

State of California

Department of Industrial Relations
Division of Occupational Safety and Health
San Diego District Office
7575 Metropolitan Drive, Suite 207
San Diego, CA 92108
Phone: (619) 767-2280 Fax: (619) 767-2299

Inspection #: 1506379
Inspection Dates: 12/11/2020 – 07/19/2021
Issuance Date: 07/20/2021
CSHO ID: X7645
Optional Report #: 015-21



Citation and Notification of Penalty

Company Name: Metropolitan Area Advisory Committee on Anti-Poverty of San Diego County, Inc.
Establishment DBA: MAAC Project
and its successors
Inspection Site: 73 North 2nd Avenue
Chula Vista, CA 91910

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

T8 CCR 3203(b)(1) Injury Illness Prevention Program: (b) Records of the steps taken to implement and maintain the Program shall include: (1) Records of scheduled and periodic inspections required by subsection (a)(4) to identify unsafe conditions and work practices, including person(s) conducting the inspection, the unsafe conditions and work practices that have been identified and action taken to correct the identified unsafe conditions and work practices. These records shall be maintained for at least one (1) year. (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.

Alleged Violative Description (AVD): Prior to and during the course of the inspection, the employer did not keep records as required by this section as follows:

Instance #1:
Employer did not provide any records of periodic inspections. [3203(b)(1)]

Instance #2:
Employer provided documentation of safety and health training for employees that did not include training provider identification. [3203(b)(2)]

MAAC Project was previously cited for a violation of this occupational safety and health standard or its equivalent standard T8 CCR 3203(b), which was contained in OSHA inspection number 1394865, citation number 1, item number 1, and was affirmed as a final order on 07/10/2019, with respect to a workplace located at 5471 Bayview Heights Place, San Diego CA 92102.

Date By Which Violation Must be Abated: August 20, 2021
Proposed Penalty: \$1000.00

State of California

Department of Industrial Relations
Division of Occupational Safety and Health
San Diego District Office
7575 Metropolitan Drive, Suite 207
San Diego, CA 92108
Phone: (619) 767-2280 Fax: (619) 767-2299

Inspection #: 1506379
Inspection Dates: 12/11/2020 – 07/19/2021
Issuance Date: 07/20/2021
CSHO ID: X7645
Optional Report #: 015-21

**Citation and Notification of Penalty**

Company Name: Metropolitan Area Advisory Committee on Anti-Poverty of San Diego County, Inc.
Establishment DBA: MAAC Project
and its successors
Inspection Site: 73 North 2nd Avenue
Chula Vista, CA 91910

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

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.
- (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.
- (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;

(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.

Alleged Violative Description (AVD): Prior to and during the course of the investigation, including, but not limited to December 11, 2020, the employer failed to establish, implement and maintain an effective written Injury and Illness Prevention Program in that the employer's written program failed to meet the following minimum requirements:

Instance 1: The employer's written program did not include communication provisions designed to encourage employees to inform the employer of hazards at the workplace without fear of reprisal as required by section 3203(a)(3). [3203(a)(3)]

Instance 2: The employer's written program did not include hazard identification provisions as required by section 3203(a)(4)(A-C). [3203(a)(4)].

Instance 3: The employer's written program did not include hazard correction for imminent hazards which cannot be immediately abated to remove all exposed personnel from the area except those necessary to correct the existing condition as required by section 3203(a)(6)(B). [3203(a)(6)(B)].

Instance 4: The employer's written program did not include training employees in accordance with (a)(7)(C-F). The employer did not effectively train the employees in accordance with the employer's written program.

MAAC Project was previously cited for a violation of this occupational safety and health standard or its equivalent standard T8 CCR 3203(a), which was contained in OSHA inspection number 1394865, citation number 1, item number 2, and was affirmed as a final order on 07/10/2019, with respect to a workplace located at 5471 Bayview Heights Place, San Diego CA 92102.

Date By Which Violation Must be Abated:

August 20, 2021

Proposed Penalty:

\$3000.00

State of California

Department of Industrial Relations
Division of Occupational Safety and Health
San Diego District Office
7575 Metropolitan Drive, Suite 207
San Diego, CA 92108
Phone: (619) 767-2280 Fax: (619) 767-2299

Inspection #: 1506379
Inspection Dates: 12/11/2020 – 07/19/2021
Issuance Date: 07/20/2021
CSHO ID: X7645
Optional Report #: 015-21



Citation and Notification of Penalty

Company Name: Metropolitan Area Advisory Committee on Anti-Poverty of San Diego County, Inc.
Establishment DBA: MAAC Project
and its successors
Inspection Site: 73 North 2nd Avenue
Chula Vista, CA 91910

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

T8 CCR 3342(c) Violence Prevention in Health Care. (c) Workplace Violence Prevention Plan. As part of the Injury and Illness Prevention Program (IIPP) required by Section 3203, the employer shall establish, implement and maintain an effective workplace violence prevention plan (Plan) that is in effect at all times in every unit, service, and operation. The Plan shall be in writing, shall be specific to the hazards and corrective measures for the unit, service, or operation, and shall be available to employees at all times.

