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Oregon OSHA concludes Del Monte Fresh Produce investigations
Citation alleges multiple violations and \$28,700 in penalties

(Portland) – The Oregon Occupational Safety and Health Division (Oregon OSHA) today announced it is proposing to fine Del Monte Fresh Produce and American Staffing Resources a total of \$28,700 and cite them for multiple alleged safety and health violations as a result of an inquiry into working conditions at Del Monte’s food packaging plant in Portland.

Oregon OSHA, a division of the Department of Consumer and Business Services, investigated the two companies after a May 14, 2007 complaint alleging safety and health violations and a June 6, 2007 injury accident when a forklift struck a worker on a loading dock. The state cited both companies because Del Monte and American Staffing Resources are held equally responsible for the safety and health of workers in the facility. Proposed penalties total \$13,100 for Del Monte Fresh Produce and \$15,600 for American Staffing Resources. The state investigations were under way before a June 12, 2007 raid by U.S. Immigration and Customs Enforcement (ICE) agents in which 167 people were detained.

The Oregon OSHA investigations found several violations of the Oregon Safe Employment Act in the following areas:

- Failing to protect workers from safety hazards. For example, in several areas of the plant, electrical connections were exposed to potential contact with water, endangering workers. A ladder provided for employees was used in the closed position leaning against a wall, posing a safety hazard. Rungs of the ladder were covered with diced cabbage, creating a slip hazard to workers. Personal protective equipment was not provided to employees exposed to cold or wet production conditions. The investigation determined workers routinely worked 8- to 12-hour shifts wearing footwear that became wet.
- Incomplete documentation of workplace injuries and illnesses. American Staffing Resources failed to coordinate with Del Monte Fresh Produce on accurate documenting of workplace injuries and illness in the required OSHA 300 log. And several workplace injuries were not documented or required information was missing on DCBS Form 801 or an equivalent document.
- Not conducting investigations of accidents to prevent future incidents. The employer failed to adequately investigate reported unsafe acts or unsafe conditions related to forklift accidents. Seven forklift accidents were documented in 2006 where a worker was struck and injured by a forklift while standing next to a stationary object.
- Failing to ensure that nonmanagement employees were represented on the employer safety committee.

“This investigation revealed numerous safety hazards at the Del Monte plant that could have caused even more accidents and injuries,” said Michael Wood, administrator of Oregon OSHA. “If we are going to prevent injuries before they occur, employers must be held accountable for hazards in their workplaces and take steps to correct them.”

In addition, Oregon OSHA found violations specific to the June 6, 2007 injury accident involving a forklift. The investigation found that the forklift operator was not looking in the direction of the forklift’s travel at the time

of injury. The forklift operator drove in reverse 17 feet without looking before striking the accident victim. The investigation of the accident also revealed a hydraulic line showing visible wear and tear. The damage created a potential for hydraulic fluid to spray.

Each employer has 20 days from receiving the citation to determine if they will appeal the division's findings. Del Monte Fresh Produce is required to abate all safety and health hazards identified in the citation.

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Oregon OSHA enforces the state's workplace safety and health rules and works to improve workplace safety and health for all Oregon workers. For more information, go to www.orosha.org.

The Department of Consumer and Business Services is Oregon's largest business regulatory and consumer protection agency. For more information, visit www.dcbs.oregon.gov