

Workplace Violence

Lines of Business: General Liability, Workers' Compensation

Risk Control Strategy/Key Issues: To provide help in meeting the challenge of providing safe and secure working environments

Suggested Program Elements:

1. **Policy Statement:** Assign responsibilities to one designated, accountable person. This individual should be provided with the legal and management resources needed to accomplish the program goals as established by the organization. Someone in the human resource function is a likely candidate to implement this program due to the need to maintain confidentiality and proper documentation.

The reason for implementation of this program should be communicated, in writing, to all staff within the organization. This helps to solidify the employer's stance on violence prevention.

2. **Management Process:**

- The employer should develop and document termination procedures for violent employees with the aid of local legal counsel.
- Distribute clear and easily understandable program guidelines for workplace violence prevention to all employees. This program should include employee training on how to identify potentially violent situations.
- Be sure to document the employee's receipt of the program guidelines with signed acknowledgement forms or training session sign-in sheets.
- Establish a system for documenting and reporting employee incidents/violence. Reports should be documented and reported as soon as possible.
- Establish a communication system within your organization to notify supervisors and building administrators of any concerns.

3. **Employee responsibilities:**

- Employees are to follow your prescribed procedures for alerting supervisors to any concerns.
- Employees are to promptly report all violent incidents/acts.
- Employees should learn how to recognize potentially violent situations.

4. **Violence Follow-up:**

- Provide trauma-crisis counseling and critical incident stress debriefing for affected employees/victims.
- Provide prompt medical evaluations and treatments after each incident.
- Promptly report violent incidents to the local police department.
- Consistently prosecute all perpetrators.
- Discuss the circumstances of incidents of assault with your staff members and address any concerns or questions that they may have.
- Investigate and institute corrective actions on all violent incidents in order to minimize the chance of reoccurrences.

5. Suggested termination procedures for potentially violent workers:

- Be sure to review the termination steps with your local legal counsel before implementing the termination steps.
- Terminations should be performed at the beginning or the end of the work shift.
- Do not allow the employee in question to return to his/her work area.
- Make the firing a statement of fact. Do not make it a matter of discussion or debate. This may allow tempers to flare.
- The act of termination, the completion of associated paperwork and/or out placement should take place in the same locale if possible.
- The preservation of the employee's dignity is a must at this point.
- Post-termination communications should be future oriented.
- If a violent reaction can be reasonable anticipated, be sure to brief the security department or obtain police assistance and have them standing by for response.

Web Site Links:

- United States Department of Labor – Occupational Safety & Health Administration
<http://www.osha.gov/SLTC/workplaceviolence/index.html>
- United States Department of Justice
<http://www.justice.gov/>

Risk Factors Heighten Potential for Workplace Violence

Risk factors which may increase a worker's risk for workplace assault, as identified by the National Institute for Occupational Safety and Health (NIOSH), are:

- Contact with the public
- Exchange of money
- Delivery of passengers, goods, or services
- Having a mobile workplace such as a taxicab or police cruiser
- Working with unstable or volatile persons in health care, social services, or criminal justice settings
- Working alone or in small numbers
- Working late at night or during early morning hours
- Working in high-crime areas
- Guarding valuable property or possessions
- Working in community-based settings

Profile Similarities in Individuals Who Have Been Involved in Workplace Violence

The following are some of the commonalties identified in offenders of workplace related violence:

- White male, 35 to 45 years of age
- Migratory job history
- Loner with little or no family or social support
- Chronically disgruntled
- Externalizes blame; rarely accepts responsibility for things gone wrong
- Takes criticism poorly
- Identifies with violence
- More than a casual user of drugs and/or alcohol
- Keen interest in firearms and other dangerous weapons

Violence prone behavior:

- Increased use of alcohol and/or illegal drugs
- Unexplained increase in absenteeism
- Noticeable decrease in attention to appearance and hygiene
- Depression and withdrawal
- Explosive outbursts of anger or rage without provocation
- Threatens or verbally abuses co-workers and supervisors
- Repeated comments that indicate suicidal tendencies
- Frequent, vague physical complaints
- Noticeably unstable emotional responses
- Behavior which is suspect of paranoia
- Preoccupation with previous incidents of violence
- Increased mood swings
- Has a plan to "solve all problems"
- Resistance and over-reaction to changes in procedures
- Increase of unsolicited comments about firearms and other dangerous weapons
- Empathy with individuals committing violence
- Repeated violations of company policies
- Fascination with violent and/or sexually explicit movies or publications
- Escalation of domestic problems
- Large withdrawals or closing his/her account in the company credit union.

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SAMPLE WORKPLACE VIOLENCE POLICY

A. POLICY STATEMENT

_____ is dedicated to the security, safety and overall well being for all of our employees. Our Workplace Violence Policy is a direct reflection of the posture we have taken against all forms of violence in our workplace. We assure that proper budgeting resources will be allocated to achieve our goal of creating and maintaining a safe and productive work environment. Our responsibility, as managers and human beings, is to invest, as best we can, in the safety and security of our workplace so we can provide our employees with the environment they need to be productive for our constituents.