Alleged Violative Description (AVD): Prior to and during the course of the inspection, including, but not limited to December 11, 2020, where employees worked at a residential drug treatment facility, the employer did not establish, implement, and maintain a workplace violence prevention plan that was available to employees in the workplace. The employer did not provide a written workplace violence prevention plan to the Division as requested.

Date By Which Violation Must be Abated: **September 03, 2021**
Proposed Penalty: **\$18000.00**

State of California

Department of Industrial Relations
Division of Occupational Safety and Health
San Diego District Office
7575 Metropolitan Drive, Suite 207
San Diego, CA 92108
Phone: (619) 767-2280 Fax: (619) 767-2299

Inspection #: 1506379
Inspection Dates: 12/11/2020 – 07/19/2021
Issuance Date: 07/20/2021
CSHO ID: X7645
Optional Report #: 015-21

**Citation and Notification of Penalty**

Company Name: Metropolitan Area Advisory Committee on Anti-Poverty of San Diego County, Inc.
Establishment DBA: MAAC Project
and its successors
Inspection Site: 73 North 2nd Avenue
Chula Vista, CA 91910

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

T8 CCR 5199(c) Aerosol Transmissible Diseases. (c) Referring Employers. In facilities, services, or operations in which there is occupational exposure and which meet the criteria specified by (a)(3)(A), employers are only required to comply with the following provisions:

(1) The employer shall designate a person as the administrator who will be responsible for the establishment, implementation and maintenance of effective written infection control procedures to control the risk of transmission of aerosol transmissible diseases. The administrator shall have the authority to perform this function and shall be knowledgeable in infection control principles as they apply specifically to the facility, service or operation. The administrator shall also identify in writing the job categories in which employees have occupational exposure to ATDs. When the administrator is not on site, there shall be a designated person with full authority to act on his or her behalf. The infection control procedures shall include procedures for the cleaning and disinfection of work areas, vehicles, and equipment that may become contaminated with ATPs and pose an infection risk to employees. The written procedures shall be available at the worksite.

(2) The employer shall establish, implement, and maintain effective written source control procedures. For fixed health care and correctional facilities, and in other facilities, services, and operations to the extent reasonably practicable, these procedures shall incorporate the recommendations contained in the Respiratory Hygiene/Cough Etiquette in Health Care Settings. These procedures shall include the method of informing persons with whom employees will have contact of the employer's source control measures.

(3) The employer shall establish, implement, and maintain effective written procedures for the screening and referral of cases and suspected cases of AirIDs to appropriate facilities.

(4) The employer shall establish, implement, and maintain effective written procedures to communicate with employees, other employers, and the local health officer regarding the suspected or diagnosed infectious disease status of referred patients. These shall include procedures to receive information from the facility to which patients were referred and to provide necessary

infection control information to employees who were exposed to the referred person.

(5) The employer shall establish, implement and maintain effective written procedures to reduce the risk of transmission of aerosol transmissible disease, to the extent feasible, during the period the person requiring referral is in the facility or is in contact with employees. In addition to source control measures, these procedures shall include, to the extent feasible: (A) placement of the person requiring referral in a separate room or area; (B) provision of separate ventilation or filtration in the room or area; and (C) employee use of respiratory protection when entering the room or area in which the person requiring referral is located, if that person is not compliant with source control measures. Respirator use shall meet the requirements of subsection (g) and Section 5144, Respiratory Protection, of these orders.

(6) The employer shall establish a system of medical services for employees which meets the following requirements:

(A) The employer shall make available to all health care workers with occupational exposure all vaccinations recommended by the CDPH as listed in Appendix E in accordance with subsection (h). These vaccinations shall be provided by a PLHCP at a reasonable time and place for the employee.

(B) The employer shall develop, implement, and maintain effective written procedures for exposure incidents in accordance with subsections (h)(6) through (h)(9).

(C) The employer shall establish, implement, and maintain an effective surveillance program for LTBI in accordance with subsections (h)(3) and (h)(4).

(D) The employer shall establish, implement, and maintain effective procedures for providing vaccinations against seasonal influenza to all employees with occupational exposure, in accordance with subsection (h)(10).

