**No time for blaming and shaming**

*By Dave Johnson, Dave Johnson’s Writing Shop, former chief editor, Industrial Safety & Hygiene News magazine*

Sure, we’re in edgy times. We’re all on edge.

Perhaps this explains why we’re getting into name calling. Anxious times cloud our thinking.

For instance, the US acting navy secretary calls an aircraft carrier captain too naïve or too stupid to command after the captain emailed for help for his crew of 5,000, 173 testing positive for COVID-19. The secretary later apologized, and offered his resignation, which was accepted.

Or take certain Amazon officials. A few weeks ago they called the organizer of an Amazon employee walkout protest over unsafe conditions as “not smart or articulate.”

In recent weeks thousands of workers have filed complaints under the Occupational Safety and Health Act’s general duty clause, which requires employers to “furnish to each of his employees employment and a place of employment which are free from recognized hazards that are causing or are likely to cause death or serious physical harm to his employees.”

Oregon’s workplace safety agency has logged more than 2,000 complaints in recent weeks, as many as it normally gets in a year. Most complaints involve whether a business should be open at all and how businesses that are permitted to stay open should act to protect the health of workers and customers.

Some responses to safety concerns go beyond name-calling. A Chicago nurse filed a whistleblower claim alleging she was fired for warning colleagues the masks they were provided by the hospital were inadequate.  An emergency room doctor in Washington state who publicly pled for PPE on social media and through the news media was fired.  Multiple complaints have been filed by the Washington State Nurses Association.  In addition to complaints about the lack of PPE and being threatened with termination for refusing assignments due to safety reasons, the Association claims that nurses were threatened with disciplinary action if they spoke to the media.

Threats and throwing people out of work will not ease safety anxieties. The COVID-19 pandemic has more workers filing safety-related complaints to state hotlines and agencies than we’ve ever seen. Whistleblowing is going to unprecedented extremes. Workers are not only worried about their own health and safety, but that of their families and their co-workers.

A New Jersey state hotline has been overwhelmed by callers accusing businesses of not abiding by new rules.  Ohio’s Governor and Lieutenant Governor have told the public: “If you believe a business is in violation of the rules, call your health department or local law enforcement.”

The National Law Review reminds employers to keep level heads:

“If an employee complains about a business remaining open:  (1) explore the basis for the complaint with the employee; (2) explain in a reasonable manner why the business must remain open as an essential business; (3) explore options to enable the employee to continue working; and (4) focus any employment decisions on the employee’s performance of essential job functions, with or without a reasonable accommodation.

“If an employee expresses concern about or refuses to come to the office due to a pre-existing health condition or other disability, despite the business and the employee’s role being essential, explore the underlying basis for the employee’s position and attempt to reach a reasonable accommodation.  This will help to avoid failure to accommodate claims.

“All adverse employment actions should be assessed using legitimate, nondiscriminatory, and non-retaliatory business justifications.”

This is a time for calm communication, being reasonable and understanding, asking questions regarding complaints, listening, exploring options, and being mindful of legal ramifications. Many businesses are only concerned with the last factor – staying out of trouble with the law. There is much more to responding to concerns and complaints than mere legal compliance. We’re all in this together. It’s a time for forming bonds, not breaking them. For upholding shared values – such as protecting lives and respecting very human fears.