Our program will ensure the following:

- Complete commitment from all levels of management to be implemented consistently, fairly and without any form of reprisal to those filing complaints.
- Complete confidentiality.
- Shared participation from non-management and management personnel in formulation, as well as, in practice.
- Prompt and accurate action on all reported incidents.
- An open door of communication for program re-evaluation and improvement.
- A comprehensive written policy which all employees will sign for upon receipt.
- The establishment of a Threat Assessment Team designed to monitor all program goals and directives.

B. POLICY DEFINITION

According to the **National Institute for Occupational Safety & Health (NIOSH)** "Workplace Violence is any physical assault, threatening behavior or verbal abuse occurring in the work setting. It includes, but is not limited to, beatings, stabbing, suicides, shootings, rapes, near suicides, psychological traumas; such as, threats, obscene phone calls, an intimidating presence, and harassment of any nature; such as, being followed, sworn at or shouted at.

Workplace may be any location, either permanent or temporary, where an employee performs any work-related duty. This includes, but is not limited to, the buildings and the surrounding perimeters, including the parking lots, field locations, clients' homes, and travelling to and from work assignments."

Workplace Violence (WPV) incidents can be divided into categories depending on the relationship between the assailant and the worker or workplace. These categories are:

- Violence by Strangers
- Violence by Customers/Clients
- Violence by Co-Workers
- Violence by Personal Relations

C. POLICY JUSTIFICATION

"On March 14, 1996, the **Occupational Safety & Health Administration (OSHA)** released its first set of guidelines published by a Federal Agency addressing Workplace Violence. The four (4) main components are as follows:

1. Establish a Violence Prevention Program.

2. Perform a Comprehensive Work Site Analysis.
3. Eliminate/minimize identified hazards.
4. Provide comprehensive training and education to employees with qualified trainers.
 - Small Companies – Annually
 - Medium Companies – Quarterly
 - Large Companies - Monthly

Under the General Duty Clause, Section 5(a) (1) of the Occupational Safety and Health Act (OSHA) of 1970, employers are required to provide their employees with a place of employment that "is free from recognizable hazards that are causing or likely to cause death or serious harm to employees". This duty includes inspecting the workplace to discover and correct a dangerous condition or hazard in the workplace and to give adequate warning of its existence.

"The OSHA General Duty Clause has been interpreted to mean that an employer has a legal obligation to provide a safe workplace. An employer that has experienced acts of workplace violence, or becomes aware of threats, or intimidation or other potential indicators showing that the potential for violence in the workplace exists or has the potential to exist, would be on notice of the risk of workplace violence and may be required to implement a workplace violence prevention program."

D. THREAT ASSESSMENT TEAM

The main purpose of creating a Threat Assessment Team is to continuously assess the level of vulnerability of our work environment and form prompt, reasonable solutions to all potential threats, as well as, providing systematic evaluations of the workplace violence program as a whole.

Once formulated, the team will be responsible for achieving the following tasks:

- Designing Corporate Training Curriculums on such topics as, but not limited to Conflict Resolution, Violence Prevention, First Responder to Violent Incidents, Listening/Communication Skills, and Administrative Reporting Protocol.
- Survey all employees on their views of potential hazards/breaches of safety in the workplace.
- Study all previous workplace violence incidents/complaints that have been recorded and generate a prevention plan to substantially limit the propensity for re-occurrence.
- Establish a central records center including, but not limited to, incident reports (internal), police reports, OSHA Logs, documentation of Employee Training, complaints, and team conference notes.
- Perform on-site security inspections so as to ascertain the existence of any form of safety breach.

E. BOMB THREAT PROTOCOL

	Information to Obtain	Handling Instructions
	Date/Time of call	Stay calm
	Caller Dialogue (be specific)	
Questions	When and where bomb is going to explode	Stay focused
To	What does the bomb look like (is it contained in something) i.e., box or bag	Stay on the phone for the entire message

Ask	What type of bomb is it (what is it made of)	
Caller	What can cause it to explode (timer, motion, etc.)	Alert a colleague and have them call
	Where are you calling from (justification for caller ID)	Law Enforcement
		Pay attention to:
Voice	Male or female	1. Background noises
Descriptions	Calm-nervous-upset-angry	2. Affiliations mentioned
(circle the one which applies)	Accent (note from where) or bland	3. Key word/phrase identifier
	Clear-stutter-lisp-slurred	4. Names mentioned
	Familiar (if so, who) or unfamiliar	
	Natural or disguised	

Once the call is over, if not already done, call the police and contact appropriate management immediately.

F. WORKPLACE INCIDENT REPORT

Note: In completing this form, attach all supporting documents; such as, continuation sheets and police reports

Case #: _____

Affected Party(s): _____
 Supervisor: _____
 Department/Phone Ext. _____

Incident Information:

Date of Incident: _____

Time of Incident: _____

Location of Incident (be specific): _____

Description of Incident: (Narrative):

Has this or a similar incident ever happened to you before? If so, please explain.

