



CITATION AND NOTIFICATION OF PENALTY

To:
Pixior, LLC
H & H GROUP, LLC
and its successors
5901 S. Eastern Ave., Attn: Lucinda
Commerce, CA 90040

Inspection #: 1288706
Inspection Date (s): 01/26/2018 - 06/13/2018
Issuance Date: 06/13/2018
CSHO ID: B4064
Optional Report #: LB5-18
Reporting ID: 0950635

Inspection Site:
2340 S. Eastern Ave.
City Of Cmrrce, CA 90040

The violation(s) described in this Citation and Notification of Penalty is (are) alleged to have occurred on or about the day(s) the inspection was made unless otherwise indicated within the description given below.

This Citation and Notification of Penalty (hereinafter Citation) is being issued in accordance with California Labor Code Section 6317 for violations that were found during the inspection/investigation. **This Citation or a copy must be prominently posted upon receipt by the employer at or near the location of each violation until the violative condition is corrected or for three working days, whichever is longer.** Violations of Title 8 of the California Code of Regulations or of the California Labor Code may result in some instances in prosecution for a misdemeanor.

YOU HAVE A RIGHT to contest this Citation and Notification of Penalty by filing an appeal with the Occupational Safety and Health Appeals Board. To initiate your appeal, you **must** contact the Appeals Board, in writing or by telephone, within 15 working days from the date of receipt of this Citation. If you miss the 15 working day deadline to appeal, the Citation and Notification of Penalty becomes a final order of the Appeals Board, not subject to review by any court or agency.

Informal Conference - You may request an informal conference with the manager of the district office which issued the Citation within 10 working days after receipt of the Citation. However, if the citation is appealed, you may request an informal conference at any time prior to the day of the hearing. Employers are encouraged to schedule a conference at the earliest possible time to assure an expeditious resolution of any issues. At the informal conference, you may discuss the existence of the alleged violation, classification of the violation, abatement date or proposed penalty.

Be sure to bring to the conference any and all supporting documentation of existing conditions as well as any abatement steps taken thus far. If conditions warrant, we can enter into an agreement which resolves this matter without litigation or contest.

APPEAL RIGHTS

The Occupational Safety and Health Appeals Board (Appeals Board) consists of three members appointed by the Governor. The Appeals Board is a separate entity from the Division of Occupational Safety and Health (Division) and employs experienced attorneys as administrative law judges to hear appeals fairly and impartially. To initiate an appeal from a Citation and Notification of Penalty, you must contact the Appeals Board, in writing or by telephone, within 15 working days from the date of receipt of a Citation. After you have initiated your appeal, you must then file a completed appeal form with the Appeals Board, at the address listed below, for each contested citation. Failure to file a completed appeal form with the Appeals Board may result in dismissal of the appeal. Appeal forms are available from district offices of the Division, or from the Appeals Board:

Occupational Safety and Health Appeals Board
2520 Venture Oaks Way, Suite 300
Sacramento, CA 95833
Telephone: (916) 274-5751 or (877) 252-1987
Fax: (916) 274-5785

If the Citation you are appealing alleges more than one item, you must specify on the appeal form which items you are appealing. You must also attach to the appeal form a legible copy of the Citation you are appealing. In addition, please send a copy of Page 1 of this Citation and Notification of Penalty, the cover sheet.

Among the specific grounds for an appeal are the following: the safety order was not violated, the classification of the alleged violation (e.g., serious, repeat, willful) is incorrect, the abatement requirements are unreasonable or the proposed penalty is unreasonable.

Important: You must notify the Appeals Board, not the Division, of your intent to appeal within 15 working days from the date of receipt of the Citation. Otherwise, the Citation and Notification of Penalty becomes a final order of the Appeals Board not subject to review by any court or agency. An informal conference with the Division does not constitute an appeal and does not stay the 15 working day appeal period. If you have any questions concerning your appeal rights, call the Appeals Board, at (916) 274-5751 or (877) 252-1987.

PENALTY PAYMENT OPTIONS

Penalties are due within 15 working days of receipt of this Citation and Notification of Penalty unless contested. If you are appealing any item of the citation, remittance is still due on all items that are not appealed. Enclosed for your use is a Penalty Remittance Form for payment.

