



Developing a Violence Prevention Program

This material is for training purposes only. Its purpose is to inform Oregon employers of best practices in occupational safety and health and general Oregon OSHA compliance requirements. This material is not a substitute for any provision of the Oregon Safety Employment Act or any standards issued by Oregon OSHA.

INTRODUCTION

This course provides you with recommendations on steps to consider in developing a **Workplace Violence Prevention Program (WVPP)** to reduce the hazards of workplace violence. These are guidelines only. Oregon OSHA does not intend to create rules specific to violence in the workplace. While not every suggestion may be appropriate for all organizations, these recommendations provide an excellent means for quickly assessing the state of an organization's current policies and practices.

Preventing Workplace Violence — A Preventive Approach

In Oregon and across the nation, violence in the workplace is emerging as a significant occupational hazard. All too frequently, employees become victims of violent acts that result in substantial physical or emotional harm. For injured or threatened employees, workplace violence can lead to medical treatment, missed work, lost wages, and decreased productivity.

For many occupations, workplace violence represents a serious occupational risk. Violence at work can take many forms: harassment, intimidation, threats, theft, stalking, assault, arson, sabotage, bombing, hostage-taking, kidnapping, extortion, suicide, and homicide. Homicide is the second leading cause of all job-related deaths and the leading cause of such deaths for women, according to the Bureau of Labor Statistics (1994). For each murder, there are countless other incidents of workplace violence in which victims are threatened or injured.

According to the Bureau of Justice Statistics (BJS), each year almost one million people are victims of violent crime while working. The BJS reports that nearly 500,000 victims of violent crime in the work-place lose an estimated 1.8 million workdays each year and more than \$55 million in lost wages, not including days covered by sick and annual leave. These crimes are frequently under-reported because victims consider the matter too minor or too personal to get the police involved. The result is that the statistics do not capture the full impact of violence in the American workplace. The financial costs of assault from injuries, lost work time, and restricted duty are tremendous.

The Law

The Occupational Safety and Health (OSH) Act's General Duty Clause requires employers to provide a safe and healthful working environment for all workers covered by the OSH Act of 1970. Failure to implement the suggestions mentioned in this document is not in itself a violation of the General Duty Clause. If there is a recognized violence hazard in the workplace and employers do not take feasible steps to prevent or abate it, employers can be cited.

Courts in Oregon and elsewhere have ruled that an employer is liable for the dangerous acts of employees if the employer does not use reasonable care in hiring, training, supervising, or retaining employees in the event such harm was foreseeable. An employer may be liable for the acts of an employee who is intoxicated, or otherwise a risk to others, if the employer exercises control over the employee, and is negligent in exercising that control. Customers, employees, and other people invited on to an employer's premises may expect the employer to use reasonable care in the maintenance of its premises, including reasonable security precautions and other measures seeking to minimize the risk of foreseeable criminal intrusion (based upon the experience of the employer, or its location in a dangerous area). Under state and federal law, the employer must refrain from retaliation against employees who express their concerns regarding unsafe working conditions, such as threats of violence in the workplace.

In some jurisdictions, an employer, employment counselor, or therapist may have a duty to warn an identified employee, spouse, or third party, of a threat by an employee, co-worker, spouse, or other person, to do bodily harm to that employee, spouse, co-worker, or third party.

If an employer warns employees of an individual's threat of violence, the employer could be liable for defamation if the employer is subsequently proved to be mistaken. The employer can minimize this liability by conducting a prompt investigation of all allegations and by only notifying those individuals who have a need to know of the risk. Employers may want to contact legal counsel regarding their rights and responsibilities regarding these and other violence issues. These issues are motivating businesses to develop plans for addressing workplace violence. When compared with the potential costs of an incident, such plans are an inexpensive way to reduce the risk of violence, and to minimize its impact. As previously stated, Oregon OSHA does not intend to create rules specific to violence in the workplace; but, it can cite employers who fail to adequately protect their workers from acts of violence under the General Duty Clause, Oregon Administrative Rule (OAR) 437-001-0760, which requires employers to maintain a safe workplace.

The Importance of Planning

The central theme which emerges from the shared experience of these specialists from different disciplines is this: While some cases of workplace violence can be dealt with swiftly and easily by a manager with the assistance of just one specialist or one department, most cases can be resolved far more easily and effectively if there is a joint effort which has been planned out in advance by specialists from different disciplines.

Be prepared

Many who have never experienced workplace violence say, I don't need to worry about this. It would never happen in my department. Violent incidents are relatively rare, but they do occur, and lives can be lost. A little preparation and investment in prevention now could save a life. There is no strategy that works for every situation, but the likelihood of a successful resolution is much greater if you have prepared ahead of time. This course is designed to help you do that: Be prepared for violence in the workplace.

Employers can take several steps to reduce the risk of legal liability. For example, they can implement careful hiring, employee evaluation, and discipline procedures; and adopt appropriate workplace security procedures. However, employers must be careful not to violate laws protecting employee privacy rights, civil rights, or rights created by the Americans with Disabilities Act. Employers conducting workplace violence risk assessments might want to consult with legal counsel.

The benefits of a joint effort

The experience of companies who have developed programs has shown that managers are more willing to confront employees who exhibit disruptive and intimidating behavior when they are supported by a group of specialists who have done their homework and are prepared to reach out to others when they know a situation is beyond their expertise. This team approach promotes creative solutions and much needed support for the manager in dealing with difficult situations that might otherwise be ignored.

Deal with disruptive situations

Ignoring a situation usually results in an escalation of the problem. Morale and productivity are lowered; effective employees leave the organization. On the other hand, dealing effectively with situations like hostility, intimidation, and disruptive types of conflict creates a more productive workplace. This can have a deterrent effect on anyone contemplating or prone to committing acts of physical violence. Employees will see that there are consequences for their actions and that disruptive behavior is not tolerated in their organization.

MODULE 1: INITIAL RISK ASSESSMENT AND REVIEW

Introduction

There are many different approaches companies can take in developing plans to prevent workplace violence. An approach that works well in one company may not be suitable for another. This module outlines some broad guidelines that can help companies in analyzing their current ability to handle potentially violent situations and filling in any skills gaps that exist.

Conducting an initial assessment through [surveys](#), [checklists](#) and analysis of their results can be a great help in determining the effectiveness of current policies/procedures, and the company's ability to handle potentially violent situations is an important and necessary effort. Looking at previous incidents that have occurred at your company and evaluating how effectively they were handled is a good way to start.

Form a Planning Group/Threat Response Team

Successful company violence prevention programs usually start by forming a planning group that may also act as a threat response team that more directly response to incidents. The planning group assesses and evaluates the company's current ability to handle violent incidents and recommends ways to strengthen its response capability.

Typically, members of a planning group include representatives from management and labor, and might also include members from the local community, including:

- Human Resources
- Employee Assistance Program (EAP)
- Union
- Safety
- Health/Medical
- Security
- Local law Enforcement

While many departments may be represented on the planning group, only a few of them will generally be involved in actually responding to reported incidents. For example, representatives from Human Resources, EAP, and Security often make up an incident response team. Typically, representatives from the other departments will not be involved in responding directly to incidents, but they will act as consultants to the incident response team or play an active role only in certain types of situations.

Staff expertise.

Every company will have different areas of staff expertise. Your company may have employees who have special skills that could be put to good use in a potentially violent situation, such as employees who are skilled in mediation, conflict resolution, crisis counseling, investigations, or threat assessment. Identifying departments and individuals ahead of time, working with them in the planning stages, and agreeing on a coordinated response effort is one of the most effective ways of preparing your company to handle potentially violent situations should they arise.

Working with Your Union

If your company has a union, it should involve the union early on in the process of planning workplace violence programs. Unions are the elected representatives of bargaining unit employees and are legally entitled to negotiate over many conditions of employment of those employees. Although some of the substantive issues relating to workplace violence, including issues concerning internal security, may be outside the duty to bargain, this does not mean that consultation and discussion with the union cannot occur.

Union involvement is particularly appropriate where there are labor-management partnership councils. It is a good practice to involve recognized unions up-front, before decisions are made, so that they can have an opportunity both to express employees' concerns and to bring to bear their expertise and knowledge. Union involvement demonstrates both the company's and union's commitment to the success of a workplace violence program.

Various case studies have been included online in this course to help a planning group determine if they are adequately staffed, trained and able to respond to incidents.

Defining violence in the workplace

The nature and extent of your organization's workplace violence program should be based on the results of the initial risk assessment.

First, evaluate past incidents of violence or possible violence (they may not have been classified as "violence"). For example you may not have considered the threatening phone call from an estranged spouse to an employee a "violent incident," but it was.

