

FAST FOOD - WORKER SAFETY - SMOKE - MENTAL HEALTH - IMMINENT HAZARD - URGENT ACTION - RESPONSE REQUESTED

CalOSHA
District Manager, Van Nuys District Office
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VIA EMAIL: DOSHVN@dir.ca.gov

December 21, 2021

RE: McDonald's, 37217 47th Street E, Palmdale CA 93552

We, the undersigned, work at the McDonald's located at 37217 47th Street E in Palmdale.

The ventilation fan for the McNugget fryer in the kitchen completely stopped working four weeks ago but management continues to have us operate the fryer every day, filling the kitchen with excessive smoke and resulting in symptoms including headaches, painful and watery eyes, coughing and sore throats. We ask the managers when the ventilation fan will be fixed, and management says, "Oh, they are missing a piece" and "Oh, they are going to fix it" but they do not give us any timeline for when it will be fixed, and they do not do anything to protect us from the smoke.

Short staffing and the breakdown of kitchen equipment make it harder to produce food quickly, and result in safety hazards. The manager screams at us and threatens us with schedule cuts to get food out faster, but the real problem with getting food out quickly is that we only have half the staff we need in the kitchen and the kitchen equipment doesn't work properly - the ventilation fan above the fryer is broken, the oven for eggs does not work properly, the sink where we wash dishes backs up and we have to drain it with buckets and the AC does not work in the kitchen when it is hot. The lack of adequate staffing and the lack of working equipment, ventilation and drainage create safety hazards and put our health at risk.

Please use the authority of CalOSHA to ensure management at this McDonald's takes action to protect us from safety hazards at this McDonald's location, including:

- Not operate the fryer without ventilation
- Prevent safety hazards by maintaining kitchen equipment, sewers/drainage, AC and ventilation systems in working order
- Provide safe staffing levels

Here is more information about the hazards at this McDonald's location:

STATEMENT OF ROSA GARCIA

My name is Rosa Garcia and I have worked at the McDonald's at 37217 47th Street E in Palmdale for more than 10 years.

Smoke from the nugget fryer has been filling the kitchen since before Thanksgiving, making my eyes red and giving me a cough, a sore throat and a headache. Management put a fan on the floor but it does not help, it just moves the smoke around the kitchen. This is not safe for my health or the health of my coworkers.

I often open the store at 5 am, and I have to do the jobs of two workers, working in two different positions at the same time, because there are often only two of us in the kitchen when there should be 4 workers. The Assistant Store Manager, Delcarmen, screams at us to get the food out faster, threatening us with retaliation in order to intimidate us, saying, "don't be surprised if your schedule changes or if you have less hours." The real problem is that we do not have enough staff and the equipment we need to get the food out is broken, and these are safety hazards that must be fixed. We have heard talk that the kitchen may be remodeled at some point, with new appliances, but that does not protect us now from the safety hazards and abuse we face at work every day.

DESIGNATION OF EMPLOYEE REPRESENTATIVE

We designate Fight for \$15 California as the designated employee representative in all contacts with CalOSHA and the company for this Complaint. We also designate Hugo Aleman from Fight for \$15 California as our designated employee representative, he can be reached at 510 978-5794, hugo.aleman@thefightfor15.org.

Mr. Aleman will be happy to provide you with any information which will assist you in investigating this case and arrange for your inspector to meet privately, at a site away from the workplace, with workers to discuss the hazards at this site. Such a meeting can be held either before or after the physical inspection of the worksite.

We worked with Fight for \$15 to translate and transcribe this letter.

Sincerely,

Rosa Garcia
38015 65th Street E, Sp B6, Palmdale CA

Andrea Sanchez

Graciela Guzman