

State of California

Department of Industrial Relations
Division of Occupational Safety and Health
American Canyon District Office
3419 Broadway Street Ste H8
American Canyon, CA 94503
Phone: (707) 649-3700 Fax: (707) 649-3712

Inspection #: 1481578
Inspection Dates: 07/01/2020 - 02/04/2021
Issuance Date: 02/24/2021
CSHO ID: S0358
Optional Report #: 057-20



Citation and Notification of Penalty

Company Name: California Prison Industry Authority
and its successors
Inspection Site: 2100 Peabody Road
Vacaville, CA 95687

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

T8 CCR Section 5199(c)(6). Aerosol Transmissible Diseases.

(c) Referring Employers. In facilities, services, or operations in which there is occupational exposure and which meet the criteria specified by (a)(3)(A), employers are only required to comply with the following provisions:

(6) The employer shall establish a system of medical services for employees which meets the following requirements:

(B) The employer shall develop, implement, and maintain effective written procedures for exposure incidents in accordance with subsections (h)(6) through (h)(9).

Prior to and during the course of the inspection, including but not limited to June 2020, the employer failed to establish and implement effective procedures to investigate exposure incidents that occurred in the Metal Fabrication/Vehicle Outfitting Unit (VOU) warehouse in that it did not complete an analysis of occupational exposures to SARS-CoV-2, the virus that causes COVID-19, in the following instances:

Instance 1: The employer failed to conduct an exposure analysis, including the determination of which employees, including inmate workers, had a significant exposure to an employee who tested positive for COVID-19 on June 21, 2020. [ref. §5199 (h)(6)(C)1.]

Instance 2: The employer failed to notify all employees, including inmate workers, who worked in the warehouse and who had significant exposures to COVID-19 in a reasonable timeframe, of the date, time and nature of the exposure. [ref. §5199 (h)(6)(C)2.]

Instance 3: The employer failed to provide post-exposure medical evaluation to all employees, including inmate workers, who had a significant exposure to SARS-CoV-2, as soon as feasible. [ref. §5199 (h)(6)(C)3.]

Date By Which Violation Must be Abated: **Corrected During Inspection**
Proposed Penalty: **\$8100.00**

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

T8 CCR Section 5144(f). Respiratory Protection

(f) Fit testing. This subsection requires that, before an employee may be required to use any respirator with a negative or positive pressure tight-fitting facepiece, the employee must be fit tested with the same make, model, style, and size of respirator that will be used. This subsection specifies the kinds of fit tests allowed, the procedures for conducting them, and how the results of the fit tests must be used.

Prior to and during the course of inspection, including but not limited to, from the month of October 2020 to present, the employer failed to ensure that employees assigned to wear a tight-fitting filtering facepiece respirator were fit tested prior to its initial use of the respirator in accordance with the procedures outlined in Appendix A of T8 CCR 5144.

Date By Which Violation Must be Abated:	Corrected During Inspection
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AMENDED

THIS CITATION IS TO AMEND THE CITATION ISSUED ON 2/4/2021, TO INCLUDE CITATION 3, ITEM 1. ALL OTHER ITEMS OF THE CITATION AND PENALTY REMAIN UNCHANGED AND EFFECTIVE.

THIS AMENDED CITATION SHALL BE POSTED WITH THE ORIGINAL CITATION FOR AT LEAST (3) WORKING DAYS OR UNTIL THE VIOLATIVE CONDITIONS ARE ABATED, WHICHEVER IS LONGER.

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

T8 CCR Section 5199(c)(7). Aerosol Transmissible Diseases.

(c) Referring Employers. In facilities, services, or operations in which there is occupational exposure and which meet the criteria specified by (a)(3)(A), employers are only required to comply with the following provisions:

(7) Employers shall ensure that all employees with occupational exposure participate in a training program. Training shall be provided at the time of initial assignment to tasks where occupational exposure may take place and at least annually thereafter. Additional training shall be provided when there are changes in the workplace or when there are changes in procedures that could affect worker exposure to ATPs. The person conducting the training shall be knowledgeable in the subject matter covered by the training program as it relates to the workplace. Training material appropriate in content and vocabulary to the educational level, literacy, and language of employees shall be used. This training shall include:

- (A) A general explanation of ATDs including the signs and symptoms that require further medical evaluation;**
- (B) Screening methods and criteria for persons who require referral;**
- (C) The employer's source control measures and how these measures will be communicated to persons the employees contact;**
- (D) The employer's procedures for making referrals in accordance with subsection (c)(3);**
- (E) The employer's procedures for temporary risk reduction measures prior to transfer;**
- (F) Training in accordance with subsection (g) and Section 5144 of these orders, when respiratory protection is used;**
- (G) The employer's medical services procedures in accordance with subsection (h), the methods of reporting exposure incidents, and the employer's procedures for providing employees with post-exposure evaluation;**
- (H) Information on vaccines the employer will make available, including the seasonal influenza**

vaccine. For each vaccine, this information shall include the efficacy, safety, method of administration, the benefits of being vaccinated, and that the vaccine and vaccination will be offered free of charge;

(I) How employees can access the employer's written procedures and how employees can participate in reviewing the effectiveness of the employer's procedures in accordance with subsection (c)(8); and

(J) An opportunity for interactive questions and answers with a person who is knowledgeable in the subject matter as it relates to the workplace that the training addresses and who is also knowledgeable in the employer's infection control procedures. Training not given in person shall provide for interactive questions to be answered within 24 hours by a knowledgeable person.

Prior to and during the course of the inspection, including but not limited to, March 2020 to June 2020, the employer failed to provide effective training in accordance with this subsection, and with the procedures contained in its respiratory protection program, COVID-19 Daily Modified Program, and COVID-19 worker protection program, as soon as its employees were assigned to work and transport inmates to and from the Metal Fabrication/Vehicle Outfitting Unit (VOU).

**Date By Which Violation Must be Abated:
Proposed Penalty:**

**Corrected During Inspection
\$8100.00**

Kathy Garner
District Manager