State of California
Department of Industrial Relations
Division of Occupational Safety and Health
Oakland District Office

1515 Clay Street, Suite 1303 Oakland, CA 94612

Phone: (510) 622-2916 Fax: (510) 622-2908



CITATION AND NOTIFICATION OF PENALTY

To:

Mark Lee and Yong Kay, Inc.
DBA Bay Construction Company
and its successors
4026 Martin Luther King Jr. Way
Oakland, CA 94609

Inspection Site:201 Hegenberger Rd
Oakland, CA 94621

Inspection #: 1312682

Inspection Date (s): 04/30/2018 - 10/16/2018

 Issuance Date:
 10/19/2018

 CSHO ID:
 N3190

 Optional Report #:
 042-18

 Reporting ID:
 0950614

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 Sections 6317 and 6320 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 <u>must</u> 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 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, or online via the Board's OASIS system, 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, or online via the Board's OASIS system, 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 to print online at: https://www.dir.ca.gov/oshab/appealform.pdf. You may also file the appeal through the Board's online OASIS system at: https://www.dir.ca.gov/oshab/. Hard copies can also be picked up 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.

<u>Important:</u> 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

For general/regulatory violations, and for serious violations that have been abated, 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 described above that are not appealed. Enclosed for your use is a Penalty Remittance Form for payment.

For serious violations that are not abated, if a signed statement of abatement (as described under "Notification of Corrective Action", below) is <u>not</u> timely received or if the statement does <u>not</u> demonstrate acceptable abatement, penalties will be due within 15 working days after the date the signed statement was due, unless contested.

For serious violations for which a signed statement of abatement demonstrating acceptable abatement is timely received, the payment due date will be described in a Modified Citation and Notification of Penalty that you will receive reflecting a 50% abatement credit.

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 general/regulatory 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 that have been abated, if any, has already been reduced by 50% because abatement of those violations has been completed.

The adjusted penalty for serious violations that have not been abated will be reduced by 50% if the Division of Occupational Safety and Health receives from you within 10 working days following the abatement date a signed statement under penalty of perjury (Cal/OSHA form 161) and sufficient supporting evidence, when necessary to prove abatement, demonstrating abatement acceptable to the Division. If the Division does not receive the statement of abatement within 10 working days after the abatement date, the adjusted penalty will <u>not</u> be reduced by 50% - <u>regardless</u> of whether you appeal the serious citations.

Note: Return the Cal/OSHA 160/161 forms to the district office listed on the Citation and as shown below:

Division of Occupational Safety and Health Oakland District Office 1515 Clay Street, Suite 1303 Oakland, CA 94612 Telephone: (510) 622-2916 Fax: (510) 622-2908

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.

Department of Industrial Relations Division of Occupational Safety and Health Oakland District Office 1515 Clay Street, Suite 1303

Oakland, CA 94612

Phone: (510) 622-2916 Fax: (510) 622-2908

Inspection #: 1312682

Inspection Dates: 04/30/2018 - 10/16/2018

Issuance Date: 10/19/2018 **CSHO ID:** N3190

Optional Report #: 042-18



Citation and Notification of Penalty

Company Name: Mark Lee and Yong Kay, Inc. **Establishment DBA:** Bay Construction Company

and its successors

Inspection Site: 201 Hegenberger Rd

Oakland, CA 94621

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

T8CCR § 1509(e) Supervisory employees shall conduct "toolbox" or "tailgate" safety meetings, or equivalent, with their crews at least every 10 working days to emphasize safety.

Prior to and during the course of the investigation, including, but not limited to, on April 30, 2018, the Employer failed to conduct "toolbox" or "tailgate" safety meetings, or equivalent, with their crews at least every 10 working days to emphasize safety.

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Company Name: Mark Lee and Yong Kay, Inc. **Establishment DBA:** Bay Construction Company

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Inspection Site: 201 Hegenberger Rd

Oakland, CA 94621

<u>Citation 1 Item 2</u> Type of Violation: **General**

T8CCR § 1512(b) Appropriately Trained Person. Each employer shall ensure the availability of a suitable number of appropriately trained persons to render first aid. Where more than one employer is involved in a single construction project on a given construction site, the employers may form a pool of appropriately trained persons. However, such pool shall be large enough to service the combined work forces of such employers.