It can be helpful when identifying risks in your organization to know that violence is usually classified into three categories, each type requiring different interventions.

Type I - Criminal Act.

This type of violence involves verbal threats, threatening behavior or physical assaults by an assailant who has no legitimate business relationship to the workplace. The person enters the workplace to commit a robbery or other criminal act. Violence by strangers accounts for most of the fatalities related to workplace violence. Workplaces at risk of violence by strangers commonly include late night retail establishments and taxi cabs. Road rage is becoming more common as a possible source of Type I violence affecting workers who drive as a part of their job.

Type II - Recipient of Service.

The person causing violence is either recipient or object of a service provided by workplace. He/she is a current or former client, passenger, or customer.

Type II violence involves verbal threats, threatening behavior or physical assaults by an assailant who either receives services from or is under the custodial supervision of the affected workplace or the victim. Assailants can be current or former customers and clients such as passengers, patients, students, inmates, criminal suspects or prisoners. The workers typically provide direct services to the public, for example, municipal bus or railway drivers, health care and social service providers, teachers and sales personnel. Law enforcement personnel are also at risk of assault from individuals over whom they exert custodial supervision. Violence by customers or clients may occur on a daily basis in certain industries; they represent the majority of non-fatal injuries related to workplace violence.

Type III - Employment Relationship.

The person has an employment-related involvement with the workplace:

- **Job related** — a current or former employee who is angry about a situation.

Job related violence involves verbal threats, threatening behavior or physical assaults by an assailant such as a current or former employee, supervisor or manager. Any workplace can be at risk of violence by a co-worker. In committing a threat or assault, the individual may be seeking revenge for what is perceived as unfair treatment.

- **Non-Job related** - a person who has a relationship with a current or former employee.

Domestic violence erupting at work is one of the most common types of workplace violence and involves verbal threats, threatening behavior or physical assaults by an assailant who, in the workplace, confronts an individual with whom he or she has or had a personal relationship outside of work. Personal relations include a current or former spouse, lover, relative, friend or acquaintance. The assailant's actions are motivated by perceived difficulties in the relationship or by psychosocial factors that are specific to the assailant.

Determining risk factors for workplace violence

The types of violence identified in the previous section illustrate different characteristics of workplace violence and the ways violence may present itself. The significance of these types is that each involves somewhat different *risk factors* and means of preventing or responding to the potential violent incident.

A **risk factor** is a condition or circumstance that may increase the likelihood of violence occurring in a particular setting. For instance, handling money in a retail service makes that workplace a more likely target for robbery, the most common kind of violence by strangers in the workplace. An attorney's office, where all payments are received by check and money is not directly handled, would not present the same kind of target and would not be at the same degree of risk of violence due to the handling of money.

Each risk factor only represents a potential for an increased likelihood of violence. No risk factor, or combination of risk factors, guarantees that violence will occur or that its incidence will increase. However, the presence of the

risk factors listed below, particularly of several in combination, increases the likelihood that violence will occur.

- Do employees have contact with the public?
- **Does an exchange of money occur? ***
- Is there selling/dispensing alcohol or drugs?
- What is the nature of delivery of passengers, goods or services?
- Is the workplace mobile? (such as a taxicab or police cruiser)
- Is there exposure to unstable or volatile persons? (such as in health care, social services or criminal justice settings)
- **Do any employees work alone or in small numbers? ***
- **Do employees work late at night or during early morning hours? ***
- **Do employees work in high-crime areas. ***
- **Do employees guarding valuable property or possessions? ***
- **Do employees work in community settings? ***
- Are your employees deciding on benefits, or in some other way controlling a person's future, well-being, or freedom? (such as a government agency)

* Identified by NIOSH as risk factor for homicide (CDC/NIOSH Alert, 1993)

Conducting a security survey

It's important, as part of the initial assessment, to conduct an initial security survey to determine whether modifications need to be made in the physical aspects of your business. Again this is highly dependent upon the location and type of business. Precautions that may be suitable for some workplaces include:

- Limiting the access, as appropriate, to the workplace by former employees or clients.
- Developing policies regarding visitor access within facilities. For example, if warranted, require visitors to sign in and out at reception, wear an identification badge while on the business premises, and/or be escorted.

Work out in advance all jurisdictional issues among the various security and law enforcement entities that may be involved should an emergency occur. There have been cases where an employee has called 911 and critical moments were lost because in-house law enforcement were the ones with jurisdiction, rather than the local police. In other cases, employees called their in-house security guards and time was lost while local police were being contacted because the security guards did not carry firearms.

Now that's a lot of information about how to get a program started. It's time for your first module quiz. If you are not sure about the answers to the questions, just scroll up and review the subject area.

Module Review Quiz

1. Successful company violence prevention programs usually start by forming a _____.

- a. Security detail
- b. Safety committee
- c. Emergency response team
- d. Planning group

2. Companies should involve unions early on in the process of planning workplace violence programs.

- a. True
- b. False

3. This type of violence involves verbal threats, threatening behavior or physical assaults by an assailant who has no legitimate business relationship to the workplace.

- a. Type I
- b. Type II
- c. Type III
- d. Type IV

4. In this type of violence, the individual may be seeking revenge for what is perceived as unfair treatment by management.

- a. Type I
- b. Type II
- c. Type III
- d. Type IV

5. In Type II violence, the person causing violence may be all of the following, except:

- a. client
- b. passenger
- c. customer
- d. employee

6. A _____ is a condition or circumstance that may increase the likelihood of violence occurring in a particular setting.

- a. HAZOP Situation I
- b. risk factor
- c. problematic reference
- d. dangerous event

7. According to the text, studies indicate that all of the below increase the probability of violence in the workplace, except:

- a. Exchange of money
- b. Delivery of goods, services
- c. Work in a union shop
- d. Contact with the public

8. Which of the following is not listed as an acceptable policy regarding visitor access within facilities?

- a. Require visitors to sign in and out
- b. Limit access
- c. Wear an identification badge
- d. Conduct body searches

MODULE 2: WRITING A WVPP POLICY STATEMENT

Advantages of Written Policies

Once a workplace violence program is ready to be implemented, companies must decide whether to issue a written policy statement.

Company programs can also be implemented without a written policy statement. In these companies, employees are often given information about the program (especially whom to call) in training sessions, on posters, in newsletter articles, or by other similar methods. Note: Companies have an inherent right to take action against employees who engage in disruptive or threatening behavior whether or not they have issued a written policy statement. What are some of the advantages of formal policies?

- It informs employees that the violence policy covers intimidation, harassment, and other inappropriate behavior that threatens or frightens them;
- It encourages employees to report incidents;
- It informs employees whom to call; and
- It demonstrates senior management's commitment to dealing with reported incidents.

Policy Statement Contents

A workplace violence policy statement should convey that:

- All employees are responsible for maintaining a safe and healthful work environment;
- The policy covers not only acts of physical violence, but harassment, intimidation, and other disruptive behavior;
- The policy covers incidents involving all interactions between:
 - supervisor and employee
 - employee to employee
 - employee to supervisor
 - employee to non-employee
 - non-employee to employee;
- The company will respond appropriately to all reported incidents;
- The company will act to stop inappropriate behavior; and
- Supervisors and all of the departments involved in responding to incidents will be supported by company management in their efforts to deal with violent and potentially violent situations.

Recommended Approaches

Consider the following recommendations in developing your written policy statement:

Keep it brief. A written policy statement should be brief and simple. Implementation details can be provided in training and in more detailed backup documents. For example, roles and responsibilities of the various departments involved in responding to potentially dangerous situations can be outlined in memoranda of understanding or in operating manuals/instructions rather than in the written policy statement that is issued to all company employees. This approach gives company staff the flexibility they will need to deal creatively with these fluid, unpredictable situations.

Consider the disadvantages of using definitions. There are disadvantages to using definitions of terms such as violence, threats, and harassment in your written policy statement. Definitions can discourage employees from reporting incidents that they do not believe fall within the definition. The reporting system should not deter employees from reporting situations that frighten them. An employee knows a threat or intimidation or other disruptive behavior when he or she experiences it -- definitions are not necessary. If you want to clarify the scope of your organization's concept of one or more of the terms in the policy, you could use examples. For example, you may want to give examples of verbal and non-verbal intimidating behavior.

Another consideration is that definitions are often restrictive and may create legal problems in the future when you are taking disciplinary actions against the perpetrators of workplace violence. Use of definitions can make it more difficult to defend a case on appeal.

Be cautious with "Zero Tolerance." Consider that there could be negative consequences from using the term zero tolerance. It could create legal problems in the future when you are taking disciplinary actions against the perpetrators of workplace violence. Use of the term could make it more difficult to defend a case on appeal because a third party could conclude, however mistakenly and inappropriately, that the company has not

considered a penalty appropriate for the particular offense.

