

**State of California**  
**Department of Industrial Relations**  
**Division of Occupational Safety and Health**  
**American Canyon District Office**  
3419 Broadway Street Ste H8  
American Canyon, CA 94503  
Phone: (707) 649-3700 Fax: (707) 649-3712



## CITATION AND NOTIFICATION OF PENALTY

**To:**  
Segundo Collazos  
DBA Amazon's Landscaping Company  
and its successors  
1586 Terry Lynn Ln  
Concord, CA 94521

**Inspection #:** 1308243  
**Inspection Date (s):** 04/11/2018 - 10/04/2018  
**Issuance Date:** 10/04/2018  
**CSHO ID:** P7724  
**Optional Report #:** 037-18  
**Reporting ID:** 0950615

**Inspection Site:**  
3708 Segovia Court  
San Ramon, CA 94583

*The violation(s) described in this Citation and Notification of Penalty is (are) alleged to have occurred on or about the day(s) the inspection was made unless otherwise indicated within the description given below.*

**This Citation and Notification of Penalty** (hereinafter Citation) is being issued in accordance with California Labor Code Section 6317 for violations that were found during the inspection/investigation. **This Citation or a copy must be prominently posted upon receipt by the employer at or near the location of each violation until the violative condition is corrected or for three working days, whichever is longer.** Violations of Title 8 of the California Code of Regulations or of the California Labor Code may result in some instances in prosecution for a misdemeanor.

**YOU HAVE A RIGHT** to contest this Citation and Notification of Penalty by filing an appeal with the Occupational Safety and Health Appeals Board. To initiate your appeal, you **must** contact the Appeals Board, in writing or by telephone, within 15 working days from the date of receipt of this Citation. If you miss the 15 working day deadline to appeal, the Citation and Notification of Penalty becomes a final order of the Appeals Board, not subject to review by any court or agency.

**Informal Conference** - You may request an informal conference with the manager of the district office which issued the Citation within 10 working days after receipt of the Citation. However, if the citation is appealed, you may request an informal conference at any time prior to the day of the hearing. Employers are encouraged to schedule a conference at the earliest possible time to assure an expeditious resolution of any issues. At the informal conference, you may discuss the existence of the alleged violation, classification of the violation, abatement date or proposed penalty.

Be sure to bring to the conference any and all supporting documentation of existing conditions as well as any abatement steps taken thus far. If conditions warrant, we can enter into an agreement which resolves this matter without litigation or contest.

## APPEAL RIGHTS

The Occupational Safety and Health Appeals Board (Appeals Board) consists of three members appointed by the Governor. The Appeals Board is a separate entity from the Division of Occupational Safety and Health (Division) and employs experienced administrative law judges to hear appeals fairly and impartially. To initiate an appeal from a Citation and Notification of Penalty, you must contact the Appeals Board in writing, or by telephone, or online via the Board's OASIS system, within 15 working days from the date of receipt of a Citation.

After you have initiated your appeal, you must then file a completed appeal form with the Appeals Board, at the address listed below, or online via the Board's OASIS system, for each contested Citation. Failure to file a completed appeal form with the Appeals Board may result in dismissal of the appeal. Appeal forms are available to print online at: <https://www.dir.ca.gov/oshab/appealform.pdf>. You may also file the appeal through the Board's online OASIS system at: <https://www.dir.ca.gov/oshab/>. Hard copies can also be picked up from district offices of the Division, or from the Appeals Board:

Occupational Safety and Health Appeals Board  
2520 Venture Oaks Way, Suite 300  
Sacramento, CA 95833  
Telephone: (916) 274-5751 or (877) 252-1987  
Fax: (916) 274-5785

If the Citation you are appealing alleges more than one item, you must specify on the appeal form which items you are appealing. You must also attach to the appeal form a legible copy of the Citation you are appealing. In addition, please send a copy of Page 1 of this Citation and Notification of Penalty, the cover sheet.

