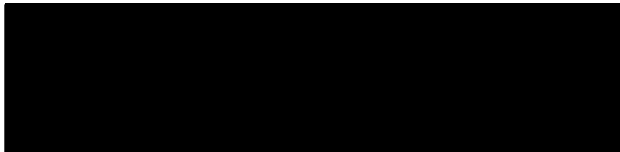




State of Vermont
Department of Labor-VOSHA
5 Green Mountain Drive
P.O. Box 488
Montpelier, VT 05601-0488
802-828-2765

September 21, 2017



RE: VOSHA Complaint No. 1266126

Dear [REDACTED]

On September 21, 2017, the Vermont Occupational Safety and Health Administration (VOSHA) received a notice of alleged workplace hazard(s) at your worksite at:

350 Fisher Rd.
Berlin, VT 05602

We notified you by telephone of these alleged hazards on September 21, 2017. The specific nature of the alleged hazards is as follows:

On September 12, several mental health specialists reported increased agitation and escalation of behaviors in a patient to the charge nurses and to [REDACTED]. Nothing was done to address the issue or prevent staff from risk of assault. [REDACTED] even told one [REDACTED] in response to her asking for more help to address the issue, "If anyone can handle it, it's you [REDACTED]". As a result, 4 employees were assaulted and three of them were sent to the emergency room. [REDACTED] and [REDACTED] both received serious concussions and a traveling nurse was injured as well. Another employee received a scratch where the skin was broken

We have not determined whether the hazards, as alleged, exist at your workplace, and we do not intend to conduct an inspection at this time. However, because allegations of violations and/or hazards have been made, we request that you immediately investigate the alleged conditions and make any necessary corrections or modifications. Please advise me in writing, no later than October 5, 2017, of the results of your investigation. You must provide supporting documentation of your findings. This includes any applicable measurements or monitoring results; photographs/video that you believe would be helpful; and a description of any corrective action you have taken or are in the process of taking, including documentation of the corrected condition.


This letter is not a citation or a notification of proposed penalty which, according to the Occupational Safety and Health Act, may be issued only after an inspection or investigation of the workplace. It is our goal to assure that hazards are promptly identified and eliminated. Please take immediate corrective action where needed. If we do not receive a response from you by October 5, 2017 indicating that appropriate action has been taken or that no hazard exists and why, a VOSHA inspection will be conducted. An inspection may include a review of the following: injury and illness records, hazard communication, personal protective equipment, emergency action or response, bloodborne pathogens, confined space entry, lockout/tagout, and related safety and health issues.

Please also be aware that VOSHA conducts random inspections to verify that corrective actions asserted by the employer have actually been taken.

You are requested to post a copy of this letter where it will be readily accessible for review by all of your employees, and to return a copy of the signed Certificate of Posting (Attachment A) to this office. In addition, you are requested to provide a copy of this letter and your response to a representative of any recognized employee union or safety committee that exist at your facility. Failure to do this may result in an on-site inspection. The complainant has been furnished a copy of this letter and will be advised of your response. Section 11(c) of the Occupational Safety and Health Act provides protection for employees against discrimination because of their involvement in protected safety and health activity.

If you have any questions regarding this matter, please contact our office. The contact information is listed on the first page of this document. Your interest in the safety and health of your employees is appreciated.

Sincerely,


Daniel A. Whipple
VOSHA Manager

Attachment A

CERTIFICATE OF POSTING
VOSHA NOTIFICATION OF ALLEGED HAZARD(S)

Employer Name: State of Vermont Department of Mental Health
Complaint Number: 1266126

Date of Posting: _____

Date Copy Given to an Employee Representative: _____

On behalf of the employer, I certify that, on _____ a copy of the complaint letter received from the Occupational Safety and Health Administration (VOSHA) was posted in a place where it is readily accessible for review by all employees, or near such location where the violation occurred, and such notice has been given to each authorized representative of affected employees, if any. This notice was or will be posted for a minimum of ten (10) days or until the hazardous conditions referenced in the letter are corrected.

Signature

Title