There are other possible consequences. The term, "zero tolerance" might appear to eliminate any flexibility an company has in dealing with difficult situations even if this is not intended. Another undesirable side effect is that the appearance of inflexibility can discourage employees from reporting incidents because they do not want to get their coworker fired -- they just want the behavior stopped. This appearance of inflexibility also may discourage early intervention in potentially violent situations.

The sample policy below contains language that is similar to "zero tolerance," but takes care of the previously mentioned concerns. It says the company will not tolerate violent or disruptive behavior and then clarifies what that means by saying "that is, all reports of incidents will be taken seriously and dealt with appropriately."

Consult with Legal Counsel. Be sure to consult the company legal department or attorney for the legal implications of your draft policy.

Model Policy for Workplace Threats and Violence

Nothing is more important to (Company Name) than the safety and security of its employees. Threats, threatening behavior, or acts of violence against employees, visitors, guests, or other individuals by anyone on (Company Name) property will not be tolerated. Violations of this policy will lead to disciplinary action which may include dismissal.

Any person who makes substantial threats, exhibits threatening behavior, or engages in violent acts on (Company Name) property will be removed from the premises as quickly as safety permits, and shall remain off (Company Name) premises pending the outcome of an investigation. (Company Name) will initiate a decisive and appropriate response. This response may include, but is not limited to, suspension and/or termination of any business relationship, reassignment of job duties, suspension or termination of employment, and/or criminal prosecution of the person or persons involved.

In carrying out these (Company Name) policies, it is essential that all personnel understand that no existing (Company Name) policy, practice, or procedure should be interpreted to prohibit decisions designed to prevent a threat from being carried out, a violent act from occurring, or a life threatening situation from developing.

All (Company Name) personnel are responsible for notifying the management representative designated below of any threats which they have witnessed, received, or have been told that another person has witnessed or received. Even without an actual threat, personnel should also report any behavior they have witnessed which they regard as threatening or violent, when that behavior is job related or might be carried out on a company-controlled site, or is connected to company employment. Employees are responsible for making this report, regardless of the relationship between the individual who initiated the threat or threatening behavior and the person or persons who were threatened or were the focus of the threatening behavior.

This policy also requires all individuals who apply for or obtain a protective or restraining order which lists company locations as being protected areas, to provide to the designated management representative a copy of the petition and declarations used to seek the order, a copy of any temporary protective or restraining order which is granted, and a copy of any protective or restraining order which is made permanent.

(Company Name) understands the sensitivity of the information requested and has developed confidentiality procedures which recognize and respect the privacy of the reporting employee(s).

The designated management representative is:

Name: _____
Title: _____
Department: _____
Phone: _____
Location: _____

You can't always prevent violence because violent incidents are sometimes unpredictable, but you can reduce the

risk by planning ahead and being prepared to act swiftly to deal with threats, intimidation, and other disruptive behavior at an early stage.

So there you have it. Not everything you need to know, but it's a start. The only task left is the module quiz, so let's get to it.

Module Review Quiz

9. Companies have an inherent right to take action against employees who engage in disruptive or threatening behavior whether or not they have issued a written policy statement:

- a. True
- b. False

10. Which of the following is not listed in the text as an advantage of formal policies?

- a. informs everyone on policy
- b. tells everyone who to call
- c. encourages incident reporting
- d. demonstrates employee commitment

11. A workplace violence policy statement should convey that the policy covers only acts of physical violence:

- a. True
- b. False

12. Definitions of violence are often restrictive and may create legal problems.

- a. True
- b. False

13. According to the text, to clarify the scope of your organization's terms in the WVPP policy, you could:

- a. define terms
- b. use examples
- c. limit definitions
- c. use legal language

14. All of the following are considered negative consequences from using the "term zero tolerance," except:

- a. could create legal problems
- b. perceived as an unreasonable goal
- c. limits flexibility
- c. discourages intervention

MODULE 3: DESIGNING PREVENTION PROCEDURES

Introduction

After completing the initial workplace assessment for risk factors, and developing a written policy, the next step is to develop a comprehensive [written Violence Prevention Plan](#). One major component of any workplace violence prevention plan is, of course, prevention. This module will focus on important subjects which should be included in the plan:

- Identifying warning signs of violence, and
- Control measures to reduce the probability or prevent violence

An employer may choose to create a separate workplace violence prevention plan or incorporate this information into other company documents: for example, the company's accident prevention plan or an employee handbook.

Warning Signs of Violence

One important element in the written violence prevention plan, and usually the first question many people ask is, *How can we identify potentially violent individuals?* It is understandable that people want to know this -- and that "profiles" and "early warning signs" of potentially violent employees are in much of the literature on the subject of workplace violence. It would save time and solve problems if managers could figure out ahead of time what behaviors and personality traits are predictive of future violent actions.

However, no one can predict human behavior and it's important to state in the plan that **there is no specific profile of a potentially dangerous individual**. It is seldom (if ever) advisable to rely on what are inappropriately referred to as "profiles" or "early warning signs" to predict violent behavior.

"Profiles" often suggest that people with certain characteristics, such as "loners" and "men in their forties," are potentially violent. This kind of categorization will not help you to predict violence, and it can lead to unfair and destructive stereotyping of employees.

The same can be said of reliance on "early warning signs" that include descriptions of problem situations such as "in therapy," "has had a death in the family," "suffers from mental illness," or "facing downsizing."

Indicators of potentially violent behavior

However, "indicators" of increased risk of violent behavior are available. These indicators have been identified by the Federal Bureau of Investigation's National Center for the Analysis of Violent Crime, Profiling and Behavioral Assessment Unit in its analysis of past incidents of workplace violence. These are some of the indicators:

- Direct or veiled threats of harm;
- Intimidating, belligerent, harassing, bullying, or other inappropriate and aggressive behavior;
- Numerous conflicts with supervisors and other employees;
- Bringing a weapon to the workplace, brandishing a weapon in the workplace, making inappropriate references to guns, or fascination with weapons;
- Statements showing fascination with incidents of workplace violence, statements indicating approval of the use of violence to resolve a problem, or statements indicating identification with perpetrators of workplace homicides;
- Statements indicating desperation (over family, financial, and other personal problems) to the point of contemplating suicide;
- Drug/ alcohol abuse; and
- Extreme changes in behaviors.

Describing inappropriate behaviors

The written violence prevention plan should list sample inappropriate behaviors and emphasize that they need to be dealt with immediately. These behaviors should not be tolerated in the workplace. Appropriate procedures should be stated in the written plan so that managers and fellow employees know what to do in case they observe or are the object of:

- Unwelcome name-calling, obscene language, and other abusive behavior.
- Intimidation through direct or veiled verbal threats.
- Throwing objects in the workplace regardless of the size or type of object being thrown or whether a person is the target of the thrown object.
- Physically touching another employee in an intimidating, malicious, or sexually harassing manner which includes such acts as hitting, slapping, poking, kicking, pinching, grabbing, pushing, etc.
- Physically intimidating others including such acts as obscene gestures, getting "in your face," and fist-shaking .

Be proactive: confront the problem early-on

Each of the behaviors noted above is a clear sign that something is wrong. **None should be ignored.** By

identifying the problem and dealing with it appropriately, managers may be able to prevent violence from happening. The written plan appoint an appropriate staff member (or an incident response team) to assist supervisors and other employees in dealing with such situations. Some behaviors require immediate police or security involvement, others constitute actionable misconduct and require disciplinary action, and others indicate an immediate need for an Employee Assistance Program referral.

Everyone experiences stress, loss, or illness at some point in life. All but a very few people weather these storms without resorting to violence. The written plan should address training for managers on how to deal with the kinds of difficulties mentioned above. However, this training should focus on supporting the employee in the workplace, and not in the context of, or on the potential for, workplace violence.

Proactive control measures

The written violence prevention plan should describe proactive methods and means to limit or reduce the potential for workplace violence. The plan should direct regular risk assessments of facilities, and address areas where simple improvements can be made that would greatly increase the safety of employees and visitors. Once existing or potential hazards are identified through the hazard assessment, then hazard prevention and control measures can be identified and implemented. These measures may include (in order of general preference):

Engineering controls.

Engineer controls reduce or eliminate the hazard by redesigning, installing, substituting materials, equipment, machinery, workstations, etc. (things we use) in the workplace. Examples include:

- Installing surveillance cameras, silent alarms, metal detectors, or bullet-proof glass.
- Improved lighting in and around the place of work, including parking lots.
- Having reception areas that can be locked to prevent outsiders from going into the offices when no receptionist is on duty.

Management controls.