Prior to and during the course of the investigation, including, but not limited to, on April 30, 2018, the employer failed to ensure the availability of a suitable number of appropriately trained persons to render first aid.

Date By Which Violation Must be Abated: Corrected During Inspection Proposed Penalty: \$675.00

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Inspection #: 1312682

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Company Name: Mark Lee and Yong Kay, Inc. **Establishment DBA:** Bay Construction Company

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Inspection Site: 201 Hegenberger Rd

Oakland, CA 94621

<u>Citation 1 Item 3</u> Type of Violation: **General**

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. Reference: §1502 Application (c) Machines, equipment, processes, and operations not specifically covered by these Orders shall be governed by other applicable general Safety Orders.

Prior to and during the course of the investigation, including, but not limited to, on April 30, 2018, the employer failed to provide appropriate foot protection for employees exposed to foot injuries from, falling objects, crushing or penetrating actions, which may cause injuries. The employer did not reimburse employees for required safety boots.

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Company Name: Mark Lee and Yong Kay, Inc. **Establishment DBA:** Bay Construction Company

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Inspection Site: 201 Hegenberger Rd

Oakland, CA 94621

<u>Citation 1 Item 4</u> Type of Violation: **General**

T8CCR §3395 Heat Illness Prevention Plan (h) Training. (1) Employee training. Effective training in the following topics shall be provided to each supervisory and non-supervisory employee before the employee begins work that should reasonably be anticipated to result in exposure to the risk of heat illness: (A) The environmental and personal risk factors for heat illness, as well as the added burden of heat load on the body caused by exertion, clothing, and personal protective equipment. (B) The employer's procedures for complying with the requirements of this standard, including, but not limited to, the employer's responsibility to provide water, shade, cool-down rests, and access to first aid as well as the employees' right to exercise their rights under this standard without retaliation. (C) The importance of frequent consumption of small quantities of water, up to 4 cups per hour, when the work environment is hot and employees are likely to be sweating more than usual in the performance of their duties. (D) The concept, importance, and methods of acclimatization pursuant to the employer's procedures under subsection (i)(4). (E) The different types of heat illness, the common signs and symptoms of heat illness, and appropriate first aid and/or emergency responses to the different types of heat illness, and in addition, that heat illness may progress quickly from mild symptoms and signs to serious and life threatening illness. (F) The importance to employees of immediately reporting to the employer, directly or through the employee's supervisor, symptoms or signs of heat illness in themselves, or in co-workers. (G) The employer's procedures for responding to signs or symptoms of possible heat illness, including how emergency medical services will be provided should they become necessary. (H) The employer's procedures for contacting emergency medical services, and if necessary, for transporting employees to a point where they can be reached by an emergency medical service provider. (I) The employer's procedures for ensuring that, in the event of an emergency, clear and precise directions to the work site can and will be provided as needed to emergency responders. These procedures shall include designating a person to be available to ensure that emergency procedures are invoked when appropriate.

Prior to and during the course of the investigation, including, but not limited to, on April 30, 2018, the employer failed to provide training in the topics listed in 8CCR 3395(h)(1)(A-I) to each supervisory and non-supervisory employee before the employee began work that should reasonably be anticipated to result in exposure to the risk of heat illness.

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Company Name: Mark Lee and Yong Kay, Inc. **Establishment DBA:** Bay Construction Company

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Inspection Site: 201 Hegenberger Rd

Oakland, CA 94621

<u>Citation 1 Item 5</u> Type of Violation: **General**

T8 CCR §3395 Heat Illness Prevention Plan (i) Heat Illness Prevention Plan. The employer shall establish, implement, and maintain, an effective heat illness prevention plan. The plan shall be in writing in both English and the language understood by the majority of the employees and shall be made available at the worksite to employees and to representatives of the Division upon request. The Heat Illness Prevention Plan may be included as part of the employer's Illness and Injury Prevention Program required by section 3203, and shall, at a minimum, contain:

- (1) Procedures for the provision of water and access to shade.
- (2) The high heat procedures referred to in subsection (e).
- (3) Emergency Response Procedures in accordance with subsection (f).
- (4) Acclimatization methods and procedures in accordance with subsection (a).

