

## State of California

Department of Industrial Relations  
Division of Occupational Safety and Health  
Modesto District Office  
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Modesto, CA 95356  
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**Inspection #:** 1498725  
**Inspection Dates:** 10/20/2020 - 05/28/2021  
**Issuance Date:** 05/28/2021  
**CSHO ID:** S6255  
**Optional Report #:** 24-21



## Citation and Notification of Penalty

**Company Name:** Roweventure, LLC  
**Establishment DBA:** Revive Coffee  
and its successors  
**Inspection Site:** 18698 Pine St.  
Tuolumne, CA 95379

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### Citation 1 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.

Exception: Employers having fewer than 10 employees shall be permitted to communicate to and instruct employees orally in general safe work practices with specific instructions with respect to hazards unique to the employees' job assignments as compliance with subsection (a)(3).

(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;

Exception: Those employers having in place on July 1, 1991, a written Injury and Illness Prevention Program complying with previously existing section 3203.

(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;

Exception: Employers having in place on July 1, 1991, a written Injury and Illness Prevention Program complying with the previously existing Accident Prevention Program in Section 3203.

(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.

Prior to and during the course of the inspection, including, but not limited to, on October 20, 2020, the employer failed to implement and maintain an effective Injury and Illness Prevention Program (IIPP), including, but not limited to the following instances:

Instance 1: The employer failed to effectively identify and evaluate workplace hazards relating to COVID-19, including, but not limited to:

a) The lack of physical distancing of at least six feet in all directions between employees and customers,

b) The failure to provide face coverings to employees and/or ensure the use of face coverings by employees and visitors to prevent the release of infectious particles into the air when persons are breathing, speaking, coughing, or sneezing, and

c) The lack of physical barriers to separate employees and visitors when ordering and picking up food; [3203(a)(4)]

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

a) The lack of physical distancing of at least six feet in all directions between employees and customers throughout restaurant,

- b) The failure to provide face coverings to employees or ensure the use of face coverings by employees and visitors to prevent the release of infectious particles into the air when persons are breathing, speaking, coughing, or sneezing, and
- c) The lack of physical barriers to separate employees and visitors when ordering and picking up food; [3203(a)(6)] and

Instance 3: The employer failed to provide effective training and instruction regarding the new occupational hazard of COVID-19, including but not limited to, training and instruction on how the virus is spread, measures to avoid infection, and signs and symptoms of infection, and how to safely use cleaners and disinfectants. [3203(a)(7)]

Or, In the Alternative to Instance 2b-c:

Title 8, California Code of Regulations, Section 5141(a). Control of Harmful Exposure to Employees.

(a) Engineering Controls. Harmful exposures shall be prevented by engineering controls whenever feasible.

Prior to and during the course of the inspection, including, but not limited to, on October 20, 2020, the employer failed to prevent harmful exposures of employees to infectious or potentially infectious airborne particles by ensuring the use of engineering controls to prevent the spread of COVID-19, including, but not limited to face coverings and physical barriers to limit the release of infectious particles into the air when persons are speaking, coughing, or sneezing.

<b>Date By Which Violation Must be Abated:</b>	<b>Corrected During Inspection</b>
<b>Proposed Penalty:</b>	<b>\$5400.00</b>

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Eddie Miranda  
Compliance Officer / District Manager