

**State of California**

Department of Industrial Relations  
Division of Occupational Safety and Health  
Fresno District Office  
2550 Mariposa Street, Room 4000  
Fresno, CA 93721  
Phone: (559) 445-5302 Fax: (559) 445-5786

**Inspection #:** 1477043  
**Inspection Dates:** 06/02/2020 - 12/08/2020  
**Issuance Date:** 12/08/2020  
**CSHO ID:** V4970  
**Optional Report #:** 057-20

**Citation and Notification of Penalty**

**Company Name:** CA Corrections & Rehabilitation - Corcoran

**Establishment DBA:**

and its successors

**Inspection Site:** 4001 King Ave  
Corcoran, CA 93212

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

California Code of Regulations, Title 8, 5199(d) (1), Aerosol Transmissible Diseases

(d) Aerosol Transmissible Diseases Exposure Control Plan.

(1) The employer shall establish, implement, and maintain an effective, written ATD Exposure Control Plan (Plan) which is specific to the work place or operation(s), and which contains all of the elements in subsection (d) (2).

REFERENCE:

California Code of Regulations, Title 8, 5199(d) (2), Aerosol Transmissible Diseases

(d) Aerosol Transmissible Diseases Exposure Control Plan.

(2) The Plan shall contain all of the following elements:

(A) The name(s) or title(s) of the person(s) responsible for administering the Plan. This person shall be knowledgeable in infection control principles and practices as they apply to the facility, service or operation.

(B) A list of all job classifications in which employees have occupational exposure.

(C) A list of all high hazard procedures performed in the facility, service or operation, and the job classifications and operations in which employees are exposed to those procedures.

(D) A list of all assignments or tasks requiring personal or respiratory protection.

(E) The methods of implementation of subsections (e), (g), (h), (i) and (j) as they apply to that facility, service or work operation. Specific control measures shall be listed for each operation or work area in which occupational exposure occurs. These measures shall include applicable engineering and work practice controls, cleaning and decontamination procedures, and personal protective equipment and respiratory protection. In establishments where the Plan pertains to laboratory operations, it also shall contain the methods of implementation for subsection (f), unless those operations are included in a Biosafety Plan.

(F) A description of the source control measures to be implemented in the facility, service or operation, and the method of informing people entering the work setting of the source control measures.

(G) The procedures the employer will use to identify, temporarily isolate, and refer or transfer AirID cases or suspected cases to All rooms, areas or facilities. These procedures shall include the methods

the employer will use to limit employee exposure to these persons during periods when they are not in airborne infection isolation rooms or areas. These procedures shall also include the methods the employer will use to document medical decisions not to transfer patients in need of All in accordance with subsection (e)(5)(B).

(H) The procedures the employer will use to provide medical services, including recommended vaccinations and follow-up, as required in subsection (h). This shall include the procedures the employer will use to document the lack of availability of a recommended vaccine.

(I) The procedures for employees and supervisors to follow in the event of an exposure incident, including how the employer will determine which employees had a significant exposure, in accordance with subsections (h)(6) through (h)(9).

(J) The procedures the employer will use to evaluate each exposure incident, to determine the cause, and to revise existing procedures to prevent future incidents.

(K) The procedures the employer will use to communicate with its employees and other employers regarding the suspected or confirmed infectious disease status of persons to whom employees are exposed in the course of their duties, in accordance with subsection (h).

(L) The procedures the employer will use to communicate with other employers regarding exposure incidents, including procedures for providing or receiving notification to and from health care providers about the disease status of referred or transferred patients, in accordance with subsection (h).

(M) The procedures the employer will use to ensure that there is an adequate supply of personal protective equipment and other equipment necessary to minimize employee exposure to ATPs, in normal operations and in foreseeable emergencies.

(N) The procedures the employer will use to provide initial and annual training in accordance with subsection (i) to employees in job categories identified in subsection (d)(2)(B).

(O) The procedures the employer will use for recordkeeping, in accordance with subsection (j).

(P) An effective procedure for obtaining the active involvement of employees in reviewing and updating the exposure control plan with respect to the procedures performed in their respective work areas or departments in accordance with subsection (d)(3).

(Q) Surge procedures. Employers of employees who are designated to provide services in surge conditions, and employers of employees who are designated to provide services to persons who have been contaminated as the result of a release of a biological agent as described in subsection (a)(1)(B), shall include procedures for these activities in the plan. The plan shall include work practices, decontamination facilities, and appropriate personal protective equipment and respiratory protection for such events. The procedures shall include how respiratory and personal protective equipment will be stockpiled, accessed or procured, and how the facility or operation will interact with the local and regional emergency plan.

## VIOLATION

Prior to and during the course of the inspection (investigation), including, but not limited to, on June 2, 2020, the employer failed to maintain an effective written Aerosol Transmissible Disease (ATD) Exposure Control Plan as it was missing workplace specific elements.

### Instance 1

The employer's written plan did not list all job classifications in which employees have occupational exposure.