If you are paying electronically, please have the Penalty Remittance Form on-hand when you are ready to make your payment. The company name, inspection number, and Citation number(s) will be required in order to ensure that the payment is accurately posted to your account. Please go to www.dir.ca.gov/dosh/CalOSHA_PaymentOption.html to access the secure payment processing site. **Additionally, you must also mail the Penalty Remittance Form to the address below.**

If you are paying by check, return one copy of the Citation, along with the Notice of Proposed Penalties Sheet and the Penalty Remittance Form and mail to:

Department of Industrial Relations
Cal/OSHA Penalties
P. O. Box 516547
Los Angeles, CA 90051-0595

CAL/OSHA does not agree to any restrictions, conditions or endorsements put on any check or money order for less than the full amount due, and will cash the check or money order as if these restrictions, conditions, or endorsements do not exist.

NOTIFICATION OF CORRECTIVE ACTION

For violations which you do not contest, you should notify the Division of Occupational Safety and Health promptly by letter that you have taken appropriate corrective action within the time frame set forth on this Citation and Notification of Penalty. Please inform the district office listed on the Citation by submitting the Cal/OSHA 160 form with the abatement steps you have taken and the date the violation was abated, together with adequate supporting documentation, e.g., drawings or photographs of corrected conditions, purchase/work orders related to abatement actions, air sampling results, etc. The adjusted penalty for general violations has already been reduced by 50% on the presumption that the employer will correct the violations by the abatement date. The adjusted penalty for serious violations, if any, has already been reduced by 50% because abatement of those violations has been completed.

Note: Return the Cal/OSHA 160 form to the district office listed on the Citation and as shown below:

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

EMPLOYEE RIGHTS

Employer Discrimination Unlawful - The law prohibits discrimination by an employer against an employee for filing a complaint or for exercising any rights under Labor Code Section 6310 or 6311. An employee who believes that he/she has been discriminated against may file a complaint no later than six (6) months after the discrimination occurred with the Division of Labor Standards Enforcement.

Employee Appeals - An employee or authorized employee's representative may, within 15 working days of the issuance of a citation, special order, or order to take special action, appeal to the Occupational Safety and Health Appeals Board the reasonableness of the period of time fixed by the Division of Occupational Safety and Health (Division) for abatement. An employee appeal may be filed with the Appeals Board or with the Division. No particular format is necessary to initiate the appeal, but the notice of appeal must be in writing.

If an Employee Appeal is filed with the Division, the Division shall note on the face of the document the date of receipt, include any envelope or other proof of the date of mailing, and promptly transmit the document to the Appeals Board. The Division shall, no later than 10 working days from receipt of the Employee Appeal, file with the Appeals Board and serve on each party a clear and concise statement of the reasons why the abatement period prescribed by it is reasonable.

Employee Appeal Forms are available from the Appeals Board, or from a district office of the Division.

Employees Participation in Informal Conference - Affected employees or their representatives may notify the District Manager that they wish to attend the informal conference. If the employer objects, a separate informal conference will be held.

DISABILITY ACCOMMODATION

Disability accommodation is available upon request. Any person with a disability requiring an accommodation, auxiliary aid or service, or a modification of policies or procedures to ensure effective communication and access to the programs of the Division of Occupational Safety and Health, should contact the Disability Accommodation Coordinator at the local district office or the Statewide Disability Accommodation Coordinator at 1-866-326-1616 (toll free). The Statewide Coordinator can also be reached through the California Relay Service, by dialing 711 or 1-800-735-2929 (TTY) or 1-800-855-3000 (TTY - Spanish).

Accommodations can include modifications of policies or procedures or provision of auxiliary aids or services. Accommodations include, but are not limited to, an Assistive Listening System (ALS), a Computer-Aided Transcription System or Communication Access Realtime Translation (CART), a sign-language interpreter, documents in Braille, large print or on computer disk, and audio cassette recording. Accommodation requests should be made as soon as possible. Requests for an ALS or CART should be made no later than five (5) days before the hearing or conference.