Among the specific grounds for an appeal are the following: the safety order was not violated, the classification of the alleged violation (e.g., serious, repeat, willful) is incorrect, the abatement requirements are unreasonable or the proposed penalty is unreasonable.

**Important:** You must notify the Appeals Board, not the Division, of your intent to appeal within 15 working days from the date of receipt of the Citation. Otherwise, the Citation and Notification of Penalty becomes a final order of the Appeals Board not subject to review by any court or agency. An informal conference with the Division does not constitute an appeal and does not stay the 15 working day appeal period. If you have any questions concerning your appeal rights, call the Appeals Board, at (916) 274-5751 or (877) 252-1987.

## PENALTY PAYMENT OPTIONS

Penalties are due within 15 working days of receipt of this Citation and Notification of Penalty unless contested. If you are appealing any item of the citation, remittance is still due on all items that are not appealed. Enclosed for your use is a Penalty Remittance Form for payment.

If you are paying electronically, please have the Penalty Remittance Form on-hand when you are ready to make your payment. The company name, inspection number, and Citation number(s) will be required in order to ensure that the payment is accurately posted to your account. Please go to: [www.dir.ca.gov/dosh/CalOSHA\\_PaymentOption.html](http://www.dir.ca.gov/dosh/CalOSHA_PaymentOption.html) to access the secure payment processing site. **Additionally, you must also mail the Penalty Remittance Form to the address below.**

If you are paying by check, return one copy of the Citation, along with the Notice of Proposed Penalties Sheet and the Penalty Remittance Form and mail to:

Department of Industrial Relations  
Cal/OSHA Penalties  
P. O. Box 516547  
Los Angeles, CA 90051-0595

CAL/OSHA does not agree to any restrictions, conditions or endorsements put on any check or money order for less than the full amount due, and will cash the check or money order as if these restrictions, conditions, or endorsements do not exist.

## NOTIFICATION OF CORRECTIVE ACTION

For violations which you do not contest, you should notify the Division of Occupational Safety and Health promptly by letter that you have taken appropriate corrective action within the time frame set forth on this Citation and Notification of Penalty. Please inform the district office listed on the Citation by submitting the Cal/OSHA 160 form with the abatement steps you have taken and the date the violation was abated, together with adequate supporting documentation, e.g., drawings or photographs of corrected conditions, purchase/work orders related to abatement actions, air sampling results, etc. The adjusted penalty for general violations has already been reduced by 50% on the presumption that the employer will correct the violations by the abatement date. The adjusted penalty for serious violations, if any, has already been reduced by 50% because abatement of those violations has been completed.

**Note:** Return the Cal/OSHA 160 form to the district office listed on the Citation and as shown below:

Division of Occupational Safety and Health  
American Canyon District Office  
3419 Broadway Street Ste H8  
American Canyon, CA 94503  
Telephone: (707) 649-3700  
Fax: (707) 649-3712

## EMPLOYEE RIGHTS

**Employer Discrimination Unlawful** - The law prohibits discrimination by an employer against an employee for filing a complaint or for exercising any rights under Labor Code Section 6310 or 6311. An employee who believes that he/she has been discriminated against may file a complaint no later than six (6) months after the discrimination occurred with the Division of Labor Standards Enforcement.

**Employee Appeals** - An employee or authorized employee's representative may, within 15 working days of the issuance of a citation, special order, or order to take special action, appeal to the Occupational Safety and Health Appeals Board the reasonableness of the period of time fixed by the Division of Occupational Safety and Health (Division) for abatement. An employee appeal may be filed with the Appeals Board or with the Division. No particular format is necessary to initiate the appeal, but the notice of appeal must be in writing.

If an Employee Appeal is filed with the Division, the Division shall note on the face of the document the date of receipt, include any envelope or other proof of the date of mailing, and promptly transmit the document to the Appeals Board. The Division shall, no later than 10 working days from receipt of the Employee Appeal, file with the Appeals Board and serve on each party a clear and concise statement of the reasons why the abatement period prescribed by it is reasonable.

Employee Appeal Forms are available from the Appeals Board, or from a district office of the Division.

