



November 15, 2023

Dear Employer:

I am reaching out to you today to address a serious safety and health issue that may impact your business. For many years, the US Department of Labor – Occupational Safety and Health Administration (OSHA) has recognized workplace violence as an ongoing issue in the healthcare industry. You may be aware of the recent tragic death of a visiting nurse who was providing home healthcare services in Willimantic, Connecticut on October 28, 2023. This letter is to provide information and resources to assist you in protecting your employees.

The OSH Act of 1970 obligates employers to provide a safe and healthful workplace for all employees. Employers are responsible for evaluating their workplaces for recognized safety and health hazards and taking measures to protect employees from those hazards. All workplaces where employees provide healthcare including locations for home health visits are covered. One recognized hazard in healthcare settings is workplace violence.

Employers must develop a comprehensive workplace violence prevention program with communication and training for all employees. Elements of the program should include: conducting a pre-visit safety and health risk assessment for new patient visits or ongoing patient visits where there are changes in location or situation; developing ways to protect employees from the risks identified in the pre-visit assessment; communicating the risk assessment and methods of protection to employees prior to the visit; collecting feedback from employees after the visit and incorporating knowledge and suggestions and feedback into program. Further information can be found at <https://www.osha.gov/workplace-violence>.

Additional proactive steps that can be taken to protect employees include:

- Adopting a workplace violence prevention program and communicating the policy to employees.
- Providing regular training in preventive measures for all new and current employees, supervisors, and managers.
- Supporting, not blaming, victims of workplace or domestic violence, and ensuring access to post-incident health, counseling, and legal services.
- Adopting and practicing fair and consistent disciplinary procedures.
- Fostering a climate of trust and respect among workers and between employees and management.
- Seeking assistance from threat-assessment psychologists, social service agencies, law enforcement, and other outside sources as needed.
- Develop safety procedures covering visits by home healthcare providers which address the conduct of home visits including the presence of weapons or pets, the presence of others in the home during visits, and the worker's right to refuse to provide services in a clearly hazardous situation.

Employers are required by law to maintain OSHA 300 injury and illness records. These records allow pro-active employers to identify trends, to see where, when, and how employees are being injured. This data should be used to guide decisions about how best to protect employees in the workplace. Employers are encouraged to survey workers periodically to learn if they experience hostile situations in performing their jobs, and review with employees reports and minutes from staff meetings on safety and security issues. Near-miss incidents should be reported and evaluated as well. Additional information on OSHA recordkeeping can be found at: <https://www.osha.gov/recordkeeping>.

Please be aware that it is against the law for employers to retaliate or discriminate in any way against an employee for raising safety and health issues or for exercising their rights under the OSHA law. This includes the right to report a work-related injury or illness to their employer, or to contact OSHA. More information about the Whistleblower Protection Program can be found at <http://www.whistleblowers.gov/>.

OSHA encourages employers to develop comprehensive safety and health plans that address hazards employees face, including workplace violence. Additionally, employers are encouraged to utilize the free 21(d) state consultation programs, or other private safety and health consultants. Information for the state consultation programs across New England are attached to this letter. These services are free and separate from enforcement and do not result in penalties or citations. To find out more information about OSHA's On-Site Consultation Program, please visit the programs website at <https://www.osha.gov/dcsp/smallbusiness/consult.html>.

Employers are encouraged to keep abreast of new strategies available to prevent and respond to violence in the health care and social service fields as they develop. Thank you for your attention to this incredibly important occupational safety and health issue.

Sincerely,



Galen Blanton
Regional Administrator



OSHA **FACT** Sheet

Workplace Violence

What is workplace violence?

Workplace violence is violence or the threat of violence against workers. It can occur at or outside the workplace and can range from threats and verbal abuse to physical assaults and homicide, one of the leading causes of job-related deaths. However it manifests itself, workplace violence is a growing concern for employers and employees nationwide.

Who is vulnerable?

Some 2 million American workers are victims of workplace violence each year. Workplace violence can strike anywhere, and no one is immune. Some workers, however, are at increased risk. Among them are workers who exchange money with the public; deliver passengers, goods, or services; or work alone or in small groups, during late night or early morning hours, in high-crime areas, or in community settings and homes where they have extensive contact with the public. This group includes health-care and social service workers such as visiting nurses, psychiatric evaluators, and probation officers; community workers such as gas and water utility employees, phone and cable TV installers, and letter carriers; retail workers; and taxi drivers.