State of California

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

Inspection #: 1288706
Inspection Dates: 01/26/2018 - 06/13/2018
Issuance Date: 06/13/2018
CSHO ID: B4064
Optional Report #: LB5-18



Citation and Notification of Penalty

Company Name: Pixior, LLC
Establishment DBA: H & H GROUP, LLC
and its successors
Inspection Site: 2340 S. Eastern Ave.
City Of Cmnrce, CA 90040

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

T8CCR§342. Reporting Work-Connected Fatalities and Serious Injuries.

(a) Every employer shall report immediately by telephone or telegraph to the nearest District Office of 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.

Violation:

Prior to and during the course of the inspection, including but not limited to, January 26, 2018, the employer did not immediately report a serious injury of an employee occurring at their workplace.

Date By Which Violation Must be Abated:	July 18, 2018
Proposed Penalty:	\$5000.00

State of California

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

T8CCR§ 14300.40(a) Providing Records to Government Representatives.

(a) Basic requirement. When an authorized government representative asks for the records you keep under the provisions of this article, you must provide within four (4) business hours, access to the original recordkeeping documents requested as well as, if requested, one set of copies free of charge.

Violation:

Prior to and during the course of the inspection, including but not limited to, January 26, 2018, the employer did not provide their Injury and Illness records (Cal/OSHA Log 300) within four business hours to an authorized government representative upon request.

Date By Which Violation Must be Abated:	Corrected During Inspection
Proposed Penalty:	\$375.00

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**Citation and Notification of Penalty**

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

T8CCR§3203. 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:

- (1) Identify the person or persons with authority and responsibility for implementing the Program.
- (2) Include a system for ensuring that employees comply with safe and healthy work practices. Substantial compliance with this provision includes recognition of employees who follow safe and healthful work practices, training and retraining programs, disciplinary actions, or any other such means that ensures employee compliance with safe and healthful work practices.
- (3) Include a system for communicating with employees in a form readily understandable by all affected employees on matters relating to occupational safety and health, including provisions designed to encourage employees to inform the employer of hazards at the worksite without fear of reprisal. Substantial compliance with this provision includes meetings, training programs, posting, written communications, a system of anonymous notification by employees about hazards, labor/management safety and health committees, or any other means that ensures communication with employees.
- (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.

(5) Include a procedure to investigate occupational injury or occupational illness.

(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.

(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, January 26, 2018, the employer failed to implement an effective Injury and Illness Prevention Program.

Instance 1 - Ineffective system for ensuring that employees comply with safe and healthy work practices in accordance with T8CCR§3203(a)(2).

Instance 2 - Ineffective procedures for identifying and evaluating work place hazards in accordance with T8CCR§3203(a)(4). Employers inspections of the worksite have not addressed blocked exits, blocked fire hoses, appropriate safety shoe use by employees, and appropriate use of powered industrial vehicles by employees.

Instance 3 - Ineffective investigation of occupational injury conducted for serious injury on 12/15/2017 in accordance with T8CCR§3203(a)(5).

Date By Which Violation Must be Abated:
Proposed Penalty:

July 18, 2018
\$750.00

State of California

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City Of Cmrrce, CA 90040

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

T8CCR§3380. Personal Protective Devices.

(f) Hazard assessment and equipment selection.

(1) The employer shall assess the workplace to determine if hazards are present, or are likely to be present, which necessitate the use of personal protective equipment (PPE). If such hazards are present, or likely to be present, the employer shall:

(A) Select, and have each affected employee use, the types of PPE that will protect the affected employee from the hazards identified in the hazard assessment;

(B) Communicate selection decisions to each affected employee; and,

(C) Select PPE that properly fits each affected employee.

Violation:

Prior to and during the course of the inspection, including but not limited to, January 26, 2018, the employer did not ensure that an assessment was performed of the workplace to determine if hazards are present, or are likely to be present, which necessitate the use of personal protective equipment (PPE).

Date By Which Violation Must be Abated: July 18, 2018
Proposed Penalty: \$560.00

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

T8CCR§3668. Powered Industrial Truck Operator Training.

(f) Certification. The employer shall certify that each operator has been trained and evaluated as required by this section. The certification shall include the name of the operator, the date of the training, the date of the evaluation, and the identity of the person(s) performing the training or evaluation.

Violation:

Prior to and during the course of the inspection, including but not limited to, January 26, 2018, the employer failed to ensure all of their forklift operators were trained and evaluated as required by this section.

