

Jacob D. Steward

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September 9, 2025

Via LWDA Online Filing Portal

Labor & Workforce Development Agency

Division of Occupational Safety & Health

Re: Amended PAGA Notice – LWDA-CM-1090001-25

Employer: M Palm Springs, LLC dba Casa Oliver Hotel & Resort, Palm Springs, CA

To Whom It May Concern:

This letter accompanies the attached Amended PAGA Notice regarding health and safety violations at M Palm Springs, LLC dba Casa Oliver Hotel & Resort.

The original PAGA notice in this matter was filed on April 2, 2025, and therefore the statutory 65-day review period expired on June 6, 2025. At that point, the right to pursue this action in court vested in the aggrieved employees and their counsel.

Nevertheless, in response to the Division's recent correspondence requesting clarification of the health and safety allegations, I am submitting this amendment for the record and completeness. The attached amendment outlines specific Cal/OSHA standards implicated, including:

- Workplace Violence Prevention Plan (Lab. Code §6401.9)
- Injury & Illness Prevention Program (Lab. Code §6401.7; 8 CCR §3203)

- General duty violations (Lab. Code §6400)
- Hazard Communication and First Aid requirements (8 CCR §§5194, 3400)
- Bloodborne Pathogens Standard (8 CCR §5193)
- Alcohol-related workplace violence and injury risks

We respectfully request that LWDA retain this amendment in its file to avoid any dispute that these violations were properly noticed under PAGA.

Thank you for your attention. Please contact me if further information is required.

Respectfully submitted,

Jacob D. Steward

On behalf of Aggrieved Employees

Amended PAGA Notice – Health & Safety Allegations

LWDA-CM-1090001-25 (filed April 2, 2025)

Employer: M Palm Springs, LLC dba Casa Oliver Hotel & Resort, Palm Springs, CA

Aggrieved Employees: Front desk clerks, night staff, housekeeping, and maintenance/operations staff (including the undersigned while performing GM-level duties).

1) Failure to implement a Workplace Violence Prevention Plan (WVPP) (Lab. Code §6401.9; §6401.7; 8 CCR §3203)

No WVPP or violent incident log provided as required by law (effective July 1, 2024). Public 'day and night passes' and after-hours visitor codes gave unscreened access. Repeated incidents: overdoses, arrests, and an assault, acknowledged in management's own communications. Night staff were left alone to handle volatile situations. Violation of §6401.9 and IIPP requirements.

2) Failure to maintain an effective Injury & Illness Prevention Program (IIPP) (Lab. Code §6401.7; 8 CCR §3203)

City code enforcement required corrections; employer delayed or ignored compliance. Overheated/electrical hazards from networking/amp equipment were left unresolved. Door security/camera systems were offline, leaving staff exposed. Lack of hazard identification, training, and correction = IIPP failure.

3) Failure to provide a safe and healthful workplace (Lab. Code §6400)

Lobby left unlocked on multiple occasions. Employees exposed to unsafe guest conduct, overdoses, and unsupervised access. Breach of the general duty to provide a safe workplace.

4) Hazard Communication (8 CCR §5194) and First Aid/Medical Services (8 CCR §3400)

Employees handled cleaning and pool chemicals without training, Safety Data Sheets, or hazard communication program. No eyewash/quick drench facilities near chemical storage areas. Violation of HazCom and first aid standards.

5) Uncontrolled Alcohol Service as a Workplace Hazard

Management directed concealment of alcohol service ('cocktails' relabeled 'beverages') rather than addressing risks. No assessment of alcohol-related hazards to employees. Contributes to workplace violence and injury risks.

6) Failure to protect against bloodborne pathogens (8 CCR §5193; Lab. Code §6400)

Housekeeping and maintenance employees were required to clean an area known as 'The Maze,' contaminated with blood, fecal matter, and exposed syringes. Photos and videos

document couches and surfaces covered in bodily fluids and sharps. Multiple employees quit because [REDACTED] refused to provide PPE or training. Employer failed to provide: gloves, gowns, or face/eye protection; sharps containers; biohazard disposal bags/labels; Hepatitis B vaccination program or post-exposure follow-up; training and exposure control plan. Violates 8 CCR §5193 (Bloodborne Pathogens Standard), the general duty clause (§6400), and confirms absence of an IIPP.

7) Failure to protect employees from intoxicated guests and alcohol-related workplace violence (Lab. Code §§6400, 6401.9; 8 CCR §3203)

Employees were directed by management ([REDACTED]) to serve alcohol to guests, despite lacking a proper Alcoholic Beverage Control (ABC) license. This practice directly exposed employees to intoxicated individuals without training or security protocols. On one occasion, an employee was physically pushed by an intoxicated guest and sustained leg and ankle injuries. Despite prior warnings from me about the risks of alcohol service and intoxicated guests, management dismissed concerns. In response to my inquiry about this injury, [REDACTED] stated: 'I'm not the one who pushed him so how am I liable.' No incident report, medical follow-up, or corrective action was taken by the employer. This constitutes a failure to maintain a safe workplace (Lab. Code §6400), failure to implement a WVPP addressing intoxication-related risks (§6401.9), and a failure of the Injury & Illness Prevention Program (8 CCR §3203).





