

**State of California**

Department of Industrial Relations  
 Division of Occupational Safety and Health  
 Foster City District Office  
 1065 East Hillsdale Blvd, Suite 110  
 Foster City, CA 94404  
 Phone: (650) 573-3812 Fax: (650) 573-3817

**Inspection #:** 1509377  
**Inspection Dates:** 01/11/2021 - 09/01/2021  
**Issuance Date:** 09/03/2021  
**CSHO ID:** C8043  
**Optional Report #:** 028-21

**Citation and Notification of Penalty**

**Company Name:** Pacific Autism Center for Education (PACE)

**Establishment DBA:**

and its successors

**Inspection Site:** 854 Gary Avenue  
 Sunnyvale, CA 94086

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

**Title 8 CCR Section. § 5144(c). Respiratory Protection.**

**(c) Respiratory protection program. This subsection requires the employer to develop and implement a written respiratory protection program with required worksite-specific procedures and elements for required respirator use. The program must be administered by a suitably trained program administrator. In addition, certain program elements may be required for voluntary use to prevent potential hazards associated with the use of the respirator. The Small Entity Compliance Guide contains criteria for the selection of a program administrator and a sample program that meets the requirements of this subsection. Copies of the Small Entity Compliance Guide will be available from the Occupational Safety and Health Administration's Office of Publications, Room N 3101, 200 Constitution Avenue, NW, Washington, DC, 20210 (202-219-4667).**

Prior to and during the course of the inspection, including, but not limited to, on December 27, 2020, the employer failed to develop and implement a written respiratory protection program with required worksite-specific procedures and elements for when employees were required to use tight-fitting filtering facepiece respirators (N95s) while caring for confirmed or suspected COVID-19 residents.

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

**October 12, 2021**

**Proposed Penalty:**

**\$560.00**

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

**Title 8 CCR Section § 5144(f). Respiratory Protection.**

**(f) Fit testing. This subsection requires that, before an employee may be required to use any respirator with a negative or positive pressure tight-fitting facepiece, the employee must be fit tested with the same make, model, style, and size of respirator that will be used. This subsection specifies the kinds of fit tests allowed, the procedures for conducting them, and how the results of the fit tests must be used.**

Prior to and during the course of inspection, including but not limited to, on December 27, 2020, the employer failed to ensure that employees assigned to wear a tight-fitting filtering facepiece respirator (N95) were fit tested prior to its initial use of the respirator in accordance with the procedures outlined in Appendix A of T8 CCR 5144.

**Date By Which Violation Must be Abated:** September 24, 2021  
**Proposed Penalty:** \$6750.00

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Barbara Kim  
Compliance Officer / District Manager