Management controls attempt to reduce or eliminate exposure to hazards by developing safe/secure processes and procedures (things we do/don't do) in the workplace. Examples include:

- Establishing sign-in procedures for visitors.
- Pre-employment screening procedures to reduce the number of personnel prone to exhibiting violent behaviors
- Developing employee assistance programs.
- Arranging escorts for employees who are concerned about walking to and from the parking lot.

See [more examples](#) of engineering and management controls.

Personal protective equipment.

Equipment we wear to protect us from harm. Examples include: bullet-proof vests for police and security personnel.

Posting applicable laws, such as those prohibiting assaults and stalking, in visible locations may also serve as a prevention measure.

Prevention measures for each violence type

Consider using one or more of the following prevention measures that help design the workplace and develop procedures to reduce risk factors for violence.

Type I (Criminal Violence) Prevention Measures

- Training (include de-escalation techniques appropriate to your industry)
- Post signs stating cash register only contains minimal cash
- Leave a clear, unobstructed view of cash register from street
- Have a drop safe, limited access safe or comparable device
- Address adequate outside lighting

- Examine and address employee isolation factors
- Provide security personnel
- Communication method to alert police/security
- Increase police patrol in the area
- Post laws against assault, stalking or other violent acts

Potential Type II (Recipient of Service) Prevention Measures

- Training (including de-escalation techniques appropriate to your industry)
- Control access to worksite (e.g., posted restricted access, locked doors)
- Examine and address employee isolation factors
- Quick communication method to alert security
- Eliminate easy access to potential weapons
- Client referral/assistance programs
- Set up worksite so employees are not trapped from exiting
- Provide security personnel
- Post laws against assault, stalking or other violent acts
- Employee reporting systems

Potential Type III (Employment Relationship) Prevention Measures

- Training (including de-escalation techniques appropriate to your industry)
- Enforced "no tolerance" policy for workplace violence
- Management strategy for layoffs
- Management policy for disciplinary actions
- Access to employee assistance program or other counseling services
- Enforced policy prohibiting weapons
- Provide security personnel
- Post laws against assault, stalking or other violent acts
- Restraining orders
- Control access to worksite
- Access to consultation with employer, employee assistance program or other counseling program
- Reporting procedures
- Relocating within worksite where possible
- Necessary staff notification
- Provide security personnel
- Post laws against assault, stalking or other violent acts
- Policy regarding restraining orders

Your assessment should include a regular review and maintenance of appropriate physical security measures, such as electronic access control systems, and video cameras, in a manner consistent with applicable state and federal laws. Don't overreact, not everybody needs metal detectors. Assess your risk factors for an accurate determination. If no money, drugs, or other high risk situations are present, detectors and cameras may be excessive.

More about Management Control Strategies

Companies need to have programs in place to assist troubled employees and address managerial problems before threats or violence occur.

- **Pre-Employment Screening.** Use a job application form that includes an appropriate waiver and release (permitting the employer to verify the information reported on the application). Prior to hiring any applicant, check references and inquire about any prior incidents of violence. In addition, conduct thorough background checks and use drug screening to the extent practicable.

In developing an employee screening process, remember the Americans with Disabilities Act of 1990 (ADA) and related state statutes prohibit employers from discriminating against qualified individuals with physical or mental disabilities. While federal law and judicial decisions provide that an employer may disqualify an employee who is a danger to self or others, the employer may be obliged to investigate a claim of disability to determine whether dismissal is necessary for the protection of the employee or others in the workplace.

- **Institute an Employee Assistance Program.** Consider providing a confidential EAP to address substance abuse, emotional, marital, and financial problems, or provide employees with a list of relevant community resources. Employees, supervisors, and managers should be actively encouraged to use these services. If an employee is going to be facing termination, for whatever reason, transition services such as EAP counseling should be considered.
- **Incident reporting.** Encourage victims of threats and violence outside the workplace to notify their employers about the incident when warranted so their employers can take appropriate measures to help protect them and their co-workers from possible future incidents of violence at the worksite. Upon notification, employers should provide receptionists and other front-line personnel, having a need to know, a description or picture of the alleged offender and inform them what actions they should take in the event that the individual seeks entry or contact.
- **Using Alternative Dispute Resolution (ADR).** Some companies use ombudsman programs, facilitation, mediation, and other methods of alternative dispute resolution (ADR) as preventive strategies in their workplace violence programs. ADR approaches often involve a neutral third party who can assist disputing parties resolve disagreements. ADR is most helpful in workplace violence programs at the point when a problem first surfaces, i. e., before an employee's conduct rises to a level that warrants a disciplinary action. Review [additional information](#) on ADR.
- **Conduct effective exit interviews.** Conduct exit interviews when employees retire, quit, or are transferred or terminated, to identify potential violence-related security or management problems.

Take a team approach

To facilitate developing an effective violence prevention plan that adequately addresses how to respond to potential and actual violent acts, a series of [case studies](#) are provided in this course. There you will find examples of the plans that were in place to handle a number of situations.

It will become apparent from reviewing these examples that plans for a coordinated response to reported incidents must be kept flexible. Responsibility for overall coordination and direction is usually assigned to one individual or one department. The coordinator must have the flexibility to use the plan as a guideline, not a mandatory set of procedures. More important, the coordinator must have the flexibility to tailor the recommended response to the particular situation. It is important to recognize that threatening situations often require creative responses. Given this, the importance of flexibility cannot be overemphasized.

The [case studies](#) highlight the need for backup plans in situations calling for an immediate response where the individual responsible for a certain aspect of the response effort has gone home for the day, is on vacation, or is out of the building at a meeting. Taking a team approach in responding to a potentially violent situation is an ideal way to provide backup coverage. A team approach ensures that all staff in Employee Relations, the Employee Assistance Program, Security, and other departments are thoroughly trained and prepared to work together with management to deal with potentially violent situations. It ensures coverage, regardless of which staffer in each of the departments is on duty when the incident occurs.

Take Advantage of Community Resources

Finally, there are many programs and resources in the community that can help you develop your workplace violence prevention plan. Some examples follow:

- Invite local police into your firm to review the written violence prevention plan. They may also promote good relations and become more familiar with your facility. The police can explain what actions they typically take during incidents involving threats and violence. Such visits can help your firm work better with police when incidents do occur.
- Use security experts to evaluate your written plan and educate employees on how to prevent violence in the workplace. Such experts can provide crime prevention information, conduct building security inspections, and teach employees how to avoid being a victim.
- Consider using local associations and community organizations, such as the Chamber of Commerce, security organizations, and law enforcement groups, as a resource in order to stay abreast of crime trends and prevention techniques. Communicate to your employees those issues and trends which pose a

significant threat.

Developing a written plan that clearly informs and directs is crucial to an effective violence prevention program. Now it's time to take the review quiz for this module, so let's get to it.

Module Review Quiz

15. It is _____ advisable to rely on profiles or early warning signs to predict violent behavior.
- always
 - usually
 - seldom
 - never
16. The FBI's Profiling and Behavioral Assessment Unit has identified all of the following as indicators of increased risk of violent behavior, except:
- Direct or veiled threats of harm
 - Intimidating, belligerent, harassing, bullying
 - Subtle changes in behaviors
 - Statements indicating desperation
17. Installing surveillance cameras, silent alarms, metal detectors, or bullet-proof glass are examples of _____.
- Engineering controls
 - Management controls
 - Personal Protective Equipment
 - Interim measures
18. Management controls include all of the following except:
- Improved lighting around parking lots
 - Establishing sign-in procedures for visitors
 - Developing employee assistance programs
 - Arranging escorts for employees
19. According to the text, it would be effective to consider using any one of the following prevention measures for Type I (Criminal Violence), except:
- Training (include de-escalation techniques)
 - Obtain restraining orders
 - Leave a clear, unobstructed view of cash register from street
 - Post signs stating cash register only contains minimal cash
 - Examine and address employee isolation factors
20. According to the text, it would be effective to consider using any one of the following prevention measures for potential Type III (Employment Relationship) violence, except:
- effective policy for disciplinary actions
 - provide security personnel
 - restraining orders
 - Post signs that cash register contains minimal cash
-

Note: The information in this module provides guidance for the company planning group. It is not technical information for professional investigators; nor is it a summary of fact-finding or investigating procedures. Rather, it is intended to provide the company planning group with a general overview of fact-finding/investigating considerations. It is also important to note that this section discusses investigations that are administrative inquiries as distinct from criminal investigations.

Training Violence Prevention

Training is a critical component of any prevention strategy. Training is necessary for employees, supervisors, and the staff members of each department that may be involved in responding to an incident of workplace violence. Training and instruction on workplace violence ensures that all staff are aware of potential hazards and how to protect themselves and their co-workers through established prevention and control measures.

