

State of California

Department of Industrial Relations
Division of Occupational Safety and Health
Fremont District Office
39141 Civic Center Drive, Suite 310
Fremont, CA 94538
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Inspection #: 1491230
Inspection Dates: 09/03/2020 - 03/02/2021
Issuance Date: 03/03/2021
CSHO ID: W6136
Optional Report #: 013-21

**Citation and Notification of Penalty**

Company Name: Phoenix DeVentures, Inc.
Establishment DBA: and its successors
Inspection Site: 18655 Madrone Parkway, Suite 180
Morgan Hill, CA 95037

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

T8 CCR Sec. 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.**
- (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.**
- (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.**
- (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.**
- (7) Provide training and instruction.**
- (8) Allow employee access to the Program.**

Prior to and during the course of the inspection, including, but not limited to, on August 30, 2020, the employer failed to effectively implement and maintain an Injury and Illness Prevention Program (IIPP)

in the following instances:

Instance 1

The employer failed to establish a written Injury & Illness Prevention Program in accordance with this section.

Instance 2

The employer failed to identify, evaluate or correct the unhealthy conditions or work practices relating to SARS-CoV-2, the virus causing COVID-19, in that the employer did not ensure their daily verbal health screenings were being performed with employees at the beginning of their work shift.

Date By Which Violation Must be Abated:
Proposed Penalty:

Corrected During Inspection
\$7875.00

Kelly Tatum
Compliance Officer / District Manager