

**U.S. Department of Labor**  
Occupational Safety and Health Administration  
200 Granby Street  
Suite 614  
Norfolk, VA 23510  
Phone: 757-441-3820 Fax: 757-441-3594



## Notice of Unsafe or Unhealthy Working Conditions

**To:**  
Hunter Holmes McGuire VA Medical Center  
1201 Broad Rock Blvd  
Richmond, VA 23249

**Inspection Number:** 1060427  
**Inspection Date(s):** 05/06/2015 - 11/06/2015  
**Issuance Date:** 11/06/2015

**Inspection Site:**  
1201 Broad Rock Blvd  
Richmond, VA 23249

*The violation(s) described in this Notice is (are) alleged to have occurred on or about the day(s) the inspection was made unless otherwise indicated within the description given below*

This Notice of Unsafe and Unhealthy Working Conditions (Notice) describes violations of the Occupational Safety and Health Act of 1970, the Executive Order 12196, and 29 CFR 1960, Basic Program Elements for Federal Employee Occupational Safety and Health Programs and Related Matters. You must abate the violations referred to in this Notice by the dates listed unless, within 15 working days (excluding weekends and Federal holidays) from your receipt of this Notice you request an Informal Conference with the US Department of Labor OSHA Area Office at the address shown above. Please refer to the enclosed publication "Federal Employer Rights and Responsibilities Following an OSHA Inspection" which outlines the appeals procedure for this Notice and which should be read in conjunction with this form.

**Posting** – The law requires that a copy of this Notice be posted immediately in a prominent place at or near the location of the violation(s) cited herein, or, if it is not practicable because the nature of the employer's operations, where it will be readily observable by all affected employees. This Notice must remain posted until the violation(s) cited herein has (have) been abated, or for 3 working days (excluding weekends and Federal holidays), whichever is longer.

**Notification of Corrective Action** – For each violation which you do not appeal, you must provide abatement certification to the Area Director of the OSHA office issuing the Notice and identified above. This abatement certification is to be provided by letter within 10 calendar days after each abatement date. Abatement certification includes the date and method of abatement. If the Notice indicates that the violation was corrected during the inspection, no abatement certification is required for that item. The abatement certification letter must

be posted at the location where the violation appeared and the corrective action took place or employees must otherwise be effectively informed about abatement activities. A template abatement certification letter is enclosed with this Notice. In addition, where the Notice indicates that abatement documentation is required, evidence of the purchase or repair of equipment, photographs or video, receipts, training records, etc., verifying that abatement has occurred is required to be provided to the Area Director.

**Program Responsibilities** - Section 19(a)(1) of the OSH Act requires the head of each Federal agency to comply with applicable occupational safety and health standards. The intent of this section and Executive Order 12196 is implemented through 29 CFR 1960.8(b). If you are cited for violations of applicable safety and health standards, you have also violated the program element 29 CFR 1960.8(b), which stipulates:

*“The head of each agency shall comply with the Occupational Safety and Health Administration standards applicable to the agency.”*

**Informal Conference** – An informal conference is not required. However, if you wish to have such a conference you may request one with the Area Director within 15 working days after receipt of this Notice. As soon as the time, date, and place of the informal conference have been determined please complete the enclosed “Notice to Employees” and post it where the Notice is posted. During such an informal conference you may present any evidence or views you believe would support an adjustment to the Notice. In addition, bring to the conference any and all supporting documentation of existing conditions as well as any abatement steps taken thus far.

If you are considering a request for an informal conference to discuss any issues related to the Notice, you must take care to schedule it early enough to allow time to appeal after the informal conference should you decide to do so. Please keep in mind that a written letter of intent to appeal must be submitted by the Agency’s National OSH Manager to the OSHA Area Director within 15 business days of your receipt of the OSHA Notice to request that OSHA’s Regional Administrator review the case.

