



JNESO
DISTRICT COUNCIL 1, IUOE / AFL-CIO
the professional health care union

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For Immediate Release

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JNESO's Fight to Protect Nurses Results in OSHA fines and investigations at St. Michael's Medical Center and Virtua Marlton Hospital

North Brunswick, N.J. -- After months of filing complaints about health and safety violations with the Occupational Safety and Health Administration (OSHA) related to COVID-19, JNESO District Council 1 has received a victory in the effort to protect their members at two New Jersey Hospitals.

OSHA fined St. Michael's Medical Center in Newark, N.J., just over \$50,000 for multiple violations, and ordered Virtua Marlton Hospital in Marlton, N.J., investigate and rectify safety complaints. The violations stemmed from issues such as: lack of personal protective equipment (PPE), improper fit-testing and health questioning for N95 masks, failure to timely report COVID-19 related staff illness and deaths, and alleged workplace hazards.

"We are pleased that OSHA cited these hospitals, but this has been going on since April. Sadly, this is just the tip of the iceberg of what has been reported, and we continue to get complaints from our members daily," said Douglas Placa, Executive Director of JNESO, which represents 379 nurses and techs at St. Michael's and 1,484 nurses at Virtua in Marlton.

He noted, "We will continue to lodge complaints with OSHA and pressure management to rectify these issues. As the numbers of COVID-19 cases continue to rise, the need to increase safety measures becomes even more important to keep vital resources at the bedside."

OSHA issued St. Michaels (Prime Healthcare Services) three citations for "Serious" violations that included:

- Multiple instances of not providing fit tests to employees for N95 respirators when different models and makes were used;
- Failure to provide NIOSH approved respirators to each employee when necessary to protect the health and safety of the employee;
- Requiring nurses to use thin, standard "surgical masks" in lieu of NIOSH approved N95 respirators while providing treatment to suspected COVID-19 patients.

And, two citations for "other-than-serious" violations for:

- Failure to record and report work-related fatality, injury and illness to OSHA, within 8 hours of death, after a nurse died from COVID-19;
- Failure to ask for information required by a questionnaire that helps evaluate the Nurse's health and underlying conditions that are needed to determine which N95 masks are appropriate for them to use.

Although OSHA did not assess fines yet against Virtua Marlton Hospital, it did formally request a response from the hospital into alleged workplace hazards and health and safety complaints which included:



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- Failure to provide employees with appropriate PPE for the tasks performed;
- Failure to protect registration/secretaries from COVID-19 exposure (no barriers, only surgical masks not N95 masks);
- Failure to properly disinfect Emergency Rooms after each patient;
- Damaged isolation rooms and equipment;
- Proper cleaning and disinfecting products not readily available;
- Not using isolation signs for any of the rooms and not using orange COVID bags.

At St. Michael's JNESO continues to get reports from members about strict rationing of N95 masks (often 1 per day) and gowns, and there has been a shortage of gloves which have been taken off the floors -- even the ER -- and put in other areas where they are not readily accessible.

“This practice seriously increases the risk of cross contamination, especially if you have nurse or tech that goes from one department to another or even other floors, and is forced to wear the same gown or mask,” stated Placa.

Another major concern has been the practice of only providing N95 masks to those who care for patients who have tested positive for COVID-19, even if the patient has symptoms or is suspected of having COVID-19. “By the time the test comes back numerous health care professionals -- nurses, X-RAY techs, respiratory therapists -- all may have been exposed to the virus because they aren't given the proper PPE to protect themselves,” he explained.

One of the biggest items of concern is the fact that the hospitals are claiming to have enough PPE. The nurses don't agree, and the hospitals are refusing to share their plans with JNESO representatives for how the PPE will be apportioned going into this second wave.

“Our JNESO reps at St. Michael's have seen the stockpile lists and are very worried since the supplies in some cases are even lower in counts than they were during the height of the pandemic. There also seems to be less availability of ventilators and dedicated HEPA machines for Cardiac and ER units,” noted Placa.

Unfortunately, these issues are not isolated and are happening at hospitals across the state.

“The reality is, if we don't see change now, more nurses will get sick, take this virus home to their families, and people will die,” said Placa. “There are no more excuses. We know how the virus is transmitted and how to prevent the spread but these hospitals just won't do what is necessary to keep people safe,” said Placa.

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JNESO District Council 1 is a healthcare union representing more than 5,000 nurses and other healthcare workers in New Jersey and Pennsylvania. For more information, visit <http://www.jneso.org/>.