Providing appropriate training informs employees that management will take threats seriously, encourages employees to report incidents, and demonstrates management's commitment to deal with reported incidents.

Training strategies and techniques

While most everyone agrees that there are clear warning signs before most acts of workplace violence, what action should be taken varies. Nevertheless, making information available to your employees about the potential for violence in the workplace, how to recognize the early warning signs of a troubled or potentially violent person, and how to respond to such a person, could save a life.

Not all individuals who are distraught over services (or lack thereof) or their termination of employment, will become violent. The primary type of training that may be beneficial to all employees is that which concentrates on conflict resolution.

Various federal and state laws, or judicial decisions may require the employer to establish written policy and procedures dealing with harassment, as well as the training of employees on sexual or racial harassment, intrusion, company policies prohibiting fighting, the use of drugs or alcohol in the workplace, and the like.

Employers may avoid liability for acts of violence in the workplace where it is shown that the employer conducted training for employees on the recognition of warning signs of potentially violent behavior, as well as precautions which may enhance the personal safety of the employee in the workplace and in the field.

Training strategies

Training sessions conducted by the company's Employee Assistance Program, Security, and Human Resources staffs are particularly helpful, enabling employees to get to know experts within the company who can help them when potentially violent situations arise. Employees and supervisors seek assistance at a much earlier stage when they personally know the company officials who can help them.

Employee training

All employees should know how to report incidents of violent, intimidating, threatening and other disruptive behavior. All employees should also be provided with phone numbers for quick reference during a crisis or an emergency. In addition, workplace violence prevention training for employees may also include topics such as:

- Explanation of the company's workplace violence policy;
- Encouragement to report incidents;
- Ways of preventing or diffusing volatile situations or aggressive behavior;
- Types of training;
- How to deal with hostile persons;
- Managing anger;
- Techniques and skills to resolve conflicts;
- Stress management, relaxation techniques, wellness training;
- Security procedures, e. g., the location and operation of safety devices such as alarm systems;
- Personal security measures; and
- Programs operating within the company that can assist employees in resolving conflicts, e. g., the

Employee Assistance Program, the ombudsman, and mediation.

Supervisory training

Employers will benefit from training on workplace violence as part of general supervisory training, some conduct separate training sessions on workplace violence, and some include it in crisis management training. Whichever approach is taken, supervisory leadership training should cover:

- Ways to encourage employees to report incidents in which they feel threatened for **any** reason by **anyone** inside or outside the organization
- Skills in behaving compassionately and supportively towards employees who report incidents
- Skills in taking disciplinary actions
- Basic skills in handling crisis situations
- Basic emergency procedures
- How to ensure that appropriate screening of pre-employment references has been done.

Special attention should be paid to supervisory training in management skills. The same approaches that create a healthy, productive workplace can also help prevent potentially violent situations. It is important that supervisory training include basic management skills such as:

- setting clear standards
- addressing employee problems promptly
- probationary periods
- performance counseling
- administering disciplinary procedures

These interventions can keep difficult situations from turning into major problems. Supervisors don't need to be experts on violent behavior; what is needed is a willingness to seek advice from the experts.

Incident response team training

The members of the incident response team need to be competent in their own assigned duties **and** they need to know when to call for outside resources. Participating in programs and training sessions sponsored by government and professional organizations, reading professional journals and other literature, and networking with others in the profession are all helpful in dealing with workplace violence situations.

Team members also need to understand enough about each other's professions to allow them to work together effectively. Response team training should allow discussion of policies, legal constraints, technical vocabulary, and other considerations that each profession brings to the interdisciplinary group.

Much of the incident response team training can be accomplished by practicing responses to different scenarios of workplace violence. The [case studies](#) in this course are intended for this purpose. Practice exercises can help the staff understand each other's responses to various situations so that there is no confusion or misunderstanding during an actual incident. In addition, practice exercises can prepare the staff to conduct the supervisory training suggested above.

The team members also need to consult regularly with other personnel within the organization who may be involved in dealing with potentially violent situations. Those who are consulted on an *ad hoc* basis should receive some appropriate training as well.

Review the program

Extent of the Problem

List statistics relative to your industry here. Use national and statewide information. You can also discuss the crime statistics of the neighborhood the company is in. Some of this information is available in the Overview Section at the beginning of this guidebook.

Risk Factors

Discuss the risk factors in your particular industry here. Look in the section titled "Violent Incidents: Case Scenarios, Potential Risk Factors and Potential Prevention Measures" in this guidebook.

Worksite Analysis

Discuss the violence history of your company. You can use the number of incidents, the rate and/or the types.

Security Hardware

Have the manager of your unit show you security hardware. (Put a checklist here of equipment you have at your company to prevent violence. This might include panic buttons, video cameras, security lighting, etc.)

Management Controls

Discuss policies and procedures you have implemented to minimize violence in your company. Include any written procedures. Be sure to address your company's weapons policy and how to summon help in an emergency.

Follow Up Procedures

Report all assaults. (Include here a copy of the form your company uses to report violent incidents.)

File charges. (*Company name*) recommends that charges be filed in every case when an employee is assaulted. We will help you to do so including sending witnesses to testify if needed. No reprisals will be taken against any employee who is assaulted or files charges relating to an assault.

Counseling. If a violent incident occurs, all affected staff will be offered counseling through an employee assistance program or other comparable counseling services.

Role Playing Exercises to Defuse Violent Situations

Read the information in the charts below. Then have employees role play a confrontation. During the role play note the signs of escalating behavior and the techniques used to control it. Afterwards have the group discuss their observations. Address the following questions: What went well? What problems were there? What responses would work better?

Write a scenario about a violent incident for a couple of employees to act out. Use a case scenario in this guidebook or make up one appropriate to your company.

Hands-on practice

If the violence in your workplace comes from unarmed people such as patients, you may want to train your employees in self defense and restraining techniques. Have your employees actually try out the techniques. Remember, in cases with armed perpetrators, such as robberies, it is usually safer to submit to the perpetrator's demands.

Five Warning Signs of Escalating Behavior

Warning Signs	Possible Responses
Confusion	
Behavior characterized by bewilderment or distraction. Unsure or uncertain of the next course of action.	<ul style="list-style-type: none"> ● Listen to their concerns. ● Ask clarifying questions. ● Give them factual information.
Frustration	

Behavior characterized by reaction or resistance to information. Impatience. Feeling a sense of defeat in the attempt of accomplishment. May try to bait you.	<ul style="list-style-type: none"> • See steps above. • Relocate to quiet location or setting. • Reassure them. • Make a sincere attempt to clarify concerns.
Blame	
Placing responsibility for problems on everyone else. Accusing or holding you responsible. Finding fault or error with the action of others. They may place blame directly on you. Crossing over to potentially hazardous behavior.	<ul style="list-style-type: none"> • See steps above. • Disengage and bring second party into the discussion. • Use teamwork approach. • Draw client back to facts. • Use probing questions. • Create "Yes" momentum.
Anger - Judgment call required	
Characterized by a visible change in body posture and disposition. Actions include pounding fists, pointing fingers, shouting or screaming. This signals very risky behavior.	<ul style="list-style-type: none"> • Utilize venting techniques. • Don't offer solutions. • Don't argue with comments made. • Prepare to evacuate or isolate. • Contact supervisor and/or security office.
Hostility - Judgment call required	
Physical actions or threats which appear imminent. Acts of physical harm or property damage. Out-of-control behavior signals they have crossed over the line.	<ul style="list-style-type: none"> • Disengage and evacuate. • Attempt to isolate person if it can be done safely. • Alert supervisor and contact security office immediately.

Personal Conduct to Minimize Violence*

Follow these suggestions in your daily interactions with people to de-escalate potentially violent situations. If at any time a person's behavior starts to escalate beyond your comfort zone, disengage.

Do	Do Not
<p>Project calmness, move and speak slowly, quietly and confidently.</p> <p>Be an empathetic listener: Encourage the person to talk and listen patiently.</p> <p>Focus your attention on the other person to let them know you are interested in what they have to say.</p> <p>Maintain a relaxed yet attentive posture and position yourself at a right angle rather than directly in front of the other person.</p> <p>Acknowledge the person's feelings. Indicate that you can see he/she is</p>	<p>Use styles of communication which generate hostility such as apathy, brush off, coldness, condescension, robotism, going strictly by the rules or giving the run-around.</p> <p>Reject all of a client's demands from the start.</p> <p>Pose in challenging stances such as standing directly opposite someone, hands on hips or crossing your arms. Avoid any physical contact, finger pointing or long periods of fixed eye contact.</p> <p>Make sudden movements which can be</p>

upset.

