

DEPARTMENT OF INDUSTRIAL RELATIONS
Division of Occupational Safety and Health
Fremont District Office
39141 Civic Center Drive, Suite 310
Fremont, CA 94538
Tel. # (510) 794-2521 Fax # (510) 794-3889



November 8, 2022

Sarah Gianocarò
Sarah.gianocarò@gmail.com

Dear Sarah Gianocarò:

In response to your complaint regarding Santa Clara County Office of Education 1290 Ridder Park Dr. in San Jose (Complaint No. 1966073), the Division of Occupational Safety and Health has sent the attached letter to the employer. Your identity has not been revealed to the employer.

Any items(s) not addressed in the copy of the enclosed employer letter are not within the jurisdiction of the Division of Occupational Safety and Health.

When the Division receives the employer's response, a copy of the response will be sent to you.

California law protects any person who makes a complaint about a workplace safety or health hazard from being treated differently, discharged or discriminated against in any manner by their employer. If you believe that you have been discriminated against because you made a complaint to the Division of Occupational Safety and Health, you may file a discrimination complaint with the nearest office of the Division of Labor Standards Enforcement (Labor Commissioner). However, you must file your complaint within six (6) months of the discriminatory action.

If you have any questions concerning this matter, please contact me at the address above.

Thank you for your concern about workplace safety and health.

Sincerely,

A handwritten signature in blue ink, appearing to be 'KT' with a stylized flourish.

Kelly Tatum
District Manager

/kt

enclosure: Complaint Notification to Employer
reference: Complaint No. 1966073 - Ltr E

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November 8, 2022

Santa Clara County Office of Education
1290 Ridder Park Dr.
San Jose, CA 95131

Dear Employer:

The Division of Occupational Safety and Health has received a complaint (Complaint No. 1966073) alleging the following condition(s) at your workplace at 1290 Ridder Park Dr., San Jose, which may be a violation of the Safety Orders found in Title 8 of the California Code of Regulations:

Code Section(s) and Alleged Condition(s):

1. - Employer failed to establish, implement and maintain an effective Injury and Illness Prevention Program in reference to Workplace Violence Prevention in the workplace in the following instances:

- No establish written procedures/plan for Workplace Violence Prevention**
- No training for all staff/employees on Workplace Violence Prevention**
- No accident/incident investigation of ongoing violence from students/others at all schools**
- No corrected action taken by employer for ongoing violence from students/others at all schools**
- No emergency action plan for ongoing violence from students/others at all schools**

Reference Title 8 CCR 3203, 3220

Please see list of locations.

To review Title 8, California Code of Regulations, go to www.dir.ca.gov, click on "Title 8 Regulations" then click on "Cal/OSHA" and enter the code section number mentioned above. Or you can go directly to www.dir.ca.gov/samples/search/query.htm.

The Division has not determined whether the hazard(s), as alleged, exist(s) at your workplace and, at this time, the Division does not intend to conduct an inspection of your workplace.

However, you are required to investigate the alleged condition(s) and notify this office in writing no later than fourteen (14) calendar days after receipt of this letter whether the alleged condition(s) exist and, if so, specify the corrective action(s) you have taken and the estimated date when the corrections will be completed. If possible, please fax or e-mail your response to Kelly Tatum, district manager, at fax number (510) 794-3889 or e-mail at DOSHREMONT@dir.ca.gov.

Please include any written documentation, e.g., equipment purchase orders or contracts for corrective work, and photographs, if appropriate, in your response. If you do not respond in a timely and satisfactory manner, an unannounced inspection of your workplace will be scheduled, which may result in citation(s) and monetary penalties. Also, every tenth satisfactory letter response from employers is subject to verification by an inspection.

You are required to post a copy of this letter in a prominent location in the workplace where it is readily accessible for employee review for at least three (3) working days or until the hazard is corrected, whichever is longer.

This letter is not a citation or a notification of a proposed penalty. Citations and penalties can only be issued after an inspection of your workplace. If the Division does not receive a satisfactory response from you within fourteen (14) calendar days after receipt of this letter, an on-site inspection will be conducted as appropriate.

If the identity of the complainant is known to the Division, a copy of this letter will be sent to the complainant. Also, the complainant will be notified that California law protects any person who makes a complaint about workplace safety or health hazards from being treated differently, discharged or discriminated against in any manner by their employer. If a complainant believes they have been discriminated against, it is their right to file a complaint with the Division of Labor Standards Enforcement within six (6) months of the discriminatory action.

If you have any questions concerning this matter, please contact me at the address in the letterhead.

Your interest in the safety and health of your employees is appreciated.

Sincerely,



Kelly Tatum
District Manager

/kt

reference: Complaint No. 1966073 - Ltr D

WHERE? DO THESE INCIDENTS OCCUR

Argonaut
Connect West
Leyva Middle School
Gateway School
Ann Darling
Carolyn Clark
Lee High School
Bagby Elementary School
Blackford Elementary School
Boeger Middle School
Buchser Middle School
Campbell Community Post-Secondary School
Carson Elementary
Chandler Tripp Preschool
Connect East Post-Secondary
Country Lane Elementary
Dartmouth Middle School
Del Mar High School
Fischer Middle School
Foothill Preschool
Gilroy High School
Hester High School and Post-Secondary School
Hubbard Elementary
Independence High School
McCollam TK-Post-Secondary
Monta Vista High School
Moreland Middle School
Norwood Creek
Saratoga Elementary
Orchard School Tk-Post Secondary
Seven Trees TK- 8
Sierramont Middle School
Silver Creek High School
South County Annex
Steinbeck Tk-5
Toyon Elementary
Valle Vista Preschool
Westmont High School
Wilcox High School
Zarcone Home Hospital
Wool Creek Preschool
Oster Elementary