**Employees Participation in Informal Conference** - Affected employees or their representatives may notify the District Manager that they wish to attend the informal conference. If the employer objects, a separate informal conference will be held.

## DISABILITY ACCOMMODATION

Disability accommodation is available upon request. Any person with a disability requiring an accommodation, auxiliary aid or service, or a modification of policies or procedures to ensure effective communication and access to the programs of the Division of Occupational Safety and Health, should contact the Disability Accommodation Coordinator at the local district office or the Statewide Disability Accommodation Coordinator at 1-866-326-1616 (toll free). The Statewide Coordinator can also be reached through the California Relay Service, by dialing 711 or 1-800-735-2929 (TTY) or 1-800-855-3000 (TTY - Spanish).

Accommodations can include modifications of policies or procedures or provision of auxiliary aids or services. Accommodations include, but are not limited to, an Assistive Listening System (ALS), a Computer-Aided Transcription System or Communication Access Realtime Translation (CART), a sign-language interpreter, documents in Braille, large print or on computer disk, and audio cassette recording. Accommodation requests should be made as soon as possible. Requests for an ALS or CART should be made no later than five (5) days before the hearing or conference.

**State of California**

Department of Industrial Relations  
Division of Occupational Safety and Health  
American Canyon District Office  
3419 Broadway Street Ste H8  
American Canyon, CA 94503  
Phone: (707) 649-3700 Fax: (707) 649-3712

**Inspection #:** 1308243  
**Inspection Dates:** 04/11/2018 - 10/04/2018  
**Issuance Date:** 10/04/2018  
**CSHO ID:** P7724  
**Optional Report #:** 037-18



**Citation and Notification of Penalty**

**Company Name:** Segundo Collazos  
**Establishment DBA:** Amazon's Landscaping Company  
and its successors  
**Inspection Site:** 3708 Segovia Court  
San Ramon, CA 94583

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

T8CCR 3395(h)(1). Heat Illness Prevention.

(h) Training.

(1) Employee training. Effective training in the following topics shall be provided to each supervisory and non-supervisory employee before the employee begins work that should reasonably be anticipated to result in exposure to the risk of heat illness:

(A) The environmental and personal risk factors for heat illness, as well as the added burden of heat load on the body caused by exertion, clothing, and personal protective equipment.

(B) The employer's procedures for complying with the requirements of this standard, including, but not limited to, the employer's responsibility to provide water, shade, cool-down rests, and access to first aid as well as the employees' right to exercise their rights under this standard without retaliation.

(C) The importance of frequent consumption of small quantities of water, up to 4 cups per hour, when the work environment is hot and employees are likely to be sweating more than usual in the performance of their duties.

(D) The concept, importance, and methods of acclimatization pursuant to the employer's procedures under subsection (i) (4).

(E) The different types of heat illness, the common signs and symptoms of heat illness, and appropriate first aid and/or emergency responses to the different types of heat illness, and in addition, that heat illness may progress quickly from mild symptoms and signs to serious and life threatening illness.

(F) The importance to employees of immediately reporting to the employer, directly or through the employee's supervisor, symptoms or signs of heat illness in themselves, or in co-workers.

(G) The employer's procedures for responding to signs or symptoms of possible heat illness, including how emergency medical services will be provided should they become necessary.

(H) The employer's procedures for contacting emergency medical services, and if necessary, for transporting employees to a point where they can be reached by an emergency medical service provider.

(I) The employer's procedures for ensuring that, in the event of an emergency, clear and precise directions to the work site can and will be provided as needed to emergency responders. These procedures shall include designating a person to be available to ensure that emergency procedures are invoked when appropriate.

Prior to and during the course of inspection, including but not limited to, on April 11, 2018 the employer failed to provide effective heat illness training to each supervisory and non-supervisory employee before the employee begins work that should reasonably be anticipated to result in exposure to the risk of heat illness.