(7) Employers shall ensure that all employees with occupational exposure participate in a training program. Training shall be provided at the time of initial assignment to tasks where occupational exposure may take place and at least annually thereafter. Additional training shall be provided when there are changes in the workplace or when there are changes in procedures that could affect worker exposure to ATPs. The person conducting the training shall be knowledgeable in the subject matter covered by the training program as it relates to the workplace. Training material appropriate in content and vocabulary to the educational level, literacy, and language of employees shall be used. This training shall include:

(A) A general explanation of ATDs including the signs and symptoms that require further medical evaluation;

(B) Screening methods and criteria for persons who require referral;

(C) The employer's source control measures and how these measures will be communicated to persons the employees contact;

(D) The employer's procedures for making referrals in accordance with subsection (c)(3);

(E) The employer's procedures for temporary risk reduction measures prior to transfer;

(F) Training in accordance with subsection (g) and Section 5144 of these orders, when respiratory protection is used;

(G) The employer's medical services procedures in accordance with subsection (h), the methods of reporting exposure incidents, and the employer's procedures for providing employees with post-exposure evaluation;

(H) Information on vaccines the employer will make available, including the seasonal influenza vaccine. For each vaccine, this information shall include the efficacy, safety, method of administration, the benefits of being vaccinated, and that the vaccine and vaccination will be offered free of charge;

(I) How employees can access the employer's written procedures and how employees can participate in reviewing the effectiveness of the employer's procedures in accordance with subsection (c)(8); and

(J) An opportunity for interactive questions and answers with a person who is knowledgeable in the subject matter as it relates to the workplace that the training addresses and who is also knowledgeable in the employer's infection control procedures. Training not given in person shall provide for interactive questions to be answered within 24 hours by a knowledgeable person.

(8) The employer shall ensure that the infection control procedures are reviewed at least annually by the administrator and by employees regarding the effectiveness of the program in their respective work areas, and that deficiencies found are corrected.

(9) The employer shall establish and maintain training records, vaccination records, records of exposure incidents, and records of inspection, testing, and maintenance of non-disposable engineering controls, in accordance with subsection (j). If the employer utilizes respirators, the employer shall maintain records of implementation of the Respiratory Protection Program in accordance with Section 5144, Respiratory Protection, of these orders.

Alleged Violative Description (AVD): Prior to and during the course of the inspection, including but not limited to, on December 11, 2020 the employer failed to establish, implement and maintain effective infection control procedures, control measures and training to protect employees from aerosol transmissible diseases in that:

Instance 1:

The employer did not designate an administrator who will be responsible for the establishment, implementation and maintenance of effective written infection control procedures to control the risk of transmission of aerosol transmissible diseases. The written procedures were also not available at the worksite. [5199(c)(1)]

Instance 2:

The employer did not establish, implement, and maintain effective written source control procedures, in that: [5199(c)(2)]

- a. The employer failed to effectively implement source control procedures such as social distancing, in that the employer failed to ensure employees were social distancing while in group meetings with residents or when interacting with residents in common areas. [5199(c)(2)]
- b. The employer failed to effectively implement source control procedures by ensuring that face coverings were worn by employees while working inside buildings and while driving company vehicles (according to orders from the CDPH) to prevent the spread of SARs-Cov-2 virus. [5199(c)(2)]

Instance 3:

The employer did not establish, implement, and maintain effective written procedures for the screening and referral of cases and suspected cases of AirIDs to appropriate facilities. [5199(c)(3)].

The employer did not effectively establish and implement identification and evaluation procedures to identify whether new and returning residents were infected with COVID-19 in order to reduce the risk of transmission of COVID-19 in the workplace. [5199(c)(3)]

Instance 4:

The employer did not establish, implement, and maintain effective written procedures to communicate with employees, other employers, and the local health officer regarding the suspected or diagnosed infectious disease status of referred patients, including procedures to receive information from the facility to which patients were referred and to provide necessary infection control information to employees who were exposed to the referred person. [3205(c)(4)].

Instance 5:

The employer did not establish, implement, and maintain effective written procedures to reduce the risk of transmission of aerosol transmissible disease, to the extent feasible, during the period the person requiring referral is in the facility or is in contact with employees, including but not limited to source control measures, placement of the person requiring referral in a separate room or area, provision of separate ventilation or filtration in the room or area, and employee use of respiratory protection when entering the room or area in which the person requiring referral is located. [3205(c)(5)]

Instance 6:

The employer failed to effectively establish a system of medical services for employees which meets the requirements of this subsection. [5199(c)(6)]

Instance 7:

The employer failed to ensure that all employees with occupational exposure participated in a training program at the time of initial assignment to tasks where occupational exposure may take place, annually, and when there are changes in the workplace or procedures that could affect worker exposure to ATPs in accordance with (A) through (I) of this subsection. [5199(c)(7)]

Instance 8:

The employer failed to effectively ensure that the infection control procedures are reviewed at least annually by the administrator and by employees regarding the effectiveness of the program in their respective work areas, and that deficiencies found are corrected. [5199(c)(8)]

Instance 9:

The employer failed to establish and maintain training records, vaccination records, and records of exposure incidents, in accordance with subsection (j) and records of implementation of the Respiratory Protection Program in accordance with Section 5144, Respiratory Protection, of these orders. [5199(c)(9)]

Date By Which Violation Must be Abated:

September 03, 2021

Proposed Penalty:

\$22500.00

Michele Boswell / Kathy Derham
Compliance Officer / District Manager