

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 #: 1510093
Inspection Dates: 01/14/2021 - 06/01/2021
Issuance Date: 06/04/2021
CSHO ID: D9005
Optional Report #: 033-21



Citation and Notification of Penalty

Company Name: Naftoon, Inc.
Establishment DBA: Stevens Creek Nissan
and its successors
Inspection Site: 4855 Stevens Creek Boulevard
Santa Clara, CA 95051

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

Title 8 CCR Section § 3205(c)(9)(C). COVID-19 Prevention.

(9) Reporting, recordkeeping, and access.

(C) The employer shall maintain records of the steps taken to implement the written COVID-19 Prevention Program in accordance with section 3203(b).

Reference: Title 8 CCR Section § 3203(b)(2). Injury and Illness Prevention Program.

(b) Records of the steps taken to implement and maintain the Program shall include:

(2) Documentation of safety and health training required by subsection (a)(7) for each employee, including employee name or other identifier, training dates, type(s) of training, and training providers. This documentation shall be maintained for at least one (1) year.

Prior to and during the course of the inspection, the employer failed to document the training date and training provider on its COVID-19 training records provided to the Division on January 22, 2021.

Date By Which Violation Must be Abated:

June 29, 2021

Proposed Penalty:

\$275.00

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Santa Clara, CA 95051

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

Title 8 CCR Section § 3205(c)(2)(D). COVID-19 Prevention(c)(2)(D)

(c) Written COVID-19 Prevention Program. Employers shall establish, implement, and maintain an effective, written COVID-19 Prevention Program, which may be integrated into the employer's Injury and Illness Program required by section 3203, or be maintained in a separate document. The written elements of a COVID-19 Prevention Program shall include:

(2) Identification and evaluation of COVID-19 hazards.

(D) The employer shall conduct a workplace-specific identification of all interactions, areas, activities, processes, equipment, and materials that could potentially expose employees to COVID-19 hazards. Employers shall treat all persons, regardless of symptoms or negative COVID-19 test results, as potentially infectious.

1. This shall include identification of places and times when people may congregate or come in contact with one another, regardless of whether employees are performing an assigned work task or not, for instance during meetings or trainings and including in and around entrances, bathrooms, hallways, aisles, walkways, elevators, break or eating areas, cool-down areas, and waiting areas.

Prior to, and during the course of the inspection, including, but not limited to, December 22, 2020, the employer failed to identify and evaluate the potential exposure to COVID-19 hazards at the workplace associated with employees congregating or coming into contact with one another in the break or eating area.

Date By Which Violation Must be Abated: Corrected During Inspection
Proposed Penalty: \$3710.00

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

Title 8 CCR Section § 3205(c)(6)(A). COVID-19 Prevention.

(c) Written COVID-19 Prevention Program. Employers shall establish, implement, and maintain an effective, written COVID-19 Prevention Program, which may be integrated into the employer's Injury and Illness Program required by section 3203, or be maintained in a separate document. The written elements of a COVID-19 Prevention Program shall include:

(6) Physical distancing.

(A) All employees shall be separated from other persons by at least six feet, except where an employer can demonstrate that six feet of separation is not possible, and except for momentary exposure while persons are in movement. Methods of physical distancing include: telework or other remote work arrangements; reducing the number of persons in an area at one time, including visitors; visual cues such as signs and floor markings to indicate where employees and others should be located or their direction and path of travel; staggered arrival, departure, work, and break times; and adjusted work processes or procedures, such as reducing production speed, to allow greater distance between employees.

Prior to and during the course of the inspection, including but not limited to December 22, 2020, the employer failed to effectively implement its COVID-19 Prevention Program by ensuring that employees eating and drinking in the breakroom were separated from other persons by at least six feet in all directions at all times.

Date By Which Violation Must be Abated: **Corrected During Inspection**
Proposed Penalty: **\$3713.00**

Barbara Kim
Compliance Officer / District Manager