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

**Corrected During Inspection**  
**\$375.00**

**State of California**

Department of Industrial Relations  
Division of Occupational Safety and Health  
American Canyon District Office  
3419 Broadway Street Ste H8  
American Canyon, CA 94503  
Phone: (707) 649-3700 Fax: (707) 649-3712

**Inspection #:** 1308243  
**Inspection Dates:** 04/11/2018 - 10/04/2018  
**Issuance Date:** 10/04/2018  
**CSHO ID:** P7724  
**Optional Report #:** 037-18



**Citation and Notification of Penalty**

**Company Name:** Segundo Collazos  
**Establishment DBA:** Amazon's Landscaping Company and its successors  
**Inspection Site:** 3708 Segovia Court  
San Ramon, CA 94583

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

T8CCR 3395(i). Heat Illness Prevention.

(i) Heat Illness Prevention Plan. The employer shall establish, implement, and maintain, an effective heat illness prevention plan. The plan shall be in writing in both English and the language understood by the majority of the employees and shall be made available at the worksite to employees and to representatives of the Division upon request. The Heat Illness Prevention Plan may be included as part of the employer's Illness and Injury Prevention Program required by section 3203, and shall, at a minimum, contain:

- (1) Procedures for the provision of water and access to shade.
- (2) The high heat procedures referred to in subsection (e).
- (3) Emergency Response Procedures in accordance with subsection (f).
- (4) Acclimatization methods and procedures in accordance with subsection (g).

Prior to and during the course of inspection, including but not limited to, on April 11, 2018 the employer failed to establish an effective heat illness prevention plan.

<b>Date By Which Violation Must be Abated:</b>	<b>Corrected During Inspection</b>
<b>Proposed Penalty:</b>	<b>\$375.00</b>

**State of California**

Department of Industrial Relations  
Division of Occupational Safety and Health  
American Canyon District Office  
3419 Broadway Street Ste H8  
American Canyon, CA 94503  
Phone: (707) 649-3700 Fax: (707) 649-3712

**Inspection #:** 1308243  
**Inspection Dates:** 04/11/2018 - 10/04/2018  
**Issuance Date:** 10/04/2018  
**CSHO ID:** P7724  
**Optional Report #:** 037-18



**Citation and Notification of Penalty**

**Company Name:** Segundo Collazos  
**Establishment DBA:** Amazon's Landscaping Company  
and its successors  
**Inspection Site:** 3708 Segovia Court  
San Ramon, CA 94583

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

Injury and Illness Prevention Program

T8 CCR 3203(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.
- (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.
- (4) Include procedures for identifying and evaluating work place hazards including scheduled periodic inspections to identify unsafe conditions and work practices.
- (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.

Prior to and during the course of inspection including but not limited to on April 11, 2018 the employer failed to establish, implement and maintain an Injury and Illness Prevention Program.

<b>Date By Which Violation Must be Abated:</b>	<b>Corrected During Inspection</b>
<b>Proposed Penalty:</b>	<b>\$5400.00</b>

**State of California**

Department of Industrial Relations  
Division of Occupational Safety and Health  
American Canyon District Office  
3419 Broadway Street Ste H8  
American Canyon, CA 94503  
Phone: (707) 649-3700 Fax: (707) 649-3712

**Inspection #:** 1308243  
**Inspection Dates:** 04/11/2018 - 10/04/2018  
**Issuance Date:** 10/04/2018  
**CSHO ID:** P7724  
**Optional Report #:** 037-18



**Citation and Notification of Penalty**

**Company Name:** Segundo Collazos  
**Establishment DBA:** Amazon's Landscaping Company  
and its successors  
**Inspection Site:** 3708 Segovia Court  
San Ramon, CA 94583

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

ACCIDENT-RELATED SERIOUS

T8CCR 3328(a). Machinery and Equipment

(a) All machinery and equipment:

(2) shall not be used or operated under conditions of speeds, stresses, loads, or environmental conditions that are contrary to the manufacturer's recommendations or, where such recommendations are not available, the engineered design.

