Workplace Violence:

Preventing Attacks from Known Assailants

Workplace Program

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INTRODUCTION

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WORKPLACE VIOLENCE POLIICY	+	THREAT ASSESSMENT	+	HAZARD CONTROLS & EMPLOYEE EDUCATION	=	WORKPLACE VIOLENCE PREVENTION

Workplace violence – also called occupational violence – is defined by the Occupational Safety and Health Administration (OSHA) as "any act or threat of **physical violence**, **harassment**, **intimidation**, or other **threatening disruptive behavior** that occurs at the worksite." According to the Bureau of Labor Statistics, of the 5,333 fatal workplace injuries in the United States in 2019, 841 resulted from violence.[1] Acts of violence are the third leading cause of fatal workplace injuries in the nation.[2] Among the job-related homicides, most are intentional shootings.[3] Homicide is the leading cause of occupational death from injury for women and the third leading cause for all workers.[4]

This Workplace Program is designed to provide preventive and protective measures to stop workplace violence. It is intended to provide employers with steps to establish, implement, and maintain a Workplace Violence Prevention Program to stop known assailants – those with a current or past relationship with the organization or one of its employees -- from committing a violent act.

Employer's Responsibility

OSHA's General Duty Clause states that employers must provide a workplace "free from recognized hazards that are likely to cause death or serious physical harm." In addition, the Whistleblower Protection Program enforced by OSHA bans employers from retaliating against an employee who has filed a complaint or exercised any rights provided to an employee. A Workplace Violence Prevention Program can help employers comply with the law.

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[1] U.S. Bureau of Labor Statistics Occupational Injuries/Illnesses and Fatal Injuries Profiles by Event or Exposure, All Ownerships, 2019. Website. https://data.bls.gov/gqt/InitialPage. Accessed May 25, 2021.
[2] Occupational Safety and Health Administration, Workplace Violence. Webpage. https://www.osha.gov/workplace-violence#:~:text=Workplace%20violence%20is%20any%20act,%2C%20clients%2C%20customers%20and%20visitors. Accessed May 25, 2021.
[3] U.S. Bureau of Labor Statistics. "National Census of Fatal Occupational Injuries in 2019. Website. https://www.bls.gov/news.release/pdf/cfoi.pdf. Accessed June 1, 2021.
[4] Centers for Disease Control and Prevention. "Preventing Homicide in the Workplace." https://www.cdc.gov/niosh/docs/93-109/default.html#:~:text=Homicide%20was%20the%20leading%20cause,leading%20cause%20for%20all%20workers. Accessed June 1, 2021.

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Workplace Violence Prevention Program

There are no precautions to guarantee that a workplace can remain free of violence. However, a well-designed Workplace Violence Prevention Program can lower the number of violent incidents within an organization and create a more supportive, productive work environment.

The seven major elements of an effective Workplace Violence Prevention Program include:

1. a workplace violence policy statement;
2. a Threat Assessment Team;
3. a threat assessment;
4. hazard control and prevention;
5. employee training and education;
6. incident reporting, investigation, follow-up, and evaluation; and
7. recordkeeping.

1. Workplace Violence Policy Statement

A written policy statement showing top management's commitment to employees' safety and health is essential in preventing workplace violence. The written policy may stand alone or be incorporated into the Workplace Violence Prevention Program, employee handbook, or procedure manual. OSHA recommends a **zero-tolerance for** **workplace violence policy** for all employees, patients, clients, contractors, and others who come into contact with company personnel.

A sample **Workplace Violence Prevention Policy** to assist employers in customizing a statement for their organization is available in "Employee Training and Education" on page 8.

2. Threat Assessment Team

A threat assessment is a process of determining how likely or severe a potential threat is and how probable it is of becoming a reality. The initial step in developing a Workplace Violence Prevention Program is to select a **Threat** **Assessment Team** made up of representatives from all areas and levels of the organization. Their objectives are to evaluate the workplace's weaknesses and agree upon ways to implement preventive actions.

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3. Threat Assessments

In conducting its threat assessment, the Team should **research past violent incidents**, **identify patterns** that may indicate causes and severity of assaults, and **implement changes to correct the hazards**.

The Team's responsibilities include:

- meeting regularly;
- reviewing investigations on violent incidents – including verbal mistreatment, aggressive behavior, and physical abuse – as reported on:
  - OSHA Injury and Illness Recordkeeping Forms 300, 300A, or 301;
  - police records or investigation reports;
  - insurance and workers' compensation claims;
  - grievance reports;
  - employee training records; and
  - previous Threat Assessment Team's meeting minutes.