Ask for small, specific favors such as asking the person to move to a quieter area.

Establish ground rules if unreasonable behavior persists. Calmly describe the consequences of any violent behavior.

Use delaying tactics which will give the person time to calm down. For example, offer a drink of water (in a disposable cup).

Be reassuring and point out choices. Break big problems into smaller, more manageable problems.

Accept criticism in a positive way. When a complaint might be true, use statements like "You are probably right" or "It was my fault." If the criticism seems unwarranted, ask clarifying questions.

Ask for his/her recommendations. Repeat back to him/her what you feel he/she is requesting of you.

Arrange yourself so that a visitor cannot block your access to an exit.

seen as threatening. Notice the tone, volume and rate of your speech.

Challenge, threaten, or dare the individual. Never belittle the person or make him/her feel foolish.

Criticize or act impatiently toward the agitated individual.

Attempt to bargain with a threatening individual.

Try to make the situation seem less serious than it is.

Make false statements or promises you cannot keep.

Try to impart a lot of technical or complicated information when emotions are high.

Take sides or agree with distortions.

Invade the individual's personal space. Make sure there is a space of three feet to six feet between you and the person.

*From *Combating Workplace Violence: Guidelines for Employers and Law Enforcement. International Association of Chiefs of Police. 1996.* Note: Oregon OSHA is not recommending a specific response to any situation or in any way guaranteeing the effectiveness of a particular response.

Fill the skills gaps

Skills deficiencies exist even in large companies with numerous resources at hand. In some organizations training is needed. However, crisis situations occur infrequently and it is often not practical to maintain in-house expertise for every aspect of the company's response plan.

If this is the case, suggested sources of outside assistance include:

Government agencies.

Get to know specialists in government agencies. They may be an invaluable source for learning about new training materials and effective training approaches.

Local Police.

If you do not have in-house security, get to know your local police departments. Invite them in to work with your planning group. They can recommend security measures. They can tell you about jurisdiction and what they would do if you called them during an incident. They can teach employees personal safety techniques and how to avoid becoming a victim.

Other community resources.

Locate and work with resources in your community. For example, if you don't have immediate access to emergency mental health consultation, you can work with your local community mental health department, "hotline" staff, hospital, or emergency crisis center. A nearby university may have faculty who are willing to be consulted.

There you have it! I hope you a better understanding of the education and training necessary to ensure an effective violence prevention program. Once gain, it's time for a really tough review quiz ;-) so let's go.

Module Review Quiz 21. The primary type of training that may be beneficial to all employees is that which concentrates on _____.

- a. conflict anticipation
- b. conflict resolution
- c. conflict determination
- d. conflict reaction

22. At a minimum, all employees should be trained in how to _____.

- a. manage anger
- b. report incidents
- c. the Employee Assistance Program
- d. wellness training

23. Incident response team training should include _____ to minimize confusion or misunderstanding during an actual incident.

- a. Practice exercises
- b. Videos
- c. Written tests
- d. Group discussion

24. Supervisor training should emphasize encouraging employees to report incidents in which they feel threatened for any reason by anyone inside or outside the organization.

- a. True
- b. False

25. To de-escalate potentially violent situations in your daily interactions with people, all of the following would be taught as appropriate strategies, except:

- a. Encourage the person to talk and listen patiently
 - b. Maintain a relaxed yet attentive posture
 - c. Attempt to bargain with a threatening individual
 - d. Acknowledge the person's feelings
-

MODULE 5: INCIDENT REPORTING AND ANALYSIS

Develop a procedure for employees to report incidents

The primary consideration in developing a reporting procedure is to make sure that it encourages employees to report all incidents, even minor ones. Some companies use hotlines. Some arrange for a member of a team to take the calls, usually a specialist from Human Resources or Security. Other companies require employees to report incidents to their supervisor (or to any company supervisor), who in turn reports these incidents to Human Resources or Security.

Credibility for any reporting system will be dependent upon whether reports are handled quickly and effectively. Word spreads quickly among employees when a report is made and nothing is done, when a report is handled improperly, or when the allegations are not treated confidentially. Therefore, before a reporting procedure is announced to employees, ensure that the staff who will be responding to reported incidents are trained and able to handle any reported incidents.

Incident reports should be reviewed on a periodic basis to provide feedback on the effectiveness of existing intervention strategies and prevention efforts.

Threat Incident Report System

Your company policy may require employees to report all threats or incidents of violence. If you institute such a policy, you must be ready to deal with the situation. The report will be used by the company to assess the safety of the workplace, and to decide upon a plan of action. The following facts should be included in a threat incident report:

- Name of the threat-maker and his/her relationship to the company and to the recipient.
- Name(s) of victims or potential victims.
- When and where the incident occurred.
- What happened immediately prior to the incident.
- The specific language of the threat.
- Any physical conduct that would substantiate an intention to follow through on the threat.
- How the threat-maker appeared (physically and emotionally).
- Names of others who were directly involved and any actions they took. How did the incident end?
- Names of witnesses.
- What happened to the threat-maker after the incident.
- What happened to the other employees directly involved after the incident.
- Names of any supervisory staff involved and how they responded.
- What event(s) triggered the incident.
- Any history leading up to the incident.
- The steps which have been taken to ensure that the threat will not be carried out.
- Suggestions for preventing workplace violence in the future.

Take a look at a sample **threat incident report**

This type of form can be used to report any threatening remark or act of physical violence against a person or property, whether experienced or observed. Individuals may be more forthcoming with information if the form is understood to be voluntary and confidential. The form also needs to identify where it should be sent after completion (for example, workplace violence prevention group or safety committee representative).

Date of Incident	Year	Month	Day of Week
Location of Incident (map and sketch on reverse side):			
Name of Victim:		Gender: Male_____ Female_____	

Victim Description: <input type="checkbox"/> Employee Job Title _____ <input type="checkbox"/> Client <input type="checkbox"/> Visitor	Member of Labor Organization? Yes _____ No _____
--	---

Assigned Work Location (if employee)

Supervisor:	Has supervisor been notified? Yes _____ No _____
-------------	---

Describe the incident.

List any witnesses to the incident (name and phone).

Did the assault involve a firearm? If so, describe.

Did the assault involve another weapon (not a firearm)? If so, describe.

Was the victim injured? If yes, please describe.

Who committed the incident (name, if known)? What is his/her status to the victim:

<input type="checkbox"/> Stranger	<input type="checkbox"/> Co-worker	If other, describe:
<input type="checkbox"/> Personal Relation	<input type="checkbox"/> Supervisor	
<input type="checkbox"/> Client/Patient/Customer	<input type="checkbox"/> Other	

What was the gender of the person (s) who committed the incident?	<input type="checkbox"/> Male <input type="checkbox"/> Female
---	--

Please check any risk factors applicable to this incident. Each company should develop and include a list of potential risk factors that may apply in its worksite.

- Working with money
- Working with drugs
- Working in a high-crime area
- Working late at night
- Poor lighting outside of worksite
- Other risk factor: _____
- Other risk factor: _____

What steps could be taken to avoid a similar incident in the future?

(To avoid recreating trauma, sound judgment should be exercised in deciding when to request this information.)

Send completed form to: _____

Adapted from: *Workplace Violence: Awareness and Prevention for Employers and Employees*, Washington State Department of Labor and Industries

When the violent or threatening incident occurs

When an incident occurs, bring together all the necessary resources, which may include help from outside the company.

- When a serious threat is made, consult the sources available to you to help evaluate the level of risk posed by the threat-maker.
- When appropriate, obtain fitness-for-duty evaluations of employees exhibiting seriously dysfunctional behaviors at the workplace.
- Maintain an internal tracking system of all threats and incidents of violence.
- When a threat has been made or an incident has occurred, evaluate the situation and, if warranted, notify the potential victims and/or police.
- The employer must respect the privacy rights and confidentiality rights of employees during any investigation.

Investigating incidents of violence

I can't work here anymore. I'm afraid he may actually kill one of us!

The supervisor hears the details of the incident that is causing the employee to feel threatened. Now the supervisor has to do something. The incident can't be ignored. It must be reported. Once reported, the members of the incident response team (along with the supervisor) have to look into it.

Types of Investigations

When an incident report is received, one of the first important decisions to make is to decide what type of investigation might be required. There are three basic types of investigations in a violence prevention program:

- Threat assessment investigation - in response to behaviors that have the potential to become violent in some way.
- Administrative investigation - in response to violent behaviors that might result in administrative action.
- Criminal investigation - in response to possible criminal behavior.

Your decision on which type of investigation is required will depend on whether the facts as presented indicate possible criminal behavior. Since arriving at a decision generally involves discussion with employee relations specialists and possibly law enforcement personnel, it is imperative to coordinate efforts fully with these departments ahead of time.