Prior to and during the course of inspection, including but not limited to, on April 11, 2018 the employer operated a Dosko Stump and Root Grinder under environmental conditions that were contrary to the manufacturer's recommendations. Specifically, the employer allowed an employee to work within the danger zone (75 feet) of the cutting wheel where stones and chips are known to cause serious injury.

**Date By Which Violation Must be Abated:** **Corrected During Inspection**  
**Proposed Penalty:** **\$16200.00**

**State of California**

Department of Industrial Relations  
Division of Occupational Safety and Health  
American Canyon District Office  
3419 Broadway Street Ste H8  
American Canyon, CA 94503  
Phone: (707) 649-3700 Fax: (707) 649-3712

**Inspection #:** 1308243  
**Inspection Dates:** 04/11/2018 - 10/04/2018  
**Issuance Date:** 10/04/2018  
**CSHO ID:** P7724  
**Optional Report #:** 037-18



**Citation and Notification of Penalty**

**Company Name:** Segundo Collazos  
**Establishment DBA:** Amazon's Landscaping Company  
and its successors  
**Inspection Site:** 3708 Segovia Court  
San Ramon, CA 94583

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

ACCIDENT-RELATED SERIOUS

T8CCR 3421(a). General.

(a) An Injury and Illness Prevention Program shall be implemented and maintained in accordance with Section 3203 of these Orders.

Reference: T8CCR 3203(a)(4). 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:

(4) Include procedures for identifying and evaluating work place hazards including scheduled periodic inspections to identify unsafe conditions and work practices: Provide training and instruction.

Prior to and during the course of inspection, including but not limited to, on April 11, 2018 the employer failed to implement and maintain an effective injury and illness prevention program in that:

1. The employer failed to identify the hazards associated with operating a Dosko stump and root grinder.

As a result, on or about April 9, 2018 an employee was fatally injured when the rope he had around his body became entangled in the Dosko stump grinder and he was pulled into the cutting wheel.

**Date By Which Violation Must be Abated:** **Corrected During Inspection**  
**Proposed Penalty:** **\$16200.00**



**State of California**

Department of Industrial Relations  
Division of Occupational Safety and Health  
American Canyon District Office  
3419 Broadway Street Ste H8  
American Canyon, CA 94503  
Phone: (707) 649-3700 Fax: (707) 649-3712

**Inspection #:** 1308243  
**Inspection Dates:** 04/11/2018 - 10/04/2018  
**Issuance Date:** 10/04/2018  
**CSHO ID:** P7724  
**Optional Report #:** 037-18



**Citation and Notification of Penalty**

**Company Name:** Segundo Collazos  
**Establishment DBA:** Amazon's Landscaping Company  
and its successors  
**Inspection Site:** 3708 Segovia Court  
San Ramon, CA 94583

Citation 5 Item 1 Type of Violation: **Serious**

ACCIDENT-RELATED SERIOUS

T8CCR 3421(c)(2). General.

(c) Employees shall be trained and instructed in areas that include, but are not limited to the following:

(2) The proper and safe use of all equipment, including, but not limited to, safety equipment and personal protective equipment.

Prior to and during the course of inspection, including but not limited to, on April 11, 2018 the employer failed to ensure an employee was trained and instructed in the safe use of equipment. As a result, on or about April 9, 2018 an employee was fatally injured when the rope he had around his body became entangled in the Dosko stump grinder and pulled him into the cutting wheel.

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

**Corrected During Inspection**  
**\$16200.00**

Kathy Lynn Garner  
Compliance Officer / District Manager



State of California  
Department of Industrial Relations  
Division of Occupational Safety and Health  
American Canyon District Office  
3419 Broadway Street Ste H8  
American Canyon, CA 94503  
Phone: (707) 649-3700 Fax: (707) 649-3712



## NOTICE OF PROPOSED PENALTIES

**Company Name:** Segundo Collazos  
**Establishment DBA:** Amazon's Landscaping Company  
and its successors  
**Inspection Site:** 3708 Segovia Court , San Ramon, CA 94583  
**Mailing Address:** 1586 Terry Lynn Ln, Concord, CA 94521  
**Issuance Date:** 10/04/2018  
**Reporting ID:** 0950615  
**CSHO ID:** P7724