**Inspection Activity Data** – You should be aware that OSHA publishes information on its inspection and notice activity on the Internet under the provisions of the Electronic Freedom of Information Act. The information related to these alleged violations will be posted when our system indicates that you have received this notice. You are encouraged to review the information concerning your establishment at [www.OSHA.gov](http://www.OSHA.gov). If you have any dispute with the accuracy of the information displayed, please contact this office.



## NOTICE TO EMPLOYEES

An informal conference has been scheduled with the Occupational Safety and Health Administration (OSHA) to discuss the Notice of Unsafe or Unhealthful Working Conditions (Notice) issued on 11/06/2015. The conference will be held by telephone or at the OSHA office located at 200 Granby Street, Suite 614, Norfolk, VA 23510 on \_\_\_\_\_ at \_\_\_\_\_.

Employees and/or representatives of employees have a right to attend an informal conference.

**CERTIFICATION OF CORRECTIVE ACTION WORKSHEET – FEDERAL AGENCIES**

**Inspection Number: 1060427**

Agency Name: Hunter Holmes McGuire VA Medical Center

Inspection Site: 1201 Broad Rock Blvd, Richmond, VA 23249

Issuance Date: 11/06/2015

**Employer Instruction:** List the specific method of correction for each item on the enclosed notices that does not read "Corrected During Inspection" and return to: **U.S. Department of Labor – Occupational Safety and Health Administration, 200 Granby Street, Suite 614, Norfolk, VA 23510.** Failure to submit a timely certification of corrective action may result in a notification to your agency DASHO.

Notice Number \_\_\_\_\_ and Item Number \_\_\_\_\_ was corrected on \_\_\_\_\_  
By (Method of Abatement): \_\_\_\_\_

Notice Number \_\_\_\_\_ and Item Number \_\_\_\_\_ was corrected on \_\_\_\_\_  
By (Method of Abatement): \_\_\_\_\_

Notice Number \_\_\_\_\_ and Item Number \_\_\_\_\_ was corrected on \_\_\_\_\_  
By (Method of Abatement): \_\_\_\_\_

Notice Number \_\_\_\_\_ and Item Number \_\_\_\_\_ was corrected on \_\_\_\_\_  
By (Method of Abatement): \_\_\_\_\_

Notice Number \_\_\_\_\_ and Item Number \_\_\_\_\_ was corrected on \_\_\_\_\_  
By (Method of Abatement): \_\_\_\_\_

Notice Number \_\_\_\_\_ and Item Number \_\_\_\_\_ was corrected on \_\_\_\_\_  
By (Method of Abatement): \_\_\_\_\_

I certify that the information contained in this document is accurate and that the affected employees and their representatives have been informed of the abatement.

\_\_\_\_\_  
**Signature**

\_\_\_\_\_  
**Date**

\_\_\_\_\_  
**Title**

**NOTE: 29 USC 666(g)** whoever knowingly makes any false statements, representation or certification in any application, record, plan or other documents filed or required to be maintained pursuant to the Act shall, upon conviction, be punished by a fine of not more than \$10,000 or by imprisonment of not more than 6 months or both.

**POSTING:** A copy of completed Corrective Action Worksheet should be posted for employee review.

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Occupational Safety and Health Administration

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**Notice of Unsafe and Unhealthful Working Conditions**

**Company Name:** Hunter Holmes McGuire VA Medical Center  
**Inspection Site:** 1201 Broad Rock Blvd, Richmond, VA 23249

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**Notice 1 Item 1**      Type of Violation: **Serious**

29 CFR 1960.55(a): The Agency did not provide safety and health training for supervisory employees:

1201 Broad Rock Blvd, Richmond, VA 23249: On or about May 6, 2015, and times prior thereto, management officials were not provided specialized job safety and health training to include recordkeeping.

Abatement certification and documentation required within 10 days after abatement date. The certification shall include a statement that abatement is complete, the date and method of abatement, and state that employees and their representatives were informed of this abatement. Abatement documentation shall include documents demonstrating that abatement is complete, such as evidence of the purchase or repair of equipment, photographic or video evidence of abatement or other written records.

