant to § 364.2(d) of Title 8 of the California Code of Regulations, Employer shall post for 15 working days a copy of this Order.

Pursuant to § 364.2(b) of Title 8 of the California Code of Regulations, the Division shall serve a copy of this disposition on any authorized employee representative if known to the Division to represent affected employees.

SUMMARY TABLE ORDER

In the Matter of the Appeal of:

Dockets 11-R3D6-3112 and 3113

Abbreviation Key: Reg=Regulatory
G=General W=Willful
S=Serious R=Repeat
Er=Employer DOSH=Division
Ee=Employee.....
A/R-Accident Related

IMIS No. 312667066

Site: Santa Fe Springs, CA
Date of Inspection: 06/29/11 Date of Citation: 11/21/11

DOCKET	CITATION	ITEM	SECTION	TYPE	ALLEGED VIOLATION DESCRIPTION MODIFICATION OR WITHDRAWAL	AFFIRMED	VIOLATED	PENALTY PROPOSED BY DOSH IN CITATION	PENALTY PROPOSED BY DOSH AT PRE- HEARING or STATUS CONF.	FINAL PENALTY ASSESSED BY BOARD
11-R3D6-3112	1	1	3203(a)	G	[Inadequate IIPP] DOSH increased GF credit; ER w/d appeal.	X		\$305	\$75	\$75
		2	5144(c)	G	[No written respiratory protection program] DOSH increased GF credit; ER w/d appeal.	X		685	75	75
11-R3D6-3113	2		3384(b)	S	[Hand protection worn when there was danger of entanglement] DOSH deleted the accident-related characterization and gave credits.	X		12,600	2,700	2,700
Sub-Total								\$13,590	\$2,850	\$2,850

Total Amount Due*

****\$2,850**

NOTE: Payment of final penalty amount should be made to:

Accounting Office (OSH)
Department of Industrial Relations
P.O. Box 420603
San Francisco, CA 94142

(INCLUDES APPEALED CITATIONS ONLY)

*You will owe more than this amount if you did not appeal one or more citations or items containing penalties. Please call (415) 703-4291 if you have any questions.

**The penalty total set forth in the attached summary table is payable in 12 installments. The first payment of \$237.50 is due on or before June 1, 2012. Thereafter, \$237.50 is due on the 1st of every succeeding month until the total is fully paid. Any late payment will render the entire balance immediately due and payable.

ALJ: SLH/ml
POS: 04/25/12

DECLARATION OF SERVICE BY MAIL

I, the undersigned, declare as follows:

I am a citizen of the United States, over the age of 18 years and not a party to the within action; my place of employment and business address is Occupational Safety and Health Appeals Board, 100 North Barranca Street, Suite 410, West Covina, California, 91791.

On April 25, 2012, I served the **ORDER** by placing a true copy thereof in an envelope addressed to the persons named below at the address set out immediately below each respective name, and by sealing and depositing said envelope in the United States Mail at West Covina, California, with first-class postage thereon fully prepaid. There is delivery service by United States Mail at each of the places so addressed, or there is regular communication by mail between the place of mailing and each of the places so addressed:

Mike Rubell, Safety Consultant
SAFETY COMPLIANCE INSTITUTE
24760 Via Del Llano
Calabasas, CA 91302

District Manager
DOSH – West Covina
1906 West Garvey Avenue South, #2
West Covina, CA 91790

DOSH - Legal Unit
1515 Clay Street, 19th Floor
Oakland, CA 94612

Los Angeles Legal Unit
320 West Fourth Street, Suite 400
4th Floor
Los Angeles, CA 90013

I declare under penalty of perjury that the foregoing is true and correct.

Executed on April 25, 2012, at West Covina, California.


Declarant