Date By Which Violation Must be Abated:	Corrected During Inspection
Proposed Penalty:	\$560.00

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Inspection Site: 2340 S. Eastern Ave.
City Of Cmnrce, CA 90040

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

T8CCR§6165. Standpipe and Hose Systems

(A) The employer shall assure that hose outlets and connections are located high enough above the floor to avoid being obstructed and to be accessible to employees.

Violation:

Prior to and during the course of the inspection, including but not limited to, January 26, 2018, the employer failed to assure that their hose outlets are not being obstructed and are accessible to employees.

Date By Which Violation Must be Abated: July 18, 2018
Proposed Penalty: \$185.00

State of California

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

T8CCR§3385. Foot Protection.

(a) Appropriate foot protection shall be required for employees who are exposed to foot injuries from electrical hazards, hot, corrosive, poisonous substances, falling objects, crushing or penetrating actions, which may cause injuries or who are required to work in abnormally wet locations.

Violation:

Prior to and during the course of the inspection, including, but not limited to, on December 15, 2017, the employer did not ensure appropriate foot protection was provided to employees who are required to wear foot protection and are exposed to foot injuries from falling objects, crushing or penetrating actions which may cause injuries while working in and around forklift operations.

Date By Which Violation Must be Abated: **June 25, 2018**
Proposed Penalty: **\$13500.00**

State of California

Department of Industrial Relations
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Long Beach District Office
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Long Beach, CA 90807
Phone: (562) 506-0810 Fax: (562) 426-8340

Inspection #: 1288706
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CSHO ID: B4064
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Citation and Notification of Penalty

Company Name: Pixior, LLC
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Inspection Site: 2340 S. Eastern Ave.
Cty Of Cmnrce, CA 90040

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

T8CCR§3650. Industrial Trucks. General.

(5) Employees shall not place any part of their bodies outside the running lines of an industrial truck or between mast uprights or other parts of the truck where shear or crushing hazards exist.

Violation:

Prior to and during the course of the inspection, including, but not limited to, December 15, 2017, the employer did not enforce the rule on employees placing parts of their bodies (their head) outside the running lines of an industrial truck (sit down forklift) where shear or crushing hazards exist in accordance with T8CCR 3650(t)(5).

Date By Which Violation Must be Abated: June 25, 2018
Proposed Penalty: \$18000.00

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 #: 1288706
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Citation and Notification of Penalty

Company Name: Pixior, LLC
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Cty Of Cmnrce, CA 90040

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

T8CCR§3650. Industrial Trucks. General.

(11) The driver shall slow down and sound the horn at cross aisles and other locations where vision is obstructed. If the load being carried obstructs forward view, the driver shall be required to travel with the load trailing.

Violation:

Prior to and during the course of the inspection, including, but not limited to, January 26, 2018, the employer did not enforce the rule on employees carrying a load that obstructs forward view, by having the driver travel with the load trailing in accordance with T8CCR 3650(t)(11). As a result, on December 15, 2017, an employee sustained an impaling injury when being struck by the forks of a forklift traveling forward with a load that obstructed the operator's forward view.

Date By Which Violation Must be Abated: June 25, 2018
Proposed Penalty: \$22500.00

State of California

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Citation and Notification of Penalty

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

T8CCR§3650. Industrial Trucks. General.

(12) Operators shall look in the direction of travel and shall not move a vehicle until certain that all persons are in the clear.

Violation:

Prior to and during the course of the inspection, including, but not limited to, January 26, 2018, the employer did not enforce the rule on employees looking in the direction of travel and not moving a vehicle until certain that all persons are in the clear, in accordance with T8CCR 3650(t)(12).

Date By Which Violation Must be Abated: **June 25, 2018**
Proposed Penalty: **\$18000.00**

State of California

Department of Industrial Relations
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Citation 6 Item 1 Type of Violation: **Serious**

T8CCR§3650. Industrial Trucks. General.

(15) The forks shall always be carried as low as possible, consistent with safe operations.

Violation:

Prior to and during the course of the inspection, including, but not limited to, January 26, 2018, the employer did not enforce the rule on employees keeping the forks as low as possible while carrying a load, in accordance with T8CCR 3650(t)(15).