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

**Date by which Violation must be Abated:    11/27/2015**



**Notice of Unsafe and Unhealthful Working Conditions**

**Company Name:** Hunter Holmes McGuire VA Medical Center  
**Inspection Site:** 1201 Broad Rock Blvd, Richmond, VA 23249

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**Notice 1 Item 2**      Type of Violation: **Serious**

29 CFR 1960.59(a): The Agency did not provide specialized job safety and health training appropriate to the work performed by the employee:

1201 Broad Rock Blvd, Richmond, VA 23249: On or about May 6, 2015, and times prior thereto, employees were not provided specialized job safety and health training to include recordkeeping.

Abatement certification and documentation required within 10 days after abatement date. The certification shall include a statement that abatement is complete, the date and method of abatement, and state that employees and their representatives were informed of this abatement. Abatement documentation shall include documents demonstrating that abatement is complete, such as evidence of the purchase or repair of equipment, photographic or video evidence of abatement or other written records.

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

**Date by which Violation must be Abated:**    11/27/2015



**Notice of Unsafe and Unhealthful Working Conditions**

**Company Name:** Hunter Holmes McGuire VA Medical Center  
**Inspection Site:** 1201 Broad Rock Blvd, Richmond, VA 23249

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**Notice 2 Item 1**      Type of Violation: **Willful**

29 CFR 1960.8(a): The Agency head did not furnish employment and a place of employment to each employee that was free from recognized hazards that caused or were likely to cause death or serious physical harm:

1201 Broad Rock Blvd, Richmond, VA 23249: On or about May 6, 2015, and times prior thereto, employees were exposed to the hazard of workplace violence and physical assaults while providing services and treating patients. The employer did not implement adequate measures to prevent workplace violence at this facility.

Among other methods, feasible and acceptable means to abate the hazard of workplace violence include:

1. Follow the recommendation in Department of Veterans Affairs Office of Inspector General Report No. 11-00215-194 Management of Workplace Violence in Veterans Health Administrations Facilities dated June 14, 2012.
2. Follow the VHA Directive 2010-053 Patient Record Flags dated December 3, 2010, including, but not limited to: communication among staff so they are aware of high risk patients.
3. Follow the VHA Directive 2012-26 Sexual Assaults and other defined public safety incidents in Veterans Health Administration (VHA) Facilities dated September 27, 2012 including, but not limited to:
  - a) Ensuring the Employee Threat Assessment Team, Disruptive Behavior Committee (DBC), and Prevention and Management of Disruptive Behavior (PMDB) program disruptive behavior reporting and tracking systems operate successfully.
  - b) Reviewing and ensuring data required by this Directive are collected, tracked, trended, and analyzed with actions taken on finding as appropriate.
  - c) Ensuring facility implementation, utilization, and regular testing of physical security equipment to include, as appropriate: computer-based panic alarms, and other equipment as determined by the local risk assessment.

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See Pages 1 through 3 of this Notice for information on employer and employee rights and responsibilities.



**Notice of Unsafe and Unhealthful Working Conditions**

**Company Name:** Hunter Holmes McGuire VA Medical Center  
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4. Require and ensure all employees report instances of violence, regardless of severity. Ensure reports are complete and corrective action is taken where appropriate.
5. Ensure all instance of WPV for the VAMC and off-campus locations are referred to the DBC.
6. Establish a comprehensive program of medical and psychological counseling and debriefing for employees who experience or witness violent incidents.
7. Ensure adequate staffing is used while providing services and care to patients.
8. Implement sign-in procedures and visitor passes. Institute a method to timely inform the security, clinical, and sign-in staff of patients and visitors with a history of violence or visitation restrictions.
9. Restrict building access to limit the number of unsecured entrances.
10. Direct visitors/patients to secure entrances to be screened for weapons and to implement safety measures required by patient record flags. Ensure staff is adequately trained to screen visitors for weapons.

See Abatement Actions in AVD.

