

**State of California**

Division of Occupational Safety and Health  
Cal/OSHA District Office (0950625; 4025)  
2550 Mariposa Street, Room 4000  
Fresno, CA 93721

**Inspection Number:** 119983674  
**Inspection Dates:** 08/20/2004 - 09/23/2004  
**Issuance Date:** 10/14/2004  
**CSHO ID:** I3731  
**Optional Inspection Nbr:** 019-05



Phone: (559) 445-5302 Fax: (559) 445-5786

**Citation and Notification of Penalty**

**Company Name:** Patty's Farm Labor Service  
**Inspection Site:** National Forest, Calif Hot Springs, CA 93207

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

T 8CCR: 14300.4 (a)(1) Recording Criteria.

(a) Basic requirement. Each employer required by this article to keep records of fatalities, injuries, and illnesses must record each fatality, injury and illness that:

(1) Is work-related;

The employer did not have or maintain an OSHA 300 Log to record injuries and illnesses, and fatalities that are work related.

Date By Which Violation Must be Abated: 11/16/2004  
Proposed Penalty: \$ 400.00

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

T 8CCR: 3203 (a) 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

The employer did not implement and maintain an effective Injury and Illness Prevention Program.

Date By Which Violation Must be Abated: 11/16/2004  
Proposed Penalty: \$ 410.00

See pages 1 through 4 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.

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

T 8CCR: 6251 (a) First Aid.

(a) First-aid material shall be provided and personnel made available for care of injured employees. Means of communication such as an operable two-way radio, phone, or radio/phone shall be provided and the names, addresses, and the telephone numbers of physicians, hospitals, and ambulances to be called shall be made readily available at all operations. Citizens' band radios are permitted only as a secondary means of communication.

The employer did not provide first aid material and personnel to care for injured employees.

Date By Which Violation Must be Abated: 11/16/2004  
Proposed Penalty: \$ 275.00

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

T 8CCR: 6251 (a)(2) First Aid

At logging operations and portable sawmill operations, employers shall arrange to have each employee trained so they have a valid first-aid and CPR certificate issued by the American Red Cross, the American Heart Association, or other nationally recognized agency. Provided a person or persons having a valid first aid and CPR certificate are readily accessible at the work site to render first aid, new employees shall receive the required training within six months from the date of hire.

The employer did not arrange to have each employee trained to have a valid first aid and CPR certificate issued by the American Red Cross.

Date By Which Violation Must be Abated: 11/16/2004  
Proposed Penalty: \$ 410.00

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**Issuance Date:** 10/14/2004  
**CSHO ID:** 13731  
**Optional Inspection Nbr:** 019-05



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**Citation and Notification of Penalty**

**Company Name:** Patty's Farm Labor Service  
**Inspection Site:** National Forest, Calif Hot Springs, CA 93207

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

T 8CCR: 6252 Planning.

Plans shall be made in advance for the safety of workers, including provisions for the emergency rescue in logging operations, and persons in charge shall make sure that the plans are followed.

The employer did not make plans in advance to provide a safe work area.

Date By Which Violation Must be Abated:  
Proposed Penalty:

ABATED  
\$ 4950.00

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**Citation and Notification of Penalty****Company Name:** Patty's Farm Labor Service**Inspection Site:** National Forest, Calif Hot Springs, CA 93207**Citation 3 Item 1 Type of Violation: **Serious****

T 8CCR: 6259 (a) Trees and Snags.

(a) All trees and snags which appear to be dangerous to any operation shall be felled. If hand falling presents extreme hazards, other methods shall be used.

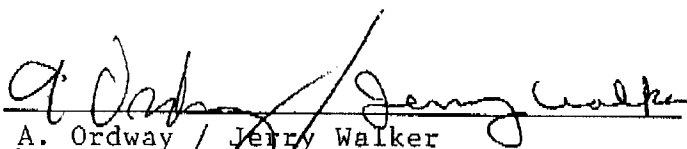
The employee did not fall the dangerous snag prior to falling the other tree. A serious injury was sustained by an employee when the snag fell on him.