- recommending, developing, and implementing a Workplace Violence Prevention Program;
- communicating this plan internally to all employees;
- inspecting the workplace and evaluating the work tasks of all employees to determine the presence of hazards, conditions, and operations that put workers at risk;
- surveying employees to identify the need for improved security measures; and
- auditing the overall success of the Workplace Violence Prevention Program at least every two years.

4. Hazard Control and Prevention

Hazard controls are designed to protect workers from risks and injuries. Implementing safety protocols and developing an emergency plan can reduce the risks.

- **Implement Safety Protocols**
  The Threat Assessment Team should identify and implement a combination of **control methods** or basic ways to lower the risk of an event – in this case, workplace violence – from occurring.

Making changes in work practices (known as **administrative controls**) and creating defensive barriers between workers and hazards (known as **engineering controls**) are effective methods of protecting workers from potential workplace violence.

  - **Administrative Controls**
    Based upon the Threat Assessment Team's findings, changes in

administrative controls, such as work schedules, procedures, and policies, may be required to increase employee safety. Examples may include:

» training employees in emergency action and safety;

» developing escape plans;

» developing working relationships with local police;

» closing business during late evenings and night hours;

» assigning two or more employees to work at all times;

» providing an escort to accompany the staff to parking lots;

» providing management support during emergencies;

» responding promptly to all complaints;

» requiring employees to report assaults to a manager;

» receiving and using assigned staff cell phones and hand-held alarms;

» preparing daily work plans and telling a contact person the schedule; and

» never entering a location where an employee feels unsafe.

o **Engineering Controls**
Putting engineering controls in place that remove hazards or protect workers from potential risks are considered the most effective. These physical changes can improve job safety without relying on people's

behavior. Effective engineering controls may include:

» installing security devices, such as video cameras, alarms, metal detectors, bullet-resistant glass, or corner mirrors;

» using drop safes to minimize cash on hand;

» adding more interior and exterior lighting;

» restricting public access to the worksite;

» controlling access to the building by requiring employees to use identification badges or electronic keys; and

» hiring and training security guards.

• **Create an Emergency Action Plan (EAP)**
An employer must have an EAP whenever an OSHA standard requires one. (See 29 Code of Federal Regulations 1910.38(a).) The EAP aims to organize employers' and employees' actions during workplace emergencies to avoid confusion, injuries, and property damage.

An employer with more than 10 employees must have a written EAP in the workplace available for employees to review. An employer with 10 or fewer employees may communicate the plan orally to employees. The EAP -- either written or oral -- must include emergency evacuation procedures and how workers must respond to different types of emergencies.

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5. Employee Training and Education

Employers should provide annual workplace violence prevention training to managers and other employees on company time in a language(s) all workers understand. Training should include:

- the organization's Workplace Violence Prevention Policy;
- types of workplace violence;
- security hazards;
- location of security equipment and procedures for using it;
- early warning signs of a potentially violent person;
- workplace factors that lead to negative behaviors;
- methods of de-escalating volatile situations or aggressive behavior;
- active shooter preparedness;
- procedures for reporting, investigating, and documenting threats or violent incidents;
- handling an emergency response; and
- policies and procedures for obtaining medical care and providing post-incident services, including employee trauma counseling, workers' compensation, legal aid, or victim assistance programs.

These employee training and education elements are detailed below.

Sample Workplace Violence Prevention Policy Statement

The sample Workplace Violence Prevention Policy to the right is available to assist employers in customizing a statement for their organization and communicating it to employees during training:

Sample Workplace Violence Prevention Policy Statement

[Employer Name] is concerned and committed to the safety and health of our employees. We refuse to tolerate violence in the workplace. We will make every effort to prevent violent incidents by implementing a Workplace Violence Prevention Program. We will provide adequate authority and budgetary resources to responsible parties to meet our goals and responsibilities.

All managers and supervisors are responsible for implementing and maintaining our Workplace Violence Prevention Policy. We encourage employee participation in designing and implementing our program. We require prompt and accurate reporting of all violent incidents, whether or not physical injury has occurred. We will not discriminate against victims of workplace violence.

A copy of this Policy Statement and our Workplace Violence Prevention Program is readily available to all employees from each manager and supervisor.

Our program ensures that all employees, including supervisors and managers, adhere to work practices designed to make the workplace more secure. They will not engage in verbal threats or physical actions that create a security hazard for others in the workplace.

All employees, including managers and supervisors, are responsible for using safe work practices; following all directives, policies, and procedures; and maintaining a safe and secure work environment.

The management of [Employer Name] is responsible for ensuring that all safety and health policies and procedures involving workplace security are communicated and understood by all employees. Managers and supervisors are expected to enforce the rules fairly and uniformly.

