

## State of California

Department of Industrial Relations  
Division of Occupational Safety and Health  
Modesto District Office  
4206 Technology Drive, Suite 3  
Modesto, CA 95356  
Phone: (209) 545-7310 Fax: (209) 545-7313

**Inspection #:** 1515006  
**Inspection Dates:** 02/11/2021 - 06/02/2021  
**Issuance Date:** 06/02/2021  
**CSHO ID:** Q8549  
**Optional Report #:** 26-21



## Citation and Notification of Penalty

**Company Name:** Paramount Court Senior Living

**Establishment DBA:**

and its successors

**Inspection Site:** 3791 Crowell Road  
Turlock, CA 95382

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

T8CCR 5144(c)(1)

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).

(1) In any workplace where respirators are necessary to protect the health of the employee or whenever respirators are required by the employer, the employer shall establish and implement a written respiratory protection program with worksite-specific procedures. The program shall be updated as necessary to reflect those changes in workplace conditions that affect respirator use. The employer shall include in the program the following provisions, as applicable:

- (A) Procedures for selecting respirators for use in the workplace;
- (B) Medical evaluations of employees required to use respirators;
- (C) Fit testing procedures for tight-fitting respirators;
- (D) Procedures for proper use of respirators in routine and reasonably foreseeable emergency situations;
- (E) Procedures and schedules for cleaning, disinfecting, storing, inspecting, repairing, discarding, and otherwise maintaining respirators;
- (F) Procedures to ensure adequate air quality, quantity, and flow of breathing air for atmosphere-

supplying respirators;

(G) Training of employees in the respiratory hazards to which they are potentially exposed during routine and emergency situations;

(H) Training of employees in the proper use of respirators, including putting on and removing them, any limitations on their use, and their maintenance; and

(I) Procedures for regularly evaluating the effectiveness of the program.

Prior to and during the course of inspection, the Employer did not establish and implement a written respiratory protection program with site specific procedures for those employees who wear an N-95 respirator for protection against Covid-19.

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

**July 19, 2021**

**Proposed Penalty:**

**\$650.00**

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

T8CCR 5144(e)(1)

Respiratory Protection

(e) Medical evaluation. Using a respirator may place a physiological burden on employees that varies with the type of respirator worn, the job and workplace conditions in which the respirator is used, and the medical status of the employee. Accordingly, this subsection specifies the minimum requirements for medical evaluation that employers must implement to determine the employee's ability to use a respirator.

(1) General. The employer shall provide a medical evaluation to determine the employee's ability to use a respirator, before the employee is fit tested or required to use the respirator in the workplace. The employer may discontinue an employee's medical evaluations when the employee is no longer required to use a respirator.

Prior to and during the course of inspection, the employer did not provide medical evaluations as required for those employees who wear respirators (N-95) as protection against Covid-19.

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

**July 19, 2021**

**Proposed Penalty:**

**\$650.00**

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

T8CCR 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.

(2) The employer shall ensure that an employee using a tight-fitting facepiece respirator is fit tested prior to initial use of the respirator, whenever a different respirator facepiece (size, style, model or make) is used, and at least annually thereafter.

Prior to and during the course of inspection, the employer did not ensure that employees wearing a tight-fitting respirator (N-95) for protection against Covid-19 were fit tested prior to initial use of the respirator.

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

**July 19, 2021**

**Proposed Penalty:**

**\$650.00**

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Eddie Miranda  
Compliance Officer / District Manager