

State of California

Department of Industrial Relations
Division of Occupational Safety and Health
Oakland District Office
1515 Clay Street, Suite 1303
Oakland, CA 94612
Phone: (510) 622-2916 Fax: (510) 622-2908

Inspection #: 1511820
Inspection Dates: 01/27/2021 - 08/11/2021
Issuance Date: 08/11/2021
CSHO ID: Q0917
Optional Report #: 020-21

**Citation and Notification of Penalty**

Company Name: American Automobile Association of Northern California, Nevada and Utah
Establishment DBA: AAA NCNU - Oakland Rockridge Branch
and its successors
Inspection Site: 1982 Pleasant Valley Avenue, Ste. A
Oakland, CA 94611

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

Title 8 CCR Section §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:**
 - (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:**
 - (7) Provide training and instruction:**

Violation:

Prior to and during the course of the inspection, including but not limited to, on January 27, 2021, the employer failed to effectively establish, implement and/or maintain its Injury & Illness Prevention

Program in the following ways:

INSTANCE 1 - The employer failed to include procedures to investigate occupational injury or occupational illness.

INSTANCE 2 - The employer failed to describe what type of training and/or instruction employees will be given.

Date By Which Violation Must be Abated:

September 15, 2021

Proposed Penalty:

\$560.00

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

Title 8 Section 3205(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: Items (1) through (11).

Violation

Prior to and during the course of the inspection, including but not limited to, on January 27, 2021, the Employer failed to have established and maintain a written COVID-19 Prevention Program that included the elements set forth in Subsections (c)(1) through (c)(11).

Date By Which Violation Must be Abated: September 15, 2021
Proposed Penalty: \$0.00

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

Title 8 CCR Section §3205. 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 Prevention Program required by section 3203, or be maintained in a separate document. The written elements of a COVID-19 Prevention Program shall include:

(3) Investigating and responding to COVID-19 cases in the workplace.

(B) The employer shall take the following actions when there has been a COVID-19 case at the place of employment:

2. Determine who may have had a close contact. This requires an evaluation of the activities of the COVID-19 case and all locations at the workplace, which may have been visited by the COVID-19 case during the high-risk exposure period.

Violation:

Prior to and during the course of the inspection the employer failed to have maintained and/or implemented its written COVID-19 Prevention Program, in that it did not determine who may have been a close contact by fully completing an evaluation of the activities of the COVID-19 case and all locations at the workplace, which may have been visited by the COVID-19 case during the high-risk exposure period occurring on or about December 05, 2020 thru about December 22, 2020 for more than one COVID-19 case.

Date By Which Violation Must be Abated: **Corrected During Inspection**
Proposed Penalty: **\$8435.00**

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

Title 8 CCR Section §3205(c)(5). 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:

(5) Training and instruction. The employer shall provide effective training and instruction to employees that includes the following:

(A) The employer's COVID-19 policies and procedures to protect employees from COVID-19 hazards.

(B) Information regarding COVID-19-related benefits to which the employee may be entitled under applicable federal, state, or local laws. This includes any benefits available under workers' compensation law, the federal Families First Coronavirus Response Act, Labor Code sections 248.1 and 248.5, Labor Code sections 3212.86 through 3212.88, local governmental requirements, the employer's own leave policies, and leave guaranteed by contract.

(C) The fact that COVID-19 is an infectious disease that can be spread through the air when an infectious person talks or vocalizes, sneezes, coughs, or exhales; that COVID-19 may be transmitted when a person touches a contaminated object and then touches their eyes, nose, or mouth, although that is less common; and that an infectious person may have no symptoms.

(E) The fact that particles containing the virus can travel more than six feet, especially indoors, so physical distancing must be combined with other controls, including face coverings and hand hygiene, to be effective.

Violation:

Prior to and during the course of the Division's investigation, including but not limited to January 27, 2021, the employer failed to provide effective training and/or instruction to its employees on COVID-19 that included the information set forth in Subsections (c)(5)(A)-(E).

Date By Which Violation Must be Abated:

Corrected During Inspection

Proposed Penalty:

\$8435.00

Wendy Hogle-Lui
Compliance Officer / District Manager