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

**Date by which Violation must be Abated:** 12/28/2015





**Notice of Unsafe and Unhealthful Working Conditions**

**Company Name:** Hunter Holmes McGuire VA Medical Center  
**Inspection Site:** 1201 Broad Rock Blvd, Richmond, VA 23249

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**Notice 2 Item 2**    Type of Violation: **Willful**

29 CFR 1960.59(a): The Agency did not provide specialized job safety and health training appropriate to the work performed by the employee:

1201 Broad Rock Blvd, Richmond, VA 23249: On or about May 6, 2015, and times prior thereto, employees were exposed to the hazard of workplace violence and physical assaults while providing services and treating patients. The employer did not provide specialized job safety training to prevent workplace violence at this facility.

Abatement certification and documentation required within 10 days after abatement date. The certification shall include a statement that abatement is complete, the date and method of abatement, and state that employees and their representatives were informed of this abatement. Abatement documentation shall include documents demonstrating that abatement is complete, such as evidence of the purchase or repair of equipment, photographic or video evidence of abatement or other written records.

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

**Date by which Violation must be Abated:** 11/27/2015



**Notice of Unsafe and Unhealthful Working Conditions**

**Company Name:** Hunter Holmes McGuire VA Medical Center  
**Inspection Site:** 1201 Broad Rock Blvd, Richmond, VA 23249

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**Notice 2 Item 3**      Type of Violation: **Willful**

29 CFR 1904.4(a): The employer did not record each work-related fatality, injury or illness case that resulted in the general recording criteria on the OSHA Form 300 or equivalent:

1201 Broad Rock Rd, Richmond, VA 23249: On or about May 6, 2015, and times prior thereto, the employer did not record the following workplace injuries and illnesses on the OSHA Form 300 or equivalent for the calendar year 2015.

- a) April 8, 2015, Nursing, knee injured when kicked by patient that resulted in medical treatment was not recorded.
- b) April 7, 2015, Nursing, injured back during patient handling that resulted in job transfer or restriction was not recorded.
- c) April 9, 2015, Nursing, injured back during patient handling that resulted in medical treatment was not recorded.
- d) April 13, 2015, Nursing, injured back during patient handling that resulted in medical treatment was not recorded.
- e) May 2, 2015, Nursing, injured back during patient handling that resulted in job transfer or restriction did not correctly record the job transfer or restriction.
- f) April 20, 2015, Environmental, injured wrists due to work duties that resulted in job transfer or restriction was not recorded.
- g) May 1, 2015, Physical Medicine, injured arm, knees, hip in MVA that resulted in medical treatment was not recorded.
- h) May 5, 2015, Pathology, injured shoulder moving supplies that resulted in job transfer or restriction was not recorded.

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See Pages 1 through 3 of this Notice for information on employer and employee rights and responsibilities.

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Abatement certification and documentation required within 10 days after abatement date. The certification shall include a statement that abatement is complete, the date and method of abatement, and state that employees and their representatives were informed of this abatement. Abatement documentation shall include documents demonstrating that abatement is complete, such as evidence of the purchase or repair of equipment, photographic or video evidence of abatement or other written records.

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

**Date by which Violation must be Abated:** 11/27/2015



**Notice of Unsafe and Unhealthful Working Conditions**

**Company Name:** Hunter Holmes McGuire VA Medical Center  
**Inspection Site:** 1201 Broad Rock Blvd, Richmond, VA 23249

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**Notice 2 Item 4**    Type of Violation: **Willful**

29 CFR 1904.8(a): All work-related needlestick injuries and cuts from sharp objects that were contaminated with another person's blood or other potentially infectious material were not recorded on the OSHA 300 Log as an injury:

1201 Broad Rock Rd, Richmond, VA 23249: On or about May 6, 2015, and times prior thereto, the employer did not record the following workplace injuries and illnesses on the OSHA Form 300 or equivalent for the calendar year 2015.

a) April 13, 2015, Surgical, the sharps exposure during a procedure was not recorded.

