

Have Workplace Hazards Gone Too Far? Concerned About Nurse Safety on the Job?

What You Can Do: Consider Filing a Complaint with OSHA¹

Nurses have a right to safety in the health care settings where we practice every day, ensuring that high-quality nursing care is delivered to our patients and their caregivers. If there is a strong culture of safety at work, we may feel that our concerns can adequately be addressed internally. However, when safety and health standards are violated, a strong culture of safety may be lacking. In such a situation, nurses may wish to consider exercising our right to file a complaint with the Occupational Safety and Health Administration (OSHA) within the U.S. Department of Labor.

OSHA Recognizes Hazards Facing Nurses in the Workplace

OSHA recognizes that a culture of safety is important to employees as well as patients in the health care setting. OSHA is empowered to investigate workplace hazards and hold health care facilities accountable for unsafe practices and violations of safety standards. Here are some familiar examples of OSHA standards that affect nursing:

- ⇒ Employers in health care settings must ensure nurses have appropriate protective gear.
- ⇒ Detailed requirements apply when potentially hazardous fluids are handled on the job.
- ⇒ Health care facilities must be free from recognized hazards, such as workplace violence, that are causing or likely to cause death or serious physical harm.²
- ⇒ For more information about specific OSHA standards for nurse safety and health on the job, visit OSHA's website at this address: <https://www.osha.gov/SLTC/healthcarefacilities/standards.html>

How to Report Concerns About Safety in Your Health Care Facility

If you can point to an unsafe situation at work, you have a right under federal law to file a complaint with OSHA. You can do this online, by telephone, and by regular mail. A complaint is made by completing a form called a Notice of Alleged Safety or Health Hazards. Here are some points to keep in mind if you are thinking about making a complaint:

- ⇒ It's a good idea to talk to co-workers and employee groups, and get their input.
- ⇒ You can request confidentiality.
- ⇒ You do not need to cite a specific OSHA standard.
- ⇒ The form will ask the address of the site where you have identified one or more hazard, along with a written description of each hazard in as much detail as possible.
- ⇒ OSHA will want you to provide specific information about the identified hazard, such as an incident that has occurred or health impacts that have resulted.
- ⇒ For detailed instructions on how to file online, by telephone, or by mail, visit OSHA's complaint page at https://www.osha.gov/workers/file_complaint.html

¹ This Fact Sheet is for general information purposes only, and does not constitute legal advice.

² ANA advocates for new laws to make protections against workplace violence even stronger. OSHA should ensure that facilities have a comprehensive approach that protects nurses from workplace violence, including prompt investigations of incidents and risks, comprehensive training and education, meaningful recordkeeping, and whistleblower protections. ANA believes that nurses should be involved actively throughout the process of creating a comprehensive approach to preventing workplace violence.

How OSHA Handles Complaints

OSHA may follow up with the employer and resolve some complaints over the phone. The more specific the complaint, the more likely it will be that OSHA makes an on-site inspection, especially if OSHA is able to contact the person making the complaint.

More Help

Filing an OSHA complaint is a right, but can feel like a big step. More information and helpful tips are available at:

- National Council for Occupational Safety and Health <http://www.coshnetwork.org/node/348>
- OSHA Education Center <https://www.oshaeducationcenter.com/articles/reporting-labor-violations/>

ANA Policy and Government Relations

- For more information on how ANA advocates for safe nursing workplaces, contact us at gova@ana.org.
- Print out our flyer (next page) for easy reference.

REPORTING TO OSHA*

Unsafe situation at work? Lack a strong culture of safety?

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- Online
- By phone
- In regular mail

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**That's the Occupational Safety and Health Administration within the U.S. Department of Labor