Our program will be reviewed and updated annually.

Types of Workplace Violence

According to the [National Institute of Occupational Safety and Health](#), workplace violence typically falls into one of four categories:

- **Criminal Intent**
  These violent incidents are usually associated with another crime, such as robbery, shoplifting, or trespassing. These criminal encounters usually have no relationship to the business or its employees. Acts of terrorism also fall into this category.

- **Customer or Client**
  This violence usually occurs when a customer, client, patient, student, or inmate has a legitimate relationship with the organization and becomes violent while being served by those in the organization.

- **Worker on Worker**
  These violent incidences are when an employee or past employee of the organization attacks or threatens another employee(s) or past employee(s) in the workplace.

- **Personal Relationship**
  Usually, the individual who commits this type of violence does not have a relationship with the organization but has one with the intended victim. These incidences are associated with victims of domestic violence who are assaulted or threatened at work.

Security Hazards

Evaluate high-risk tasks that place employees at increased chances for violent incidents, such as:

- exchanging money with the public;
- working alone or in small numbers;
- working late at night or in the early morning;
- guarding valuable property or possessions; or
- working in community settings.

Employers should physically secure their worksites to give employees an environment to produce their best work without anxiety or fear. Well-lit, uncluttered premises, both inside and out, discourage violent activity. Other physical security measures include:

- posting information and restrictions;
- employing security guards;
- maintaining a strict visitor sign-in policy;
- requiring employees to wear identification badges;
- using door controls;
- using an alarm system; and
- using limited-access key cards and code locks.

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Early Warning Signs of a Potentially Violent Person

As part of an employer's hiring process, all new employees should be screened and tested for a history of drug abuse, past workplace conflicts, and violent crime convictions. This step may reduce many potential future conflicts. However, if problem behaviors arise from an employee or someone close to an employee, the employer should assess the risk for violence. If an observable warning sign emerges, there is a better chance of preventing the violent incident.

- **Signs of Victimization**
  Employers may hesitate to get involved with an employee's relationships for privacy reasons. Still, domestic violence and stalking can quickly become a safety and productivity problem for everyone if an abuser or stalker strikes or threatens an employee at his or her workplace. According to the Federal Bureau of Investigation (FBI), an employer should watch for behaviors that might suggest an employee is being victimized, including:

  - o poor work performance;
  - o frequent or unplanned use of leave time;
  - o signs of physical injury;
  - o use of makeup or clothing to cover injuries;
  - o emotional episodes or discomfort communicating with others; or
  - o disruptive visits from a current or former intimate partner.

- **Threats**
  Threats are expressions of an intention to harm. They can be specific or vague, verbal or nonverbal. Even though most threats don't lead to violence, employers must respond to all threats. Employers should investigate the:

  - o nature and context of the threatening behavior or threat;
  - o the intended target;
  - o the threatener's apparent motivation;
  - o the threatener's ability to act on the threat, and
  - o the threatener's past behavior, including personal, work, and military background.

  The employer may choose to have a psychologist or psychiatrist conduct a threat assessment. In addition, employers may opt to seek outside help from law enforcement or mental health and social service agencies if needed.

- **Behaviors**
  No single behavior necessarily suggests that someone will become violent, but certain behaviors taken together point to potential violence. Employers should assess whether the following behaviors are creating anxiety or distrust in the workplace:

  - o physical violence;
  - o tolerance of bullying;
  - o intimidation;
  - o threats;
  - o harassment;
  - o emotional abuse;
  - o anger;
  - o frustration;
  - o inconsistent discipline;
  - o erratic enforcement of company policies; and
  - o poor communication.

- **Risk Factors**
  In addition, the FBI identifies the following risk factors as associated with potential violence among current employees:

  o taking weapons to work or recently acquiring them;

  o a preoccupation with violence or recently publicized violent events;

  o substance abuse at work;

  o extreme disorganization;

  o an expressed grudge about a genuine or imagined grievance; and

  o homicidal or suicidal threats.

Workplace Factors that Lead to Negative Behaviors

Factors that can lead to workplace negativity, stress, or problematic behavior include:

- understaffing leading to overwork;
- frustrations about unclear job responsibilities;
- poor management, such as over-monitoring, correcting, or reprimanding employees in front of others;
- improper handling of job termination or other disciplinary action;
- operational changes;
- lack of promotion opportunities, and
- financial concerns.