Prior to and during the course of the investigation, including, but not limited to, on April 30, 2018, the employer failed to establish, implement, and maintain at the worksite a written effective heat illness prevention plan for their employees in the language understood by the majority of the employees.

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Citation and Notification of Penalty

Company Name: Mark Lee and Yong Kay, Inc. **Establishment DBA:** Bay Construction Company

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Inspection Site: 201 Hegenberger Rd

Oakland, CA 94621

<u>Citation 2 Item 1</u> Type of Violation: **Serious**

T8CCR Title 8 C.C.R. § 1509(a) Every employer shall establish, implement and maintain an effective Injury and Illness Prevention Program in accordance with section 3203 of the General Industry Safety Orders.

REFERENCE: §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:

- (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.

Prior to and during the course of the inspection, including but not limited to, on April 30, 2018, the employer failed to implement and maintain an effective Injury and Illness Prevention Program in accordance to 3203 of the General Safety Orders, as follows:

Instance 1: The employer failed to implement the provisions of its communications section by failing to conduct meetings, training programs, or to utilize its safety committee on matters relating to occupational safety and health. The employer also fails to provide an affirmative means for employees to communicate hazards anonymously to management. (Reference 8 CCR 3203(a) (3)) Instance 2: The employer failed to identify and evaluate the unsafe condition of allowing employees to work in an excavation while shoring systems were being removed at, (Reference 8 CCR 3203(a) (4) Instance 3: The employer failed to implement the provisions of its investigation section by failing to conduct an accident investigation after a fatality occurred. (Reference 8 CCR 3203 (a) (5)) Instance 4: The employer failed to implement methods to correct the unsafe condition, work practice, and work procedures used that allowed employees to work in excavations while shoring systems were being removed at the 201 Hegenberger Rd., Oakland Pump Station improvements project. (Reference 8 CCR 3203 (a) (6))

Instance 5: The employer failed to provide training and instruction for employees required to work in excavations and failed to ensure training was provided when the use of new equipment and procedures were introduced into the work place. (Reference 8 CCR 3203(a) (7))

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Inspection #: 1312682

Inspection Dates: 04/30/2018 - 10/16/2018

Issuance Date: 10/19/2018 **CSHO ID:** N3190 **Optional Report #:** 042-18



Citation and Notification of Penalty

Company Name: Mark Lee and Yong Kay, Inc. **Establishment DBA:** Bay Construction Company

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Inspection Site: 201 Hegenberger Rd

Oakland, CA 94621

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

T8CCR § 1541 (k) Inspection.

(1) Daily inspections of excavations, the adjacent areas, and protective systems shall be made by a competent person for evidence of a situation that could result in possible cave-ins, indications of failure of protective systems, hazardous atmospheres, or other hazardous conditions. An inspection shall be conducted by the competent person prior to the start of work and as needed throughout the shift. Inspections shall also be made after every rain storm or other hazard increasing occurrence. These inspections are only required when employee exposure can be reasonably anticipated.

Prior to and during the course of the inspection, including but not limited to, on April 30, 2018, the employer failed to ensure that daily inspections were conducted by a competent person prior to and as needed for evidence of a situation that could result from a hazardous condition when employee exposure can be reasonably anticipated.

Date By Which Violation Must be Abated: Corrected During Inspection Proposed Penalty: \$12150.00

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Inspection #: 1312682

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Citation and Notification of Penalty

Company Name: Mark Lee and Yong Kay, Inc. **Establishment DBA:** Bay Construction Company

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Inspection Site: 201 Hegenberger Rd

Oakland, CA 94621

Citation 4 Item 1 Type of Violation: Willful-Serious

T8CCR § 1541.1(g) Shield systems. (1) General. (D) Employees shall not be allowed in shields when shields are being installed, removed, or moved vertically.

