

State of California

Department of Industrial Relations
Division of Occupational Safety and Health
San Diego District Office
7575 Metropolitan Drive, Suite 207
San Diego, CA 92108
Phone: (619) 767-2280 Fax: (619) 767-2299

Inspection #: 1502156
Inspection Dates: 11/12/2020 - 05/03/2021
Issuance Date: 05/03/2021
CSHO ID: X7645
Optional Report #: 009-21



Citation and Notification of Penalty

Company Name: St Paul's Episcopal Home Inc.
Establishment DBA: St. Paul's Villa
and its successors
Inspection Site: 2340 4th Avenue
San Diego, CA 92103

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

T8CCR 342(a). Reporting Work-Connected Fatalities and Serious Injuries. (a) Every employer shall report immediately by telephone or telegraph to the nearest District Office of the Division of Occupational Safety and Health any serious injury or illness, or death, of an employee occurring in a place of employment or in connection with any employment.

Immediately means as soon as practically possible but not longer than 8 hours after the employer knows or with diligent inquiry would have known of the death or serious injury or illness. If the employer can demonstrate that exigent circumstances exist, the time frame for the report may be made no longer than 24 hours after the incident.

Serious injury or illness is defined in section 330(h), Title 8, California Administrative Code.

Alleged Violative Description (AVD): Employer failed to immediately report to the Division the serious illness of an employee who fell ill of COVID-19 that occurred at the workplace or in connection with the employees' work. The employee was hospitalized from August 30, 2020 to September 13, 2020 and the employer did not report the hospitalization to the Division until September 18, 2020.

Date By Which Violation Must be Abated:	Corrected During Inspection
Proposed Penalty:	\$5000.00

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

T8 CCR 3203(a): Injury and Illness Prevention Program. (a) Effective July 1, 1991, every employer shall establish, implement and maintain an effective Injury and Illness Prevention Program (Program). The Program shall be in writing and, shall, at a minimum:

- (1) Identify the person or persons with authority and responsibility for implementing the Program.
- (2) Include a system for ensuring that employees comply with safe and healthy work practices. Substantial compliance with this provision includes recognition of employees who follow safe and healthful work practices, training and retraining programs, disciplinary actions, or any other such means that ensures employee compliance with safe and healthful work practices.
- (3) Include a system for communicating with employees in a form readily understandable by all affected employees on matters relating to occupational safety and health, including provisions designed to encourage employees to inform the employer of hazards at the worksite without fear of reprisal. Substantial compliance with this provision includes meetings, training programs, posting, written communications, a system of anonymous notification by employees about hazards, labor/management safety and health committees, or any other means that ensures communication with employees.
- (4) Include procedures for identifying and evaluating work place hazards including scheduled periodic inspections to identify unsafe conditions and work practices. Inspections shall be made to identify and evaluate hazards.
 - (A) When the Program is first established;
 - (B) Whenever new substances, processes, procedures, or equipment are introduced to the workplace that represent a new occupational safety and health hazard; and
 - (C) Whenever the employer is made aware of a new or previously unrecognized hazard.
- (5) Include a procedure to investigate occupational injury or occupational illness.
- (6) Include methods and/or procedures for correcting unsafe or unhealthy conditions, work practices and work procedures in a timely manner based on the severity of the hazard:
 - (A) When observed or discovered; and,

(B) When an imminent hazard exists which cannot be immediately abated without endangering employee(s) and/or property, remove all exposed personnel from the area except those necessary to correct the existing condition. Employees necessary to correct the hazardous condition shall be provided the necessary safeguards.

(7) Provide training and instruction:

(A) When the program is first established;

(B) To all new employees;

(C) To all employees given new job assignments for which training has not previously been received;

(D) Whenever new substances, processes, procedures or equipment are introduced to the workplace and represent a new hazard;

(E) Whenever the employer is made aware of a new or previously unrecognized hazard; and,

(F) For supervisors to familiarize themselves with the safety and health hazards to which employees under their immediate direction and control may be exposed.

Alleged Violative Description (AVD): Prior to and during the course of the investigation, including, but not limited to November 12, 2020 the employer failed to establish, implement and maintain an effective written Injury and Illness Prevention Program in that the employer's written program failed to meet the following minimum requirements:

Instance 1: The employer failed to effectively identify or evaluate workplace hazards related to COVID-19 including, but not limited to, the following hazards:

a) The employer failed to ensure that face coverings are worn by employees who work in the kitchen to prevent the spread of SARs-Cov-2 virus. [3203(a)(4)]

Instance 2: The employer failed to effectively implement methods or procedures to correct unhealthy conditions or work practices related to COVID-19, including but not limited to:

a) The employer failed to ensure that face coverings are worn by employees who work in the kitchen to prevent the spread of SARs-Cov-2 virus. [3203(a)(6)]

Instance 3: The employer failed to effectively train employees on COVID-19 information, including but not limited to prevention, symptoms, reporting and the employer's procedures to control and prevent transmission for employees. [3203(a)(7)]

Instance 4: The employer failed to include in their written program that they would provide training and instructions for supervisors to familiarize themselves with the safety and health hazards including, but not limited to COVID-19, to which employees under their immediate direction and control may be exposed. [3203(a)(7)(F)]

Date By Which Violation Must be Abated:

May 17, 2021

Proposed Penalty:

\$18000.00

Michele Boswell / Kathy Derham
Compliance Officer / District Manager