March 4, 2016

Sonoma State University
1801 E. Cotati
Rohnert Park, CA 94928

Dear Employer:

The Division of Occupational Safety and Health has received a complaint (Complaint No. 378-16, 1068997) alleging the following condition at your workplace at 1801 E. Cotati, Rohnert Park, 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. Allegedly, air monitoring for asbestos was conducted in Stevenson Hall during the month of February 2016. The employer failed to provide a copy of air monitoring results to an employee that requested a copy of those monitoring results, T8 CCR 3204(e)(2)(A).

§3204(e)(2)(A) Access to Employee Exposure and Medical Records

(e) Access to Records.
2. The necessary mechanical copying facilities (e.g. photocopying) are made available without cost to the employee or designated representative for copying the record; or
(A) Employee Exposure Records.
1. Except as limited by section 3204(f), each employer shall, upon request, assure the access of each employee and designated representative to employee exposure records relevant to the employee. For the purpose of this section, exposure records relevant to the employee consist of:
a. A record containing measurements or monitoring results of the amount of a toxic substance or harmful physical agent to which the employee is or has been exposed;
b. In the absence of such directly relevant records, such records of other employees with past or present job duties or working conditions related to or similar to those of the employee to the extent necessary to reasonably indicate the amount and nature of the toxic substances or harmful physical agents to which the employee is or has been subjected; and

c. Exposure records to the extent necessary to reasonably indicate the amount and nature of the toxic substance or harmful physical agent at workplaces or working conditions to which the employee is being assigned or transferred.
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, as alleged, exist 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 and notify this office in writing no later than fourteen (14) calendar days after receipt of this letter whether the alleged condition exist and, if so, specify the corrective action you have taken and the estimated date when the corrections will be completed. If possible, please fax or e-mail your response to Kathy Lynn Garner, District Manager, at fax number (707) 649-3712 or e-mail at DIRDOSHAmericanCanyon@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 their 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,

[Signature]
Kathy Garner
District Manager

KG/gc

Reference: Complaint No. 378-16, 1068997 - Ltr D