

Statement from Acting Labor and Workforce Development Agency (LWDA) Secretary on Criminal and Civil Charges Filed in Case of Deceased Farm Worker from San Joaquin County

SACRAMENTO, Calif.--([BUSINESS WIRE](#))-- Today Acting Secretary Doug Hoffner released the following statement after the San Joaquin County District Attorney filed Involuntary Manslaughter charges and California Labor Code violations in the May 2008 death of 17-year-old farmworker Maria Isabel Vasquez Jimenez. The case brought against Merced Farm Labor followed an investigation by the Division of Occupational Safety and Health—better known as Cal/OSHA, which revealed neglectful acts on the part of the employer. Following the referral to the District Attorney, Cal/OSHA collaborated to bring forward information needed for the prosecution.

“I am proud of Cal/OSHA’s response to this terrible incident and am encouraged by the extent of cooperation between the State and District Attorney Willett’s office. Since Governor Schwarzenegger led the charge in 2006 to make permanent the heat illness prevention regulations, Cal/OSHA has been working diligently to ensure employers know their responsibilities and that workers know their rights. Make no mistake, heat illness prevention regulations are in place to protect employees. The State will continue to not only pursue and fine employers who don’t follow these important safe guards, but also to work with all local law enforcement agencies in assisting in the prosecution of those who contribute to the deaths of their workers.”

On July 2008, Cal/OSHA issued six citations, and assessed fines of \$262,700 against Merced Farm Labor Contractor. The fines are the largest assessed to an agricultural firm in Cal/OSHA’s history. In addition, Cal/OSHA issued a stop work order prohibiting the employer from using any employee labor after investigators found workers were continuing to be exposed to the same workplace hazards that led to the death of Ms. Jimenez.

On June 4, 2008, the California Labor Commissioner moved to revoke Merced Farm Labor’s license for providing false information. Merced Farm Labor Contractor surrendered its license soon thereafter. The Division of Occupational Safety and Health protects workers and the public from safety hazards through its Cal/OSHA, elevator, amusement ride, aerial tramway, ski lift and pressure vessel programs, and provides consultative assistance to employers.

In August 2005 Governor Schwarzenegger introduced emergency regulations aimed at protecting workers by preventing heat related illness or death. In July of 2006 he formally made the regulations permanent. The regulations were the first and strongest in the nation.

For more information regarding California’s heat illness prevention regulations please go to <http://www.dir.ca.gov/DOSH/HeatIllnessInfo.html>