

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 #: 1494822
Inspection Dates: 09/22/2020 – 03/22/2021
Issuance Date: 03/22/2021
CSHO ID: W1289
Optional Report #: 006-21



Citation and Notification of Penalty

Company Name: Ciasom LLC
Establishment DBA: Advoque Safeguard
and its successors
Inspection Site: 1040 Richard Avenue
Santa Clara, CA 95050

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

Title 8 CCR §3664(a). Operating Rules.

(a) Every employer using industrial trucks or industrial tow tractors shall post and enforce a set of operating rules including the appropriate rules listed in Section 3650(t).

Prior to, and during the course of the inspection, including, but not limited to, on September 22, 2020 the employer, who uses an industrial truck (Toyota Electric Forklift, Model: 7FBCU30, Serial Number: 62734), failed to post a set of operating rules including the appropriate rules listed in Section 3650(t).

Date By Which Violation Must be Abated:	Corrected During Inspection
Proposed Penalty:	\$135.00

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

Title 8 CCR §3203(a)(7). 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:

(7) Provide training and instruction:

- (A) When the program is first established;**
- (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 this investigation, including but not limited to, on September 22, 2020, the employer [Ciasom, LLC dba Advoque Safeguard] failed to implement and maintain an effective Injury and Illness Prevention Program in that it failed to conduct training with its employees and employees of Randstad US, LLC to include information on COVID-19 infection symptoms, transmission and prevention.

Date By Which Violation Must be Abated:	Corrected During Inspection
Proposed Penalty:	\$685.00

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

Title 8 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:

(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 September 22, 2020, the employer failed to effectively implement and maintain its Injury and Illness Prevention Program (IIPP) related to SARs-CoV-2 (the virus causing COVID-19) that affected its employees and the employees of Randstad US, LLC, in the following instances:

1. The employer failed to effectively identify or evaluate workplace hazards relating to COVID-19, including but not limited to, the hazard of the lack of maintaining physical distance, and/or physical barriers, among employees while eating and sitting in the downstairs and upstairs breakroom tables. [3203(a)(4)]

2. The employer failed to effectively implement methods or procedures to correct unhealthy conditions or work practices relating to COVID-19 in a timely manner, including, but not limited to the lack of maintaining physical distance, and/or physical barriers, among employees while eating and sitting in the downstairs and upstairs breakroom tables. [3203(a)(6)]

OR in the Alternative to Instance 2:

Title 8 CCR §5141(a). Control of Harmful Exposures 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 September 22, 2020, the employer failed to prevent harmful exposures of its employees and the employees of Randstad US, LLC, to infectious or potentially infectious airborne particles by ensuring the use of feasible engineering controls to prevent the spread of COVID-19, including but not limited to, plexiglass screens or other impermeable dividers or partitions.

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

**Corrected During Inspection
\$4950.00**

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Citation 3 Item 1 Type of Violation: **Serious**

Title 8 CCR §3314(c). The Control of Hazardous Energy for the Cleaning, Repairing, Servicing, Setting-Up, and Adjusting Operations of Prime Movers, Machinery and Equipment, Including Lockout/Tagout.

(c) Cleaning, Servicing and Adjusting Operations.

Machinery or equipment capable of movement shall be stopped and the power source de-energized or disengaged, and, if necessary, the moveable parts shall be mechanically blocked or locked out to prevent inadvertent movement, or release of stored energy during cleaning, servicing and adjusting operations. Accident prevention signs or tags or both shall be placed on the controls of the power source of the machinery or equipment.

Prior to, and during the course of the inspection, including, but not limited to, on November 17, 2020, the employer failed to ensure that machinery or equipment capable of movement was stopped and the power source de-energized or disengaged, and if necessary, the moveable parts mechanically blocked or locked out to prevent inadvertent movement or release of stored energy during cleaning operations for the Automatan Laminator (Model # 7780, serial no. 7780-25).

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Citation 4 Item 1 Type of Violation: **Serious**

Title 8 CCR §4184(a). Guarding Required.

(a) Machines as specifically covered hereafter in Group 8, having a grinding, shearing, punching, pressing, squeezing, drawing, cutting, rolling, mixing or similar action, in which an employee comes within the danger zone shall be guarded at the point of operation in one or a combination of the ways specified in the following orders, or by other means or methods which will provide equivalent protection for the employee.

Prior to, and during the course of the inspection, including, but not limited to, on November 17, 2020, the employer failed to guard the point of operation of the Potdevin Label Applicator System (serial number - 15-1-101), which had a pressing action in which an employee came within the danger zone.

Date By Which Violation Must be Abated: **Corrected During Inspection**
Proposed Penalty: **\$4950.00**

Barbara Kim
District Manager