What can these employers do to help protect these employees?

The best protection employers can offer is to establish a zero-tolerance policy toward workplace violence against or by their employees. The employer should establish a workplace violence prevention program or incorporate the information into an existing accident prevention program, employee handbook, or manual of standard operating procedures. It is critical to ensure that all employees know the policy and understand that all claims of workplace violence will be investigated and remedied promptly. In addition, employers can offer additional protections such as the following:

- Provide safety education for employees so they know what conduct is not acceptable,

what to do if they witness or are subjected to workplace violence, and how to protect themselves.

- Secure the workplace. Where appropriate to the business, install video surveillance, extra lighting, and alarm systems and minimize access by outsiders through identification badges, electronic keys, and guards.
- Provide drop safes to limit the amount of cash on hand. Keep a minimal amount of cash in registers during evenings and late-night hours.
- Equip field staff with cellular phones and hand-held alarms or noise devices, and require them to prepare a daily work plan and keep a contact person informed of their location throughout the day. Keep employer-provided vehicles properly maintained.
- Instruct employees not to enter any location where they feel unsafe. Introduce a "buddy system" or provide an escort service or police assistance in potentially dangerous situations or at night.
- Develop policies and procedures covering visits by home health-care providers. Address the conduct of home visits, the presence of others in the home during visits, and the worker's right to refuse to provide services in a clearly hazardous situation.

How can the employees protect themselves?

Nothing can guarantee that an employee will not become a victim of workplace violence. These steps, however, can help reduce the odds:

- Learn how to recognize, avoid, or diffuse potentially violent situations by attending personal safety training programs.
- Alert supervisors to any concerns about safety or security and report all incidents immediately in writing.

- Avoid traveling alone into unfamiliar locations or situations whenever possible.
- Carry only minimal money and required identification into community settings.

What should employers do following an incident of workplace violence?

- Encourage employees to report and log all incidents and threats of workplace violence.
- Provide prompt medical evaluation and treatment after the incident.
- Report violent incidents to the local police promptly.
- Inform victims of their legal right to prosecute perpetrators.
- Discuss the circumstances of the incident with staff members. Encourage employees to share information about ways to avoid similar situations in the future.
- Offer stress debriefing sessions and post-traumatic counseling services to help workers recover from a violent incident.
- Investigate all violent incidents and threats, monitor trends in violent incidents by type or circumstance, and institute corrective actions.
- Discuss changes in the program during regular employee meetings.

What protections does OSHA offer?

The *Occupational Safety and Health Act's (OSH Act) General Duty Clause* requires employers to provide a safe and healthful workplace for all workers covered by the *OSH Act*. Employers who do not take reasonable steps

to prevent or abate a recognized violence hazard in the workplace can be cited. Failure to implement suggestions in this fact sheet, however, is not in itself a violation of the General Duty Clause.

How can you get more information?

OSHA has various publications, standards, technical assistance, and compliance tools to help you, and offers extensive assistance through its many safety and health programs: workplace consultation, voluntary protection programs, grants, strategic partnerships, state plans, training, and education. Guidance such as *OSHA's Safety and Health Management Program Guidelines* identify elements that are critical to the development of a successful safety and health management system. This and other information are available on OSHA's website at www.osha.gov.

- For a free copy of OSHA publications, send a self-addressed mailing label to this address: OSHA Publications Office, P.O. Box 37535, Washington, DC 20013-7535; or send a request to our fax at (202) 693-2498, or call us at (202) 693-1888.
- To file a complaint by phone, report an emergency, or get OSHA advice, assistance, or products, contact your nearest OSHA office under the "U.S. Department of Labor" listing in your phone book, or call us toll-free at (800) 321-OSHA (6742). The tele-typewriter (TTY) number is (877) 889-5627.
- To file a complaint online or obtain more information on OSHA federal and state programs, visit OSHA's website.

This is one in a series of informational fact sheets highlighting OSHA programs, policies, or standards. It does not impose any new compliance requirements or carry the force of legal opinion. For compliance requirements of OSHA standards or regulations, refer to *Title 29 of the Code of Federal Regulations*. This information will be made available to sensory-impaired individuals upon request. Voice phone: (202) 693-1999. See also OSHA's website at www.osha.gov.



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01.30.2023

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