Date By Which Violation Must be Abated:	June 25, 2018
Proposed Penalty:	\$18000.00

Alfred Varela
Compliance Officer / District Manager

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



NOTICE OF PROPOSED PENALTIES

Company Name: Pixior, LLC
Establishment DBA: H & H GROUP, LLC
and its successors
Inspection Site: 2340 S. Eastern Ave., Cty Of Cmmrce, CA 90040
Mailing Address: 5901 S. Eastern Ave., Attn: Lucinda, Commerce, CA 90040
Issuance Date: 06/13/2018
Reporting ID: 0950635
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Summary of Penalties for Inspection Number 1288706

Citation 1 Item 1, Regulatory	\$5000.00
Citation 1 Item 2, Regulatory	\$375.00
Citation 1 Item 3, General	\$750.00
Citation 1 Item 4, General	\$560.00
Citation 1 Item 5, General	\$560.00
Citation 1 Item 6, General	\$185.00
Citation 2 Item 1, Serious	\$13500.00
Citation 3 Item 1, Serious	\$18000.00
Citation 4 Item 1, Serious	\$22500.00
Citation 5 Item 1, Serious	\$18000.00
Citation 6 Item 1, Serious	\$18000.00
TOTAL PROPOSED PENALTIES:	\$97430.00

Penalties are due within 15 working days of receipt of this notification unless contested. If you are appealing any item of this citation, remittance is still due on all items that are not appealed. Enclosed for your use is a Penalty Remittance Form.

If you are paying electronically: Please have this form on-hand when you are ready to make your payment. The company name, reporting ID and Citation number(s) will be required to ensure that the payment is accurately posted to your account. Please go to www.dir.ca.gov/dosh/CalOSHA_PaymentOption.html to access the secure payment processing site. **Additionally, you must also mail the Penalty Remittance Form to the address below.**

If you are paying by check: Mail this Notice of Proposed Penalties, the Penalty Remittance Form, along with a copy of the Citation and Notification of Penalty to:

**DEPARTMENT OF INDUSTRIAL RELATIONS
CAL/OSHA PENALTIES
P. O. BOX 516547**

LOS ANGELES, CA 90051-0595

Cal/OSHA does not agree to any restrictions, conditions or endorsements put on any check or money order for less than the full amount due, and will cash the check or money order as if these restrictions, conditions or endorsements do not exist.

**DEPARTMENT OF INDUSTRIAL RELATIONS
DIVISION OF OCCUPATIONAL SAFETY AND HEALTH – CAL/OSHA
Accounting Office - Cashiering Unit
Phone (415) 703-4310 or (415) 703-4308**

PENALTY REMITTANCE FORM

CIVIL PENALTY INFO	INSPECTION NO.: 1288706	REPORTING ID: 0950635
COMPANY NAME:	Pixior, LLC	FEIN/SEIN: UNKNOWN
ESTABLISHMENT DBA:	H & H GROUP, LLC	
CONTACT PERSON:	Lucinda Alarcon	
PHONE NO.:	(323) 721-2221	FAX NO.: UNKNOWN
SITE ADDRESS:	2340 S. Eastern Ave., Cty Of Cmrrce, CA 90040	
MAILING ADDRESS:	5901 S. Eastern Ave., Attn: Lucinda, Commerce, CA 90040	

CITATION INFORMATION:

Penalties are due within 15 working days of receipt of this notification unless contested. If you are appealing any item of this Citation, remittance is still due on all items that are not appealed.

PAYMENT INSTRUCTIONS:

For check or money order: please make check or money order payable to Department of Industrial Relations. Write the inspection number and total amount enclosed on the payment coupon below and on the check or money order.
For credit card or EFT payment, go to: www.dir.ca.gov/dosh/CalOSHA_PaymentOption.html

----- Detach here and return bottom portion with check or money order payment -----

PAYMENT COUPON



Inspection No.: 1288706

Amount Enclosed: \$ _____

Mail payment to:

DEPARTMENT OF INDUSTRIAL RELATIONS
CAL/OSHA PENALTIES
P.O. BOX 516547
LOS ANGELES, CA 90051-0595

For credit card or EFT payment, go to:
www.dir.ca.gov/dosh/CalOSHA_PaymentOption.html