### Summary of Penalties for Inspection Number 1308243

Citation 1 Item 1, General	\$375.00
Citation 1 Item 2, General	\$375.00
Citation 2 Item 1, Serious	\$5400.00
Citation 3 Item 1, Serious	\$16200.00
Citation 4 Item 1, Serious	\$16200.00
Citation 5 Item 1, Serious	\$16200.00
<b>TOTAL PROPOSED PENALTIES:</b>	<b>\$54750.00</b>

Penalties are due within 15 working days of receipt of this notification unless contested. If you are appealing any item of this citation, remittance is still due on all items that are not appealed. Enclosed for your use is a Penalty Remittance Form.

If you are paying electronically: Please have this form on-hand when you are ready to make your payment. The company name, reporting ID and Citation number(s) will be required to ensure that the payment is accurately posted to your account. Please go to: [www.dir.ca.gov/dosh/CalOSHA\\_PaymentOption.html](http://www.dir.ca.gov/dosh/CalOSHA_PaymentOption.html) to access the secure payment processing site. **Additionally, you must also mail the Penalty Remittance Form to the address below.**

If you are paying by check: Mail this Notice of Proposed Penalties, the Penalty Remittance Form, along with a copy of the Citation and Notification of Penalty to:

**DEPARTMENT OF INDUSTRIAL RELATIONS  
CAL/OSHA PENALTIES  
P. O. BOX 516547  
LOS ANGELES, CA 90051-0595**

Cal/OSHA does not agree to any restrictions, conditions or endorsements put on any check or money order for less than the full amount due, and will cash the check or money order as if these restrictions, conditions or endorsements do not exist.

**DEPARTMENT OF INDUSTRIAL RELATIONS  
DIVISION OF OCCUPATIONAL SAFETY AND HEALTH – CAL/OSHA  
Accounting Office - Cashiering Unit  
Phone (415) 703-4310 or (415) 703-4308**

**PENALTY REMITTANCE FORM**

<b>CIVIL PENALTY INFO</b>	<b>INSPECTION NO.:</b> 1308243	<b>REPORTING ID:</b> 0950615
<b>COMPANY NAME:</b>	Segundo Collazos	<b>FEIN/SEIN:</b> UNKNOWN
<b>ESTABLISHMENT DBA:</b>	Amazon's Landscaping Company	
<b>CONTACT PERSON:</b>	Segundo Collazos	
<b>PHONE NO.:</b>	(925) 382-6110	<b>FAX NO.:</b> UNKNOWN
<b>SITE ADDRESS:</b>	3708 Segovia Court , San Ramon, CA 94583	
<b>MAILING ADDRESS:</b>	1586 Terry Lynn Ln, Concord, CA 94521	

**CITATION INFORMATION:**

Penalties are due within 15 working days of receipt of this notification unless contested. If you are appealing any item of this Citation, remittance is still due on all items that are not appealed.

**PAYMENT INSTRUCTIONS:**

For check or money order: please make check or money order payable to Department of Industrial Relations. Write the inspection number and total amount enclosed on the payment coupon below and on the check or money order.  
For credit card or EFT payment, go to: [www.dir.ca.gov/dosh/CalOSHA\\_PaymentOption.html](http://www.dir.ca.gov/dosh/CalOSHA_PaymentOption.html)

----- Detach here and return bottom portion with check or money order payment -----

**PAYMENT COUPON**



Inspection No.: 1308243

Amount Enclosed: \$ \_\_\_\_\_

**Mail payment to:**

DEPARTMENT OF INDUSTRIAL RELATIONS  
CAL/OSHA PENALTIES  
P.O. BOX 516547  
LOS ANGELES, CA 90051-0595

For credit card or EFT payment, go to:  
[www.dir.ca.gov/dosh/CalOSHA\\_PaymentOption.html](http://www.dir.ca.gov/dosh/CalOSHA_PaymentOption.html)