Date By Which Violation Must be Abated:

ABATED

Proposed Penalty:

\$ 14400.00

  
A. Ordway / Jerry Walker  
Compliance Officer / District Manager

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State of California  
Division of Occupational Safety and Health  
2550 Mariposa St., Room 4000  
Fresno, CA 93721  
Phone: (559) 445-5302



## NOTICE OF PROPOSED PENALTIES

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**Company Name:** Patty's Farm Labor Service  
**Inspection Site:** National Forest, Calif Hot Springs, CA 93207  
**Mailing Address:** P O Box 744, Strathmore, CA 93267  
**Issuance Date:** 10/14/2004  
**Index Code:** 4025

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**Summary of Penalties for Inspection Number 119983674**

Citation 1, General	= \$	1495.00
Citation 2, Serious	= \$	4950.00
Citation 3, Serious	= \$	14400.00
<b>TOTAL PROPOSED PENALTIES</b>	<b>= \$</b>	<b>20845.00</b>

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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. Make your check or money order payable to "CAL/OSHA". Please indicate the Inspection Number on the remittance.

**RETURN THIS FORM, ALONG WITH A COPY OF THE CITATION AND NOTIFICATION OF PENALTY WITH YOUR REMITTANCE AND MAIL TO:**

**DEPARTMENT OF INDUSTRIAL RELATIONS**

**CASHIER, ACCOUNTING OFFICE**

**P. O. BOX 420603**

**SAN FRANCISCO, CA 94142-0603**

You can make payments by VISA or MasterCard for a convenience fee of \$5.00 per payment. Please call (415) 703-4308 for processing.

State of California

DEPARTMENT OF INDUSTRIAL RELATIONS  
DIVISION OF OCCUPATIONAL SAFETY AND HEALTH

\*  Fatality

\* W.C. Carrier

### NARRATIVE SUMMARY

Establishment Name <b>PATTY'S FARM LABOR SERVICE</b>	Inspection Number <b>119983674</b>
Management contacted <b>PATRICIA SOTO</b>	Title(s) <b>OWNER</b>

Information on Injured Covered by Workers' Compensation Yes  No

Name, Address and Phone Number	Occupation
<b>ODILIO CASTRO</b>	<b>LABORER</b>
<b>12477 AMESTMIST AVE</b>	
<b>CUTLER, CA 93615</b>	
<b>528 0975</b>	

Witness Name(s) and Title

Use additional form(s) as needed.

\* Check box preceding name if confidentiality is given

* Names and Title(s)	Address	Phone No.	Signed Statement?
<b>N/A</b>			Yes <input type="checkbox"/> No <input type="checkbox"/>
			Yes <input type="checkbox"/> No <input type="checkbox"/>
			Yes <input type="checkbox"/> No <input type="checkbox"/>

Summary

Use additional form(s) as needed.

ON 4-22-04, EMPLOYEE NO.1 SUFFERED A SERIOUS INJURY TO HIS RIGHT LEG AND BACK. THE INJURY OCCURRED IN THE NATIONAL FOREST NEAR CALIFORNIA HOT SPRINGS, CA. HE WAS TAKEN TO SIERRA VIEW HOSPITAL IN PORTERVILLE, CA FOR TREATMENT. THIS INCIDENT WAS REPORTED TO CAL-OSHA ON 4-23-04. THE EMPLOYER IS A CONTRACTOR TO THE US FOREST SERVICE, WHO CLEARS UNDER BRUSH AND SMALL TREES. EMPLOYEE NO.1 WAS CUTTING A SMALL TREE ABOUT 15" IN DIAMETER. THERE →

Summary(continued)

WAS A SNAG LEANING AGAINST IT. HE TOOK NO PRECAUTIONS TO STABILIZE THE SNAG SO IT WOULD NOT FALL. HE CUT THE SUPPORTING TREE DOWN AND THE SNAG FELL WITH THE TREE HITTING EMPLOYEE NO.1 AND PINNED HIM DOWN. THIS ACTION FRACTURED HIS RT LEG AND INJURED HIS BACK. EMPLOYEE NO.1 WAS USING A CHAINSAW TO FALL THE TREE. HIS FELLOW EMPLOYEES CUT UP THE SNAG TO REMOVE IT OFF OF HIM. THEY THEN HELPED PUT HIM IN THE WORK VAN TO BE TAKEN TO THE HOSPITAL. THERE WAS A VIOLATION OF 6259(a). THE EMPLOYER DID NOT FALL THE SNAG BEFORE THE SUPPORTING TREE WAS CUT. A SERIOUS ACCIDENT RELATED CITATION WAS ISSUED.

Use additional sheet(s) as needed.

		Signature	Date
Prepared by:	CSE, IH	<i>[Signature]</i>	10-12-04
Reviewed by:	DM/Sr. IH	<i>[Signature]</i>	10/13/04
	Regional Manager		
	Deputy Chief		