

State of California

Department of Industrial Relations
Division of Occupational Safety and Health
Fremont District Office
39141 Civic Center Drive, Suite 310
Fremont, CA 94538
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Inspection #: 1473670
Inspection Dates: 04/29/2020 - 09/18/2020
Issuance Date: 09/18/2020
CSHO ID: J3808
Optional Report #: 011-20



Citation and Notification of Penalty

Company Name: Dragonfruit Holdings, LLC
Establishment DBA: Canyon Springs Post-Acute
and its successors
Inspection Site: 180 N. Jackson Ave.
San Jose, CA 95116

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

Title 8 Section 5199(c)(7). Aerosol Transmissible Diseases.

(c) Referring Employers.

(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.

Prior to and during the course of the inspection, including but not limited to, on April 29, 2020, the employer failed to provide effective training in accordance with this subsection, and with the procedures contained in its aerosol transmissible infectious disease policy for the employees of Santa Clara Valley Medical Center assigned to work at its facility where they would have occupational exposure to COVID-19 suspect and COVID-19 confirmed patients

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

**October 02, 2020
\$13500.00**

Kelly Tatum
Compliance Officer / District Manager