Threat assessment investigations

Threat assessment investigations differ from administrative or criminal investigations in that the purpose of the threat assessment investigation is to provide guidance on managing the situation in a way that protects the employee.

Many cases involving threatening behavior can be handled expeditiously and effectively by a supervisor with the assistance of one or more members of the company's incident response team. The security or law enforcement representative on the company's team will ordinarily assess risks, often in consultation with the Employee Assistance Program and employee relations staff, and make recommendations for appropriate strategies and security measures to protect employees. However, it may be helpful for the company's planning group to identify experts in threat assessment ahead of time, in case a situation requires more expertise than team members can

provide.

Gathering information.

It is also a good idea to work out ahead of time who will gather which types of information on an individual who makes a threat. Multiple sources of information need to be consulted to better understand the person's behavior.

In some cases, the company's incident response team can collect current and reliable information (which would include an investigative report) and then consult with a threat assessment professional to develop options for managing the situation. In other cases, the company's incident response team uses a threat assessment professional to conduct the initial investigation, assess the risks, and make recommendations for managing the situation.

Administrative Investigations

It is important to use an investigator who conducts the investigation in a fair and objective manner. The investigation should be conducive to developing truthful responses to issues that may surface. It must be conducted with full appreciation for the legal considerations that protect individual privacy. It is imperative that the investigation, especially the interview, create an atmosphere of candor and propriety.

Use a qualified investigator.

If a decision is made to conduct an administrative investigation, it is important to use a qualified and experienced professional workplace violence investigator. The company planning group should train and qualify one or more such investigators before the need for an investigator arises.

Investigation and Evaluation

After an incident occurs, a detailed investigation is imperative. All incidents, including near misses, should be investigated as soon as possible. A delay of any kind may cause important evidence to be removed or destroyed intentionally or unintentionally. The investigation should focus on fact-finding to prevent recurrence and not fault-finding. Employers should maintain comprehensive records of the investigation.

When conducting the investigation:

- Get statements from witnesses, photograph damage/injuries where appropriate.
- Identify contributing causes.
- Recommend corrective action.
- Encourage appropriate follow-up.
- Consider changes in controls, procedures or policy.
- Use an [Threat and Assault Log](#) to collect facts on who, what, when, where and how the incident occurred.

Criminal investigations

In a case where a decision is made to conduct an administrative investigation, and there is potential criminal liability, be sure to work closely with your legal department and law enforcement organization. In potentially violent situations, it is often difficult to determine whether the misconduct is a criminal offense. When there is any doubt, check it out.

Ensure that criminal prosecutions are not compromised.

Criminal prosecutions must not be compromised by actions taken during administrative investigations. It is necessary to ensure that the administrative investigator, management, and all members of an incident response team understand that actions taken during an administrative investigation may compromise potential criminal prosecutions.

If the company obtains statements from the subject of the investigation in the wrong way, the statements can impede or even destroy the ability to criminally prosecute the case. On the other hand, if handled correctly, statements made in administrative investigations could prove vital in subsequent criminal proceedings.

As you can see, reporting incidents early on will benefit the company in many ways. Conducting incident

investigations can get rather complicated. It will be imperative that investigators are trained thoroughly on their duties. The only task left is the review quiz. Answer each question as best you can. Scroll up the page to review if you like.

Module Review Quiz

26. All of the following were discussed in the text as ways to encourage employees to report all incidents, except:

- a. Hotlines
- b. Arrange for incident response team members to take calls
- c. Require employees to report incidents to a supervisor
- d. Report incidents directly to resource management

27. The threat incident report will be used by the company to assess the safety of the workplace, and to decide upon a plan of action.

- a. OSHA Form 300
- b. Threat Incident Report
- c. Incident/Accident Report
- d. First Report of Injury or Illness

28. When an incident occurs, the employer should bring together all the necessary resources, which may include help from outside the company.

- a. True
- b. False

29. Investigation categories in the violence prevention program include all of the following except:

- a. Threat assessment investigation
- b. Incident/Accident investigation
- c. Administrative investigation
- d. Criminal investigation

30. Actions taken during the administrative investigation will not compromise potential criminal prosecutions.

- a. True
- b. False

MODULE 6: INCIDENT FOLLOW-UP PROCEDURES

Immediately after the violent act

Immediately after an assault occurs, an employer should focus first on providing for the medical and psychological needs of all affected employees. Other immediate steps include:

- Report the incident to the local police department and support law enforcement activities (for example, crime scene investigation; interviewing witnesses, victims and others).
- Secure work areas where disturbances occurred.
- Account for all employees and others and ensure the physical safety of those remaining in the area as soon as possible.
- Provide for site security and ensure that no work area is left short-staffed while others assist the victim or help in securing the area.
- Quickly assess the work area, if it was disturbed or damaged during an incident, to determine if it is safe.
- Provide critical incident debriefing to victims, witnesses, and other affected employees (these conversations must be strictly confidential).

- Provide accurate communication to outside agencies, media and law enforcement.

Initiate the Post Incident Trauma Plan

The post trauma plan should focus activities first on meeting the immediate medical and psychological needs of employees as necessary. Employees may also need the services of an employee assistance program or other counseling services.

Provisions for follow-up after medical and psychological treatment, medical confidentiality, and protection from discrimination must be addressed in the plan to prevent the victims of workplace violence from suffering further loss. The plan should also address ways to reduce financial losses to the company caused by absence, lost productivity, and workers' compensation claims.

Immediate debriefings.

All affected employees should be included in a debriefing so that the cause of the violence and expectations can be discussed, a plan of action can be addressed, and those needing further counseling can be identified.

Employee Assistance Program services (EAP)

Though most employees will need only brief intervention, provision should be made for the few who may need longer-term professional assistance. Strategies for identifying these employees and guiding them as smoothly as possible from emergency-centered interventions to more extensive mental health care should be included in the planning.

The EAP may approach these responsibilities in different ways, depending on the size and experience of its staff. In some cases, internal EAP resources may be sufficient, but in others, additional staffing will be necessary. EAP staff who do not have expertise in traumatic incident counseling may wish to develop in-house expertise or keep close at hand the phone numbers of resources to contact should an incident occur. Potential sources of additional help, for example, private contractors, community mental health resources, university or medical school programs, might be explored.

Since management bears the brunt of responsibility after a violent incident, and can find itself dealing with unfamiliar challenges under high stress, the EAP can be very helpful in facilitating an optimal response. It can provide managers with information on traumatic events and can assist them in analyzing the situation and developing strategies for the organization's recovery. An effective EAP needs to be familiar not only with post-disaster mental health care, but also with management practices that facilitate recovery and with other resources which may need to be mobilized.

Support Prosecution of Offenders

To prevent further incidents from occurring and to show their support of the victims, employers should support prosecution of offenders. Accommodate employees after a violent incident in order for them to make court appearances and work with the prosecution. Cooperate with law enforcement authorities to help identify and prosecute offenders through the use of any and all means at your disposal, such as "Crime Stoppers," rewards, etc.

Administrative Actions to Keep an Employee Away from the Worksite

In situations where a disruption has occurred on the job, or where there is a belief that the potential for violence exists, a supervisor may need to keep an employee away from the worksite to ensure the safety of employees while conducting further investigation and deciding on a course of action.

Immediate, short-term actions

- **Place employee on excused absence (commonly known as administrative leave).** Placing the employee in a paid, non-duty status is an immediate, temporary solution to the problem of an employee who should be kept away from the worksite. It may also be a good idea to offer the employee the option to work at home while on excused leave if possible.
- **Detail employee to another position.** This can be an effective way of getting an employee away from the worksite where he or she is causing other employees at the worksite to be disturbed. However, this action will be useful only if there is another position where the employee can work safely and without

disrupting other workers.

Longer-term actions

Supervisors are sometimes faced with a situation where there is insufficient information available to determine if an employee poses a safety risk, has actually committed a crime, or has a medical condition which might make disciplinary action inappropriate.

- **Indefinite suspension.** An indefinite suspension is an adverse action that takes an employee off-duty until the completion of some ongoing inquiry, such as a company investigation into allegations of misconduct. Companies usually propose indefinite suspensions when they will need more than 30 days to await the results of an investigation, await the completion of a criminal proceeding, or make a determination on the employee's medical condition.
- **Indefinite enforced leave.** This action involves making the employee use his or her own sick or annual leave (after the 30-day notice period with pay) pending the outcome of an inquiry.