These negative behaviors are often avoided when management is interested in teamwork and reducing job stress. A more supportive, pleasant working environment is also created by encouraging respect among employees and management. To help maintain good working relationships, provide managers, supervisors, and other employees regular training, as needed, in:

- stress management;
- effective communication;
- conflict resolution;
- team-building;
- identifying signs of depression, domestic violence, and drug or alcohol abuse;
- responding to threatening or violent behavior;
- good hiring and firing practices; and
- dealing with difficult people.

De-Escalating Volatile Situations or Aggressive Behavior

No one can control another person's behavior, but each individual can control how they respond to that behavior. According to the Crisis Prevention Institute, the best de-escalation techniques require respect and support, not suppression, for the other individual. De-escalation tips include:

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- **Stay Calm and Composed**
  Remain calm, rational, and professional. Staying calm helps people to think clearly and keep their emotions in check.

- **Establish Eye Contact**
  The more a person is in distress, the less they hear what others are saying. Maintaining natural eye contact can help the volatile person feel heard; however, do not stare. The person may interpret this as a challenge.

- **Respect Personal Space**
  Be aware of position, posture, and proximity when interacting with a person in distress. Allowing personal space shows respect, adds safety, and tends to decrease a person's anxiety. Always explain any movements that must be made to help the person feel less confused and frightened.

- **Do Not Judge or Become Dismissive**
  Respect the person's feelings regardless of whether others believe they are justified. Facts are important, but how a person feels is often at the heart of the matter. Watch and listen carefully for the person's real message.

- **Ignore Challenging Questions**
  It is often best not to speak in stressful situations or speak calmly and only when directly asked. If, however, a challenging question is asked, ignore the challenge, and bring the person's focus on ways to work together to solve their problem.

- **Avoid Physical Confrontation**
  Do not try to strike, overpower, or physically engage the person unless all other de-escalation attempts have failed and the event has turned life-threatening.

Active Shooter Preparedness

An active shooter is an individual who is killing or attempting to kill people in a confined and populated area. In most cases, active shooters use firearms, and there is no pattern or method to their selection of victims. Active shooter situations are unpredictable and evolve quickly. Because active shooter situations are often over before law enforcement can arrive, individuals must mentally and physically prepare to deal with the situation. Customers and clients who are on-site during such an event tend to follow the lead of managers and employees. Still, each person must be prepared to determine how to protect his or her own life quickly.

The U.S. Department of Homeland Security recommends creating an EAP that includes training exercises using the "**Run, Hide, Fight**" method. Prepare staff to respond to an active shooter incident using this method outlined in "Handling an Emergency Response" on page 13.

Procedures for Reporting, Investigating, and Documenting Threats of Violent Incidents

A sample company policy regarding reporting, investigating, and documenting threats of violent incidents is listed below. (For more information, see "Incident Reporting, Investigation, Follow-Up, and Evaluation" on page 14.)

Sample Reporting Policy

All incidents must be reported within [time]. An "Incident Report Form" will be completed for all incidents. One copy will be forwarded to the Threat Assessment Team for its review, and another copy will be filed with [job title]. The Threat Assessment Team will evaluate each incident. The Team will discuss the causes of the incident and recommend revising the program to prevent similar incidents. All revisions of the program will be put into writing and made available to all employees.

Handling Emergency Responses

Develop a **crisis management plan** by forming a team of security, human resources, medical, legal, line management, and other experts who can work together to determine:

- how to report violent incidents;
- authorities that must be alerted;
- security precautions that must be taken; and
- how to maintain safety for workers not in the immediate area.

In the case of an active shooter or other violent incident, these emergency response guidelines can save lives.

- **Run**
  Use a clear escape path and try to evacuate whether or not others agree to follow.

  - Have a plan ahead of time, including an escape route.
  - Follow the company's EAP.
  - Help others escape if possible.
  - Prevent others from entering an area where the shooter might be.
  - Do not try to move injured people.
  - Leave belongings behind.
  - Follow police officers' instructions.
  - Call 911 when safely out.

- **Hide**
  If evacuation is not possible, hide in a location where the aggressor is unlikely to look.

  - Choose a hiding place out of view, such as behind cabinets, desks, or storage items.

  - Look for protection behind closed and locked doors, but not one that prevents further movement.
  - Block and barricade doors with heavy furniture once they are closed and locked.
  - Turn lights off, if possible.
  - Remain quiet if the aggressor is nearby.
  - Silence cell phones, radios, televisions, and other noise sources.

- **When neither running nor hiding is an option, remain calm and call 911**
  If speaking is not an option, leave the phone line open to allow the emergency dispatcher to listen. If it is safe to speak, tell the dispatcher:

  - the aggressor's location;
  - the number of aggressors;
  - a physical description of the aggressor(s);
  - the number and type of weapons the aggressor(s) is using; and
  - the number of potential victims at the location.