Abatement certification and documentation required within 10 days after abatement date. The certification shall include a statement that abatement is complete, the date and method of abatement, and state that employees and their representatives were informed of this abatement. Abatement documentation shall include documents demonstrating that abatement is complete, such as evidence of the purchase or repair of equipment, photographic or video evidence of abatement or other written records.

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

**Date by which Violation must be Abated:** 11/27/2015



**Notice of Unsafe and Unhealthful Working Conditions**

**Company Name:** Hunter Holmes McGuire VA Medical Center  
**Inspection Site:** 1201 Broad Rock Blvd, Richmond, VA 23249

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**Notice 3 Item 1**      Type of Violation: **Other-than-Serious**

29 CFR 1904.29(b)(2): The employer did not fill out or correctly fill out an OSHA Form 301 or equivalent for each recordable injury or illness:

1201 Broad Rock Blvd, Richmond, VA 23249: On or about May 6, 2015, and times prior thereto, the employer did not fill out or did not correctly fill out an OSHA 301 or equivalent for each recordable injury or illness.

In 2015, there were 11 incomplete OSHA Form 301s for incidents that resulted in recordable injury or illness.

Documentation is required for this item.

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

**Date by which Violation must be Abated:**    12/04/2015



**Notice of Unsafe and Unhealthful Working Conditions**

**Company Name:** Hunter Holmes McGuire VA Medical Center  
**Inspection Site:** 1201 Broad Rock Blvd, Richmond, VA 23249

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**Notice 3 Item 2**      Type of Violation: **Other-than-Serious**

29 CFR 1904.32(b)(1): The employer did not review the OSHA 300 Log entries as extensively as necessary to make sure the entries were complete and correct:

1201 Broad Rock Blvd, Richmond, VA 23249: On or about May 6, 2015, and times prior thereto, the employer did not review the 300 Log entries to make sure they were complete and correct, cases were not classified in any column G, H, I, or J, and injuries and illnesses reported to the employer were not recorded exposing employees to injury and illness that may have been prevented by accurate logs, tracking and trending injuries and illnesses, and training of employees subsequent to incidents.

Abatement documentation is required for this item.

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date by which Violation must be Abated:    12/04/2015

**U.S. Department of Labor**  
Occupational Safety and Health Administration

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11/06/2015  
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**Notice of Unsafe and Unhealthful Working Conditions**

**Company Name:** Hunter Holmes McGuire VA Medical Center  
**Inspection Site:** 1201 Broad Rock Blvd, Richmond, VA 23249

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**Notice 3 Item 3**      Type of Violation: **Other-than-Serious**

29 CFR 1904.32(b)(3): The Summary of Work-Related Injuries and Illnesses (OSHA Form 300A or equivalent) was not properly certified:

1201 Broad Rock Blvd, Richmond, VA 23249: On or about May 6, 2015, and times prior thereto, a company executive did not certify the OSHA 300A Summary or equivalent for 2013 and 2014.

Abatement documentation is required for this item.

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

**Date by which Violation must be Abated:**    12/04/2015

**U.S. Department of Labor**  
Occupational Safety and Health Administration

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**Inspection Site:** 1201 Broad Rock Blvd, Richmond, VA 23249

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**Notice 3 Item 4**      Type of Violation: **Other-than-Serious**

29 CFR 1904.32(b)(2)(ii): The employer did not complete on the annual summary, the calendar year covered, the company's name, establishment name, establishment address, annual average number of employees covered by the OSHA 300 Log, and the total hours worked by all employees covered by the OSHA 300 Log:

1201 Broad Rock Blvd, Richmond, VA 23249: On or about May 6, 2015, and times prior thereto, the employer did not complete the 300A annual summary by calendar year for the years 2010, 2011, 2012, 2013, 2014.

Abatement documentation is required for this item.

