

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 #: 1483170
Inspection Dates: 07/14/2020 - 01/14/2021
Issuance Date: 01/14/2021
CSHO ID: O2283
Optional Report #: 013-21



Citation and Notification of Penalty

Company Name: H&B Hospitality LLC.
Establishment DBA: Courtyard by Marriott Fairfield Napa Valley Area
and its successors
Inspection Site: 1350 Holiday Lane
Fairfield, CA 94533

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

T8 CCR Section 342(a). Reporting Work-Connected Fatalities and Serious Injuries.

(a) 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.

The employer failed to immediately report to the Division the serious illness suffered by an employee who was hospitalized with COVID-19 for about 4 days beginning on or about July 9, 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 Section 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).

(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.

Prior to, and during the course of the inspection, including, but not limited to, on July 10, 2020, the employer failed to implement and maintain an effective Injury and Illness Prevention Program (IIPP) in the following instances, where at least two employees tested positive for SARS-CoV-2, the virus that

causes COVID-19.:

Instance 1: The employer failed to effectively identify or evaluate workplace hazards relating to SARS-CoV-2, including, but not limited to, the following:

The lack of communication of the measures taken to prevent the spread of the virus,

The lack of physical distancing measures,

The lack of cleaning and disinfecting protocols,

The lack of individual control measures and symptom-screening for all employees.

[3203(a)(4)]

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

The lack of communication of the measures taken to prevent the spread of the virus,

The lack of physical distancing measures,

The lack of cleaning and disinfecting protocols,

The lack of individual control measures and symptom-screening for all employees.

[3203(a)(6)]

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

**Corrected During Inspection
\$6300.00**

Kathy Garner
District Manager