- **Fight**
  As a last resort, and only when in imminent danger, attempt to disrupt or incapacitate the active shooter by:

  - acting as aggressively as possible against him or her;
  - throwing items and improvising weapons;
  - yelling; and
  - committing to action.

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- **When Police Arrive**

    o Raise hands immediately and keep fingers spread.

    o Avoid making quick movements toward the officers.

    o Do not point, yell, or scream.

    o Remain calm.

    o Follow officers' instructions.

    o Do not stop to ask officers for help or directions when evacuating but proceed in the direction the officers entered the premises.

6. Incident Reporting, Investigation, Follow-Up, and Evaluation

Follow these steps for documentation, investigation, follow-up, and evaluation:

Incident Reporting

Develop a written procedure for reporting violent incidents. This procedure should apply to all types of violent incidents, even if a physical injury did not occur, such as verbal abuse, threats of violence, and harassment. Ensure that the reporting procedure is available to and easily understood by all employees. Also, remind employees that the No FEAR & Whistleblower Protections Acts ensure that complaints brought to management remain confidential and, by law, cannot result in retaliation.

Once an incident occurs, the employer should:

- provide all reports to the Threat Assessment Team for consideration and evaluation;
- report it to the local police department, if warranted;
- ensure employees and others remaining in the area are safe; and

- provide critical incident debriefings to victims, witnesses, and other affected employees.

Incident Investigation

After an incident occurs, conduct a detailed investigation. The investigation should focus on fact-finding, not fault-finding, to prevent a recurrence. When conducting the investigation, the Threat Assessment Team should:

- collect facts on who, what, when, where, and how the incident occurred;
- record all information about the incident;
- recommend corrective action; and
- consider changes in controls, procedures, and policies.

Follow-Up

Establish procedures for responding quickly and appropriately to employees' medical and psychological needs following a violent incident. Encourage employees to use existing Employee Assistance Programs (EAPs). This voluntary, work-based program may offer

free and confidential short-term counseling, referrals, and follow-up services to employees with personal or work-related issues. If no such program exists within the organization, consider establishing one, at least temporarily. If an EAP is not possible, provide employees with a list of counseling services they can use during times of emotional, financial, or job-related stress.

Refer employees affected by domestic violence to an EAP or the National Domestic Violence Hotline at **1-800-799-SAFE (7233)**.

Evaluation

After completing a workplace security analysis, the Threat Assessment Team should conduct periodic physical evaluations of the worksite. These evaluations should identify and assess workplace security and address changes in employee work practices to minimize workplace violence risks.

7. Recordkeeping

Recordkeeping is an essential element for developing and maintaining a Workplace Violence Prevention Program. It provides the necessary information to conduct risk and threat analyses, identify training needs, and evaluate the effectiveness of the Workplace Violence Prevention Program. As mentioned previously, companies should maintain the following records:

- OSHA Injury and Illness Recordkeeping Logs 300, 300A, or 301, if required;
- incidents of abuse, verbal attacks, or aggressive behavior that threatened a worker even if it did not result in physical injuries, such as pushing, shoving, or harassment;
- history of past employee violence, drug abuse, or criminal activity, some of which may have to be obtained from police or others, and placed on the employee's record;
- minutes of safety and threat assessment meetings;
- inspection reports, including recommended corrective actions relative to workplace violence, administrative responses, and completion dates of recommended actions; and
- records of training programs, attendance records, and qualifications of trainers.

Review Questions

1. What are several behaviors that indicate a potential for violence in the workplace?
2. What are three things employers should find out in conducting a threat assessment?
3. What are five effective security measures an employer can use?
4. What are six kinds of training that can help reduce workplace violence?
5. What are some factors that contribute to job stress?
6. How can a Threat Assessment Team be effective?
7. Why is a good working relationship between employer and employee important?
8. How does customer service help prevent violence in the workplace?

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Answers

1. Some answers may include a preoccupation with violence, an expressed grudge about a genuine or imagined grievance, or homicidal or suicidal threats.

2. Some answers may include the nature and context of the threat, the intended target, or the threatener's apparent motivation.

3. Items may include monitoring devices, ID badges, sign-in procedures, security guards, and well-lit premises.

4. Training in stress reduction, communication skills, recognition and response to violent situations, personal protection, hiring, and firing strategies can reduce stress.

5. Personal or relationship problems, layoffs, and financial troubles contribute to stress.

6. The Threat Assessment Team implements changes to correct hazards.

7. Violence is not as likely when employees feel they are heard and treated fairly.

8. Customers who feel they have received good service are less likely to retaliate.