Date by which Violation must be Abated: 12/04/2015



**U.S. Department of Labor**  
Occupational Safety and Health Administration

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**Notice of Unsafe and Unhealthful Working Conditions**

**Company Name:** Hunter Holmes McGuire VA Medical Center  
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**Notice 3 Item 5**    Type of Violation: **Other-than-Serious**

29 CFR 1904.33(a): The employer did not maintain the OSHA 300 log, the privacy case list, the annual summary and the OSHA 301 Incident Report forms for five (5) years following the end of the calendar year that those records covered:

1201 Broad Rock Blvd, Richmond, VA 23224: On or about May 6, 2015, and times prior thereto, the employer did not retain the 300A annual summary for the calendar years 2010, 2011, 2012, 2013, 2014.

Abatement documentation is required for this item.

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

**Date by which Violation must be Abated:** 12/04/2015

**U.S. Department of Labor**  
Occupational Safety and Health Administration

**Inspection Number:** 1060427  
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11/06/2015  
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**Notice of Unsafe and Unhealthful Working Conditions**

**Company Name:** Hunter Holmes McGuire VA Medical Center  
**Inspection Site:** 1201 Broad Rock Blvd, Richmond, VA 23249

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**Notice 3 Item 6**    Type of Violation: **Other-than-Serious**

29 CFR 1904.40(a): The employer did not provide an authorized government representative the records within the four business hours required:

1201 Broad Rock Blvd, Richmond, VA 23249: The OSHA 301 or equivalent forms requested on July 7, 2015 were received July 20, 2015.

**Date by which Violation must be Abated:    Corrected During Inspection**



**Notice of Unsafe and Unhealthful Working Conditions**

**Company Name:** Hunter Holmes McGuire VA Medical Center  
**Inspection Site:** 1201 Broad Rock Blvd, Richmond, VA 23249

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**Notice 3 Item 7**      Type of Violation: **Other-than-Serious**

29 CFR 1910.1030(h)(5)(i)(A): The employer did not maintain a sharps injury log that contained at a minimum the type and brand of device involved in the incident as required by 29 CFR 1960.8(b):

1201 Broad Rock Blvd, Richmond, VA 23249: On or about May 6, 2015, and times prior thereto, the employer's Log of Needlestick Incidents did not contain the type and brand of device in the following incidents for the calendar years 2015, 2014, 2013, 2012, exposing employees to injury and illness that may have been prevented by accurate logs, tracking and trending injuries and illnesses, and training of employees subsequent to incidents.

- a) June 23, 2015, Surgical, the sharps exposure that resulted in medical treatment.
- b) July 16, 2015, Environmental, the sharps exposure that resulted in medical treatment.

Abatement documentation is required for this item.

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

**Date by which Violation must be Abated:**    12/04/2015



**Notice of Unsafe and Unhealthful Working Conditions**

**Company Name:** Hunter Holmes McGuire VA Medical Center  
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**Notice 3 Item 8**      Type of Violation: **Other-than-Serious**

29 CFR 1910.1030(h)(5)(i)(C): The employer did not maintain a sharps injury log that contained at a minimum an explanation of how the incident occurred as required by 29 CFR 1960.8(b):

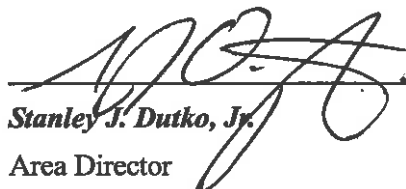
1201 Broad Rock Blvd, Richmond, VA 23249: On or about May 6, 2015, and times prior thereto, the employer's Log of Needlestick Incidents did not contain an explanation in the following incidents for the calendar years 2012, 2013, 2014, 2015, exposing employees to injury and illness that may have been prevented by accurate logs, tracking and trending injuries and illnesses, and training of employees subsequent to incidents.

- a) June 23, 2015, Surgical, the sharps exposure that resulted in medical treatment.
- b) July 16, 2015, Environmental, the sharps exposure that resulted in medical treatment.

Abatement documentation is required for this item.

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date by which Violation must be Abated:    12/04/2015

  
\_\_\_\_\_  
*Stanley J. Dutko, Jr.*  
Area Director