If you incurred any injury whatsoever, (physical-emotional) please describe the injury, in detail, and the location of any treatment received.

List all witnesses of the incident:

Name: _____

Department: _____

Contact Number: _____

Was a weapon involved? If so, specify type and to what extent:

Aggressor Information:

Name: _____

Department: *(if an employee)* _____

Supervisor: *(if an employee)* _____

Relationship to aggressor: *(if stranger, indicated relationship, if any)* _____

Had anything occurred in the past to make you feel this would happen? If so, please explain. _____

Home address/vehicle information: *(if not an employee)*

Follow-up Information:

Did this incident cause lost workdays? If so, how many? _____

What action did employer take? If so, when (dates) and by whom? _____

Have you had any counseling or any form of emotional support since the incident? If not, would you like to be afforded this? _____

As you see it, does something need to be done to avoid such an incident from happening again? If so, explain. _____

Report Completed by

Title

Date

Reviewed/Approved by

Title

Date

G. WEAPONS POLICY

_____ does not condone the possession (physical and/or constructive), by an employee, of any dangerous/deadly weapon on company premises. This includes, but is not limited to, any firearm, knife, blunt instrument, brass knuckles, or any other object that can cause bodily injury, serious bodily injury, or death.

It should be duly noted that any violation of this policy or refusal to submit to a lawful inspection for the presence of a weapon on company property would result in disciplinary action up to and including termination.

H. ACCESS CONTROL

Often times, employers seek the most cost effective, NOT the most cost beneficial approach to installing the proper access control system. This could, and has proven to be the biggest mistake an employer can make in their quest in providing a safe work environment. *The only time safety comes cheap is when your employees are viewed as expendable, and quite honestly, that attitude is not warmly accepted by American juries.*

To secure a workplace properly, it stands to reason that we must first limit all access to it. By controlling the points of entry for employees and visitors, we must narrow the scope of potential hazards. Ideally, outside of fire exit doors built with crash bars, there should only be one entry/exit point. Understandably, this is not always possible. **Doors should never be propped open.** However, it should be scrutinized closely as to how many entry points are actually needed, not wanted.

Convenience should never be a factor. An alarmed entrance and secured reception area monitored by a qualified security professional is the optimum approach. A panic button or silent duress alarm should be installed in the reception area, which directly communicates with local law enforcement in the event of a crisis situation. It should be positioned in an area behind the reception desk that can be activated without alerting perpetrator. The use of CCTV (close circuit television) is imperative and must be installed in this area of the building. It should be noted that periodic maintenance should be performed on all such technology. Intrusion detection systems should be installed through key areas of the facility, as well as, motion detectors. All reception areas should be equipped with an operator-activated door gaining access into the main part of the building.

Statistically, 90% of all workplace homicides are committed with a firearm. Therefore, it is strongly suggested that metal detectors be installed at all entry points, and again, monitored by a security professional. Some executives may view this as overkill; however, once the first weapon is detected, the decision-make becomes an immediate hero for the organization and champion to all employees.

Clear visibility to either the common hallway in a building or the outside landscape will provide better lighting, create more of a deterrent against violent incidents, improve law enforcement's picture in the event of a hostage situation or other similar critical incident and enhance the overall safety of that entry point. Remember, what people can't see-they can't report!

I. IDENTIFICATION AND BADGING

Proper employee and visitor badging is a critical aspect of good security. In designing the employee badge, the primary concern should be to ensure that the badge could be used in conjunction with an electronic card reader. A current color picture must be placed on the front side of the badge itself. It is recommended that whenever an employee's appearance changes substantially; i.e., shaved head, growth of hair, change in hair color, or appearance altering plastic surgery, the picture should be updated. The pertinent information that needs to be included on the badge is full name, badge number/employer

identification number, supervisor's name (for authentication purposes), area access availability, and date of hire. This must be laminated and without the slightest sever.

Any card, which shows the slightest sign of tampering, must be confiscated and the employee restricted from further access until clarification can be validated. Electronic card readers should be installed at all critical entry points. This will reduce the number of security professionals needed and protect controlled areas. All badges should be issued upon employment and rescinded at termination, without exception!

As far as visitor access and badging, temporary badges must be issued at the time of the visit and turned in upon exit. The full name, date, duration of visit, badge number, contact person, and area access should be documented on the badge itself. All visitor badges should be a completely different size and color than that of the employees. It is also recommended that these change periodically in order to limit the propensity for fraudulent duplication. Without question, every visitor must show two forms of current identification with one being with a current picture.

Escort badging is another consideration. Some employers have designated employees that can escort either another employee into a certain location or a visitor into the workplace. This requires either a different badge all together or, the most cost beneficial approach, is to indicate escort capability on the badge itself.

The one point I can't emphasize enough is NEVER compromise. No matter what title a person may possess, who they are friends with or related to, or who they are there to visit, if they are not properly badged, they don't get in! The key is to train everyone on that mindset and advertise it to all visitors that your safety is our highest concern!