

Workplace Violence Prevention

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Agenda

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Background Information

OSHA'S DEFINITION OF WORKPLACE VIOLENCE

Any act or threat of physical violence, harassment, intimidation, or other threatening behavior that occurs at the work site.



Ranges from threats and verbal abuse to physical assaults and even homicide.

Acts of violence are the third-leading cause of fatal occupational injuries in the United States.

U.S. Department of Labor, OSHA

2023 NATIONAL CENSUS OF OCCUPATIONAL INJURIES

5,283 fatal work injuries recorded in the United States in 2023

740 of those fatalities were due to workplace violence

458 homicides accounted for 61.9% of violent actions and 8.7.% of all work-related fatalities

Source: Bureau of Labor Statistics

ANNUALIZED INCIDENCE RATE PER 10,000 FULL-TIME WORKERS DUE TO INTENTIONAL CONDUCT

INDUSTRY SECTOR	INCIDENT RATE
Healthcare and Social Assistance	14.2
Educational Services	8.4
All Industry Sectors	2.9
Real Estate and Rental/Leasing	2.2
Waste Management Remediation Services	1.9
Accommodation and Food Services	1.4
Retail Trade	1.4
Arts, Entertainment, and Recreation	1.3
Transportation and Warehousing	1.3

Source: [BLS Factsheet](#). Includes Injuries, Illnesses, and fatalities

What You Need to Know

FOUR DISTINCT WORKPLACE VIOLENCE TYPES

- **Type 1** is workplace violence committed by someone with no legitimate business interests at the worksite;
- **Type 2** is violence directed at employees by customers, clients, patients, students, inmates, or visitors;
- **Type 3** is violence between two current employees or one current and one former employee; and
- **Type 4** is violence committed by a non-employee who has a personal relationship with an employee.

Source: Workplace Violence, Issues in Response, Critical Incident Response Group, National Center for the Analysis of Violent Crime, FBI Academy; www.fbi.gov/file-repository/stats-services-publications-workplace-violence-workplace-violence.

Most Prevalent Types of Workplace Violence

- Verbal threats
- Assaults
- Stalking
- Sexual harassment
- Theft
- Robbery
- Intimidation

While not prevalent, homicides and mass shootings do occur and employers must be prepared.

Additional Warning Signs of Potential Workplace Violence

- Specific threats
- Hostile, belligerent behavior
- Severe mood swings and emotional outbursts
- Obsession with weapons
- Homicidal or suicidal comments
- Paranoia (“everyone is out to get me”)
- Sympathy with perpetrator of publicized shooting
- “Jokes” about killing or wishing someone was dead
- **Red Flag**: any of the above signs, coupled with deteriorating job performance and hygiene

Everyone Has a Role to Play

- Managers & Supervisors
- Human Resources
- Safety & Health Manager
- Employee Assistance Program
- Union Representatives
- Building Security
- Employees

Preventive Strategies

Carefully Assess Applicants to the Extent Permitted by Law



Check

Check applicants' references



Discuss

Discuss the applicants' work history - ask why they left previous jobs



Ask

Ask applicants how they handle criticism and resolve disagreements with supervisors and co-workers



Look

Look for patterns of behavior



Follow the Law

FCRA

ADA

Title VII

Ban the box legislation

KNOW THE WARNING SIGNS

- Attendance problems
- Supervisor spends an inordinate amount of time coaching and/or counseling employee about personal problems, re-doing the employee's work, dealing with co-worker concerns, etc.
- Decreased productivity - making excessive mistakes, poor judgment, missed deadlines, wasting work time and materials
- Inconsistent work patterns - alternating periods of high and low productivity and quality of work, inappropriate reactions
- Overreaction to criticism, and mood swings
- Concentration problems - easily distracted and frequent trouble recalling instructions, project details, and deadline requirements
- Safety issues - more accident prone, disregard for personal safety and/or equipment and machinery safety, needless risks
- Poor health and hygiene - marked changes in personal grooming habits
- Unusual/changed behavior - inappropriate comments, threats, throwing objects
- Evidence of possible drug or alcohol use/abuse
- Evidence of serious stress in the employee's personal life - crying, excessive phone calls, recent separation
- Continual excuses/blame - inability to accept responsibility for even the most inconsequential errors
- Unshakable depression - low energy, little enthusiasm, despair

Responding to an Incident

Key Elements of Workplace Violence Response Plan

Management commitment and employee involvement.



A worksite analysis of security.

Hazard prevention and control.

Safety and health training for employees and management.

Recordkeeping and workplace violence prevention program evaluation.

Post Incident Response & Investigation



Employee Compliance Strategy

1

Train employees, supervisors and managers about the requirements of the Plan;

2

Retrain employees whose safety performance is deficient with respect to the Plan;

3

Recognize employees who demonstrate safe work practices; and

4

Discipline employees for failure to comply with the Plan.

States with Workplace Violence Prevention Requirements

Broader Coverage

- California ([Cal. Lab. Code § 6401.9](#)) (effective July 1, 2024).
- New York
 - ([N.Y. Lab. Law § 27-b](#)) (public employers).
 - ([N.Y. Lab. Law § 27-e](#)) (retail employers).
- Texas ([Tex. Labor Code Ann. §§ 104A.001 - 104A.003](#)).
- Massachusetts ([Bill HD.1856](#)) (*human service employers*).

Healthcare Employers

- Arizona ([Ariz. Rev. Stat. Ann. § 36-420.03](#)).
- California ([Cal. Code Regs. tit. 8, § 3342](#); [Cal. Lab. Code § 6401.8](#)).
- Colorado ([Colo. Rev. Stat. Ann. § 25-3-128](#)).
- Connecticut ([Conn. Gen. Stat. Ann. §§ 19a-490q - 19a-490s](#)).
- Illinois ([405 Ill. Comp. Stat. Ann. 90/1 to 90/999](#)).
- Kentucky ([Ky. Rev. Stat. Ann. §§ 216.705 - 216.709](#)).
- Louisiana ([La. Stat. Ann. §§ 40:2199.11 - 40:2199.19](#)).
- Minnesota ([Minn. Stat. Ann. § 144.566](#)).
- Missouri ([Mo. Ann. Stat. § 574.203](#)).
- Montana ([Mont. Code Ann. § 39-2-221](#)).
- Nevada ([Nev. Rev. Stat. Ann. §§ 618.7301 - 618.7318](#)).
- New Hampshire ([N.H. Rev. Stat. Ann. §§ 277-C:1 - 277-C:2](#)).
- New Jersey ([N.J. Stat. Ann. §§ 26:2H-5.17 - 26:2H-5.23a](#)).
- Oregon ([Or. Rev. Stat. Ann. § 654.414](#)).
- Rhode Island ([R.I. Gen. Laws Ann. §§ 23-17.28-1 - 23-17.28-6](#)).
- Texas ([Tex. Health & Safety Code Ann. § 331.004](#)).
- Virginia ([Virginia Code § 32.1-127](#)).
- Washington ([Wash. Rev. Code Ann. §§ 49.19.005 - 49.19.070](#)).

Resources



[US Department of Labor: OSHA](#)



[OSHA Fact Sheet: Workplace Violence](#)



[Centers for Disease Control & Prevention](#)

QUESTIONS?