Prior to and during the course of the inspection, including but not limited to, on April 30, 2018, the employer failed to ensure that employees were not allowed in shields when shields were being removed or moved vertically. As a result, an employee working in an excavation located at the 201 Hegenberger Rd., Oakland Pump Station improvements project was fatally struck during the process of removing a linear rail of the shoring system.

Or in the alternative

T8CCR § 1541.1(e) Installation and removal of supports. (1) General. (B) Support systems shall be installed and removed in a manner that protects employees from cave-ins, structural collapses, or from being struck by members of the support system.

Prior to and during the course of the inspection, including but not limited to, on April 30, 2018, the employer failed to ensure that support systems were removed in a manner that protects employees from being struck by members of the support system. As a result, an employee working in an excavation located at the 201 Hegenberger Rd., Oakland Pump Station improvements project was fatally struck during the process of removing a linear rail of the shoring system.

Date By Which Violation Must be Abated: Corrected During Inspection Proposed Penalty: \$94500.00

Department of Industrial Relations Division of Occupational Safety and Health Oakland District Office 1515 Clay Street, Suite 1303 Oakland, CA 94612

Phone: (510) 622-2916 Fax: (510) 622-2908

Inspection #: 1312682

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Issuance Date: 10/19/2018 CSHO ID: N3190 Optional Report #: 042-18



Citation and Notification of Penalty

Company Name: Mark Lee and Yong Kay, Inc. **Establishment DBA:** Bay Construction Company

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Inspection Site: 201 Heaenberger Rd

Oakland, CA 94621

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

T8CCR §5049 Defective Hoist or Sling Hooks and Rings. (d) Hooks and Shackles shall be used in accordance with manufacturers recommendations.

Prior to and during the course of the inspection, including but not limited to, on April 30, 2018, the employer did not use a hook in accordance with the manufacturer's recommendations in the following way:

A 137 steel linear rail shoring component was suspended from a Wissenfels SKE-10 hook through the second and third hole from the top. When the operator lowered the linear rail the load ceased to be freely suspended, causing the weight of the linear rail to load the tip of the hook and the safety device, resulting in the load rotating out of the hook by fracturing the pin that secured the safety device. As a result, an employee working in an excavation located at the 201 Hegenberger Rd., Oakland Pump Station improvements project was fatally struck during the process of removing a linear rail of the shoring system.

Corrected During Inspection \$18900.00
Jose Nevarez Compliance Officer / District Manager

State of California
Department of Industrial Relations
Division of Occupational Safety and Health
Oakland District Office

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Oakland, CA 94612

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NOTICE OF PROPOSED PENALTIES

Company Name: Mark Lee and Yong Kay, Inc. **Establishment DBA:** Bay Construction Company

and its successors

Inspection Site: 201 Hegenberger Rd, Oakland, CA 94621

Mailing Address: 4026 Martin Luther King Jr. Way, Oakland, CA 94609

 Issuance Date:
 10/19/2018

 Reporting ID:
 0950614

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<u>Summary of Penalties for Inspection Number 1312682</u>

Citation 1 Item 1, General	\$675.00
Citation 1 Item 2, General	\$675.00
Citation 1 Item 3, General	\$675.00
Citation 1 Item 4, General	\$675.00
Citation 1 Item 5, General	\$675.00
Citation 2 Item 1, Serious	\$12150.00
Citation 3 Item 1, Serious	\$12150.00
Citation 4 Item 1, Willful-Serious	\$94500.00
Citation 5 Item 1, Serious	\$18900.00

TOTAL PROPOSED PENALTIES: \$141075.00

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.
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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.:	1312682	REPORTING ID:	0950614	
COMPANY NAME:	Mark Lee and Yong Kay, Inc.		FEIN/SEIN:	UNKNOWN	
ESTABLISHMENT DBA:	Bay Construction Company				
CONTACT PERSON:	Yong Kay				
PHONE NO.:	(510) 658-7225		FAX NO.:	(510) 658-4890	
SITE ADDRESS:	201 Hegenberger Rd, Oakland, CA 94621				
MAILING ADDRESS:	4026 Martin Luther	King Jr. Way, Oakland, CA 94609			

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



Amount Enclosed: \$ _____

Inspection No.: 1312682

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