

**State of California**

Department of Industrial Relations  
Division of Occupational Safety and Health  
Los Angeles District Office  
320 West 4th Street, Room 820  
Los Angeles, CA 90013  
(213) 576-7451 FAX: (213) 576-7461

**Inspection #:** 1478836  
**Inspection Dates:** 06/15/2020 – 12/11/2020  
**Issuance Date:** 12/11/2020  
**CSHO ID:** D1549  
**Optional Report #:** 042-20



**Citation and Notification of Penalty**

**Company Name:** Los Angeles County Metropolitan Transportation Authority  
**Establishment DBA:**  
and its successors,  
**Inspection Site:** 920 N. Vignes Street  
Los Angeles, CA 90012

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

**CALIFORNIA CODE OF REGULATIONS; TITLE 8**

**Subchapter 2. Regulations of the Division of Occupational Safety and Health**  
**Section 342 (a) Reporting Work-Connected Fatalities and Serious Injuries.**

Every employer shall report immediately to 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. The report shall be made by the telephone or through a specified online mechanism established by the Division for this purpose. Until the division has made such a mechanism available, the report may be made by telephone or email.

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.

**VIOLATION:**

Prior to and during the course of the inspection, including but not limited to June 15, 2020, the employer did not immediately report to the Division of Occupational Safety and Health, the hospitalization of an employee involving COVID-19.

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

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**Inspection #:** 1478836  
**Inspection Dates:** 06/15/2020 - UNKNOWN  
**Issuance Date:** 10/20/2020  
**CSHO ID:** D1549  
**Optional Report #:** 042-20

**Citation and Notification of Penalty**

**Company Name:** Los Angeles County Metropolitan Transportation Authority

**Establishment DBA:**

and its successors

**Inspection Site:** 920 N. Vignes Street  
Los Angeles, CA 90012

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

**CALIFORNIA CODE OF REGULATIONS; TITLE 8****Article 2. Employer Records of Occupational Injury or Illness****Section 14300.29(b)(6) Forms- Implementation.****(6) Are there situations where I do not put the employee's name on the forms for privacy reasons?**

Yes. If you have a "privacy concern case," as described in subsection (b)(7) of this section, you may not enter the employee's name on the Cal/OSHA Form 300. Instead, enter "privacy case" in the space normally used for the employee's name. This will protect the privacy of the injured or ill employee when another employee, a former employee, or an authorized employee representative is provided access to the Cal/OSHA Form 300 under Section 14300.35(b)(2). You must keep a separate, confidential list of the case numbers and employee names for your privacy concern cases so you can update the cases and provide the information to the government if asked to do so.

REFERENCE IS MADE TO 8 CCR 14300.29 (b)(7):

**(7) How do I determine if an injury or illness is a privacy concern case?**

You must consider the following injuries or illnesses to be privacy concern cases:

- (A) An injury or illness to an intimate body part or the reproductive system;
- (B) An injury or illness resulting from a sexual assault;
- (C) Mental illnesses;
- (D) HIV infection, hepatitis, or tuberculosis;
- (E) Needlestick injuries and cuts from sharp objects that are contaminated with another person's blood or other potentially infectious material (see Section 14300.8 for definitions); and
- (F) Other illnesses, if the employee independently and voluntarily requests that his or her name not be entered on the log.

(Continued)

**VIOLATION:**

Prior to and during the course of the inspection, including but not limited to June 15, 2020, the employer's OSHA Log 300 form did not list the name of a COVID-19 related fatality, reported by the employer on June 12, 2020. The entry was listed as a privacy concern case and the circumstances did not meet the requirements for same, as set forth in 8 CCR 14300.29.

<b>Date by Which Violation Must be Abated:</b>	<b>January 11, 2021</b>
<b>Proposed Penalty:</b>	<b>\$375.00</b>

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**Citation and Notification of Penalty**

**Company Name:** Los Angeles County Metropolitan Transportation Authority  
**Establishment DBA:** and its successors  
**Inspection Site:** 920 N. Vignes Street  
Los Angeles, CA 90012

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

**CALIFORNIA CODE OF REGULATIONS; TITLE 8**  
**Subchapter 7. General Industry Safety Orders**  
**Group 1. General Physical Conditions and Structures Orders**

**Section 3203 (a)(4) & (6) Injury and Illness Prevention Program.**

**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:**

**(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.**

**(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.**

**OR, IN THE ALTERNATIVE,**

**CALIFORNIA CODE OF REGULATIONS; TITLE 8**

**Section 5141 (a) Control of Harmful Exposure to Employees.**

**Engineering Controls.**

**Harmful exposures shall be prevented by engineering controls whenever feasible.**

**VIOLATION:**

Prior to and during the course of the Divisions inspection including but not limited to June 15, 2020, the employer did not implement and maintain an effective Injury and Illness Prevention Program (IIPP), in the following instances:

**Instance 1:** The employer did not effectively identify or evaluate workplace hazards relating to SARS-CoV-2, the virus that causes COVID-19, including, but not limited to, the following:

- a) The failure to ensure the use of face coverings among employees visiting the ground floor breakroom.
- b) The lack of physical distancing among employees visiting the ground floor breakroom.

**Instance 2:** The employer did not effectively implement methods or procedures to correct unhealthy conditions, work practices, work procedures relating to SARS-CoV-2, the virus that causes COVID-19, that affected its employees including, but not limited to, the following:

- a) The failure to enforce the use of face coverings among employees visiting the ground floor breakroom.
- b) The lack of physical distancing among employees visiting the ground floor breakroom.

OR, IN THE ALTERNATIVE TO INSTANCE 2 a):

Prior to and during the course of the inspection, including, but not limited to June 15, 2020, the employer did not prevent harmful exposures of its employees to infectious or potentially infectious airborne particles, by ensuring the use of engineering controls to prevent the spread of SARS-CoV-2, the virus that causes COVID-19, including but not limited to the use of face coverings among employees visiting the ground floor breakroom to limit the release of infectious particles into the air when persons are breathing, speaking, coughing, or sneezing.

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

**Corrected During Inspection.  
\$5060.00**

Paul M. Grier  
Compliance Officer

Victor Copelan  
District Manager