Disciplinary Actions

Where the supervisor possesses the relevant information regarding violent, harassing, threatening, and other disruptive behavior, the supervisor should determine the appropriate disciplinary action. The selection of an appropriate charge and related corrective action should be discussed with human resources and legal staff where appropriate. Some disciplinary actions are:

- **Reprimand, warning, short suspension, and alternative discipline.** These lesser disciplinary actions can be used in cases where the misconduct is not serious or intervention may correct the problem behavior. They are an excellent means of dealing with problem behavior early on.
- **Removal, reduction-in grade, and long-term suspension.** Be sure to coordinate with legal staff to ensure compliance with local, state, and federal law.

Disabilities as a Defense Against Alleged Misconduct

The Equal Employment Opportunity Commission (EEOC) has issued important guidance that specifically addresses potentially violent misconduct by employees with disabilities. Although this guidance deals specifically with psychiatric disabilities, it applies generally to other disabling medical conditions. It advises that an organization may discipline an employee with a disability who has violated a rule (written or unwritten) that is job-related and consistent with business necessity, even if the misconduct is the result of the disability, as long as the company would impose the same discipline on an employee without a disability. The guidance specifically states that nothing in the Rehabilitation Act prevents an employer from maintaining a workplace free of violence or threats of violence.

For a detailed discussion of all these points, see *EEOC Enforcement Guidance on the Americans with Disabilities Act and Psychiatric Disabilities*, EEOC number 915.002, 3-25-97. The guidance is available on the Internet at <http://www.eeoc.gov>, or a copy can be obtained by calling the EEOC Publications department at (800)669-3362.

Actions to inform all employees and the public

It is important to conduct a group debriefing after a serious incident of violence for immediate co-workers in how to communicate with the victim/co-worker who is re-entering the job after absence. To alleviate anxiety and reduce misinformation, keep the lines of communication open between labor and management. Assign a person or persons to be responsible for dealing with the media, if necessary.

The final word

As you can see, the violence prevention plan that is exercised regularly is crucial to its success. In the last module, we'll take a closer look at evaluating the program. But, first....you got it! Time for the module quiz. Answer each question as best you can. Scroll up the page to review if you like.

Module Review Quiz

31. Immediately after an assault occurs, an employer should focus first on providing for the _____ and _____ needs of all affected employees:

- a. physical, psychological
- b. emotional, physical
- c. medical, psychological
- d. financial, medical

32. According to the text, all affected employees should be included in a debriefing for all of the following reasons, except:

- a. discuss the cause of the violence
- b. address a plan of action
- c. Coordinate with law enforcement agencies
- d. Identify those needing further counseling

33. To show their support of the victims, the text states employers should support prosecution of offenders in all of the following ways, except:

- a. Help the victim make court appearances
- b. Help the victim work with prosecutors
- c. Cooperate with law enforcement authorities
- d. Allow the victim to join a protected witness program

34. Since management bears the brunt of responsibility after a violent incident, and can find itself dealing with unfamiliar challenges under high stress, _____ can be very helpful in facilitating an optimal response:

- a. HR department
- b. the Employee Assistance Program
- a. local law enforcement
- b. the Safety Committee

35. According to the text, why is it important to keep the lines of communication open between labor and management?

- a. To alleviate anxiety
- b. To maintain adversarial relationships
- c. To control misinformation
- d. To ensure maximum trust

MODULE 7: PROGRAM EVALUATION

Introduction

One essential element that cannot be overlooked is to evaluate the violence prevention program on a scheduled basis, and immediately after an incident has occurred. If the program is not evaluated at least annually, this and other problems may never be detected.

As with any program, personnel, facilities, and issues can change within a year and updates must be maintained. Procedures may break down if they are not exercised regularly. In these instances, practice may be necessary to keep procedures effective.

After an incident, it's important to evaluate the program to see if there are any changes that should be made immediately to prevent a similar incident from occurring in the future.

Steps in the Evaluation Process

- Appoint knowledgeable employees to conduct the evaluation to ensure effective results..
- Conduct an initial audit to determine what program components are in place.
- Analyze the components of the violence prevention program.
- Measure improvement based on lowering the frequency and severity of workplace violence.
- Identify those components that require improvement.
- Conduct and review the results of an employee survey.
- Develop ways to improve ineffective components.
- Educate, train and implement changes in the program.
- Devise and update your system for measuring improvement.
- Keep abreast of new strategies to deal with violence.

Identification and analysis

The initial audit is important to make sure all critical components of the violence prevention program are present. Once program components have been assessed, it's important to analyze each of the components to determine what they look like. Most components will actually be some sort of procedure or process.

In the analysis these procedures and processes are broken down into distinct steps. Each step is then looked at to make sure it is necessary and is effective. The analysis process involves breaking down each component of the program.

Important processes and procedures to analyze:

- Post incident response procedures.
- Supervisor/employee walkaround inspection procedures. Do they assess for violence prevention measures?
- Review the employee survey process. Is it producing valid, reliable data?
- Review staff meetings/safety committee meetings to determine if they address violence prevention issues.
- Review workplace violence reporting procedures.
- Track the process of reporting problems and making engineering and management control measures.
- Review the violence prevention program education and training process.

It's also a good idea to include local law enforcement representatives, legal staff, Oregon OSHA, insurer, or private consultants and/or other expert third-party experts to evaluate program processes and procedures.

Important policies, plans, reports and records to analyze

- Review the written violence prevention plan.
- Violence prevention program policies. Policies should be informative and directive.
- Log of injuries and illnesses (OSHA 200 Log) to identify trends in workplace violence-related injuries relative to "baseline" rates.
- Safety inspection reports.
- Medical reports of worker injury.
- Incidents of assault and threats of violence.
- Post incident response reports.
- Information on high-risk clients with a history of past violence.
- Minutes of safety meetings.
- Job hazard analyses.
- Records of relevant training conducted, attendees and qualification of trainers.

Evaluate the program after an incident

After an incident occurs, it is especially important to evaluate the workplace violence prevention program and assess its effectiveness. Deficiencies should be identified and corrective action taken. It's crucial to know what risks existed prior to a threat or incident so that the evaluation team can determine what additional security measures, if any, should be put in place after a threat or violent incident.

- If warranted, provide increased worksite protection when serious threats of violence have been made, such as requesting additional police patrols, hiring security guards, and/or alerting organizations or people who might be affected.

- Consider the costs and benefits of providing increased protection to threatened employees, such as changing their phone numbers, relocation, loaning them a cellular phone, or providing them with a quick response distress button or information about where this device can be obtained.
- Counsel potential victims about various civil and criminal options available to them, such as obtaining a restraining order.

When all is said and done

Unfortunately, it does not appear that violence is decreasing in our society. Ultimately, this violence is being played out in the workplace. For legal, and more importantly, human reasons, businesses can no longer choose to ignore this important issue. These guidelines were created to help you in planning how your organization can address this issue. OR-OSHA's violence prevention guidelines are an essential component to workplace safety and health programs.

OR-OSHA recognizes the importance of effective safety and health program management in providing safe and healthful workplaces. OR-OSHA believes that the performance oriented approach of the guidelines provides employers with flexibility in their efforts to maintain safe and healthful working conditions. OR-OSHA has additional information to help you with this and many other safety and health issues.

Now it's time to complete the final module quiz. So let's get to it. Complete each question in the quiz, and as before, scroll up the page to review if you find it difficult to determine the right answer.

Module Review Quiz

36. According to the text, one essential element that cannot be overlooked is to review your program on a _____ basis, at a minimum.
- quarterly
 - annual
 - periodic
 - Random
37. Which of the following is not discussed as an important process and procedure to analyze in the violence prevention program review?
- Post incident response procedures
 - Walkaround inspection procedures
 - Communications procedures
 - Education and training process
38. Violence prevention program policies should be both informative and directive.
- True
 - False
39. Which of the following is not a third-party expert to include in evaluating the violence prevention program processes and procedures?
- local law enforcement representatives
 - Oregon OSHA consultants
 - Department of Human Resources
 - Insurer representatives
40. After an incident occurs, it is especially important to evaluate all of the following except:
- ability to provide increased worksite protection
 - quality of disciplinary procedures

- c. consideration of costs and benefits
 - d. counseling potential victims
-

ASSIGNMENTS

Important Tip! Writing drafts first, either offline or online, before submitting coursework, will help improve the quality of your work. On a sheet of paper, write your first draft responses for the following assignments. When finished, return to the online assignments page, enter your final coursework, and complete the course evaluation and certificate information.

See [Appendix B](#) for help in answering the extended response assignments.

Assignment 1: Describe at least two security measures you believe would be beneficial at your workplace to minimize possible risk factors for violence.

Assignment 2: Discuss the importance of confronting inappropriate behavior early-on and what should be the objective of early intervention.

Assignment 3: You've been assigned responsibility for developing violence prevention training for your company. Describe the presentation strategies you would use and your reasons for using them.