### Instance 2

The employer's plan did not list all high-hazard procedures performed in the facility, service or operation, and the job classifications and operations in which employees are exposed to those procedures.

Instance 3

The employer's plan did not list all assignments or tasks requiring personal or respiratory protection.

Instance 4

The employer's plan did not discuss procedures to identify, isolate and refer or transfer airborne infectious diseases (Air ID) cases or suspected cases to airborne infection isolation (All) rooms, areas or facilities.

Instance 5

The employer's plan did not contain procedures for obtaining the active involvement of employees in reviewing and updating the exposure control plan with respect to the procedures performed in their respective work areas or departments.

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

**Corrected During Inspection**

**Proposed Penalty:**

**\$9000.00**

**State of California**

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

California Code of Regulations, Title 8, 5199(g) (2), Aerosol Transmissible Diseases  
(g) Respiratory Protection.

(2) Each employer who has any employee whose occupational exposure is based on entering any of the work settings or performing any of the tasks described in subsection (g) (4) shall establish, implement and maintain an effective written respiratory protection program that meets the requirements of Section 5144 of these orders, except as provided in subsections (g) (5) and (g) (6).

**REFERENCE:**

California Code of Regulations, Title 8, 5144(c) (1), Respiratory Protection

(c) Respiratory protection program. This subsection requires the employer to develop and implement a written respiratory protection program with required worksite-specific procedures and elements for required respirator use. The program must be administered by a suitably trained program administrator. In addition, certain program elements may be required for voluntary use to prevent potential hazards associated with the use of the respirator. The Small Entity Compliance Guide contains criteria for the selection of a program administrator and a sample program that meets the requirements of this subsection. Copies of the Small Entity Compliance Guide will be available from the Occupational Safety and Health Administration's Office of Publications, Room N 3101, 200 Constitution Avenue, NW, Washington, DC, 20210 (202-219-4667).

(1) In any workplace where respirators are necessary to protect the health of the employee or whenever respirators are required by the employer, the employer shall establish and implement a written respiratory protection program with worksite-specific procedures. The program shall be updated as necessary to reflect those changes in workplace conditions that affect respirator use. The employer shall include in the program the following provisions, as applicable:

- (A) Procedures for selecting respirators for use in the workplace;
- (B) Medical evaluations of employees required to use respirators;
- (C) Fit testing procedures for tight-fitting respirators;
- (D) Procedures for proper use of respirators in routine and reasonably foreseeable emergency

situations;

(E) Procedures and schedules for cleaning, disinfecting, storing, inspecting, repairing, discarding, and otherwise maintaining respirators;

(F) Procedures to ensure adequate air quality, quantity, and flow of breathing air for atmosphere-supplying respirators;

(G) Training of employees in the respiratory hazards to which they are potentially exposed during routine and emergency situations;

(H) Training of employees in the proper use of respirators, including putting on and removing them, any limitations on their use, and their maintenance; and

(I) Procedures for regularly evaluating the effectiveness of the program.

## VIOLATION

Prior to and during the course of the inspection (investigation), including, but not limited to, on June 2, 2020, the employer did not establish and implement a written respiratory protection program that meet the requirements of Section 5144 except as provided in 5199(g) (5) and 5199 (g) (6). The employer's existing written respiratory protection program lacked worksite-specific procedures as referenced by Section 5144(c) (1).

### Instance 1

The employer did not establish and implement written respiratory protection procedures for follow-up medical examinations of employees required to use respirators. Reference 5199(g) (5), 5144(e) (3), 5144(c) (1) (B)

### Instance 2

The employer did not establish and implement written respiratory protection procedures to address the supplemental information that is to be provided to a Physician or other licensed health care professional (PLHCP) before the PLHCP makes a recommendation concerning the employee's ability to use a respirator. Reference 5144(e) (5), 5144(c) (1) (B)

### Instance 3

The employer did not establish and implement written respiratory protection procedures to address determining the employee's ability to use a respirator by obtaining a written recommendation regarding the employee's ability to use a respirator by obtaining a written recommendation regarding the employee's ability to use the respirator from the PLHCP. Reference 5144(e) (6), 5144(c) (1) (B)

### Instance 4

The employer did not establish and implement written respiratory protection procedures to address providing additional medical evaluations. Reference 5144(c) (7), 5144(c) (1) (B)

### Instance 5

The employer did not establish and implement written respiratory protection procedures for the proper use of respirators in accordance with 5144(g) (2). Reference 5144(c) (1) (D)

### Instance 6

The employer did not establish and implement written respiratory protection procedures for maintenance and care of respirators in accordance with 5144(h). Reference 5144(c) (1) (E)

### Instance 7

The employer did not establish and implement written respiratory protection procedures to cover all

training requirements for employees who are required to use respirators in accordance with 5144(k).  
Reference 5144(c) (1) (G) and 5144(c) (1) (H)

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| <b>Date By Which Violation Must be Abated:</b> | <b>Corrected During Inspection</b> |
| <b>Proposed Penalty:</b>                       | <b>\$9000.00</b>                   |

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Jan Hami  
Compliance Officer / District Manager