

## Workplace Violence: Are Your Employees Protected?

It has been just over a month since violence devastated the community of Newtown, Conn., and since then our nation continues to discuss and debate the subject of gun control. Although this tragedy took place in a school, we could not help but think about the organizations we serve, and raise the following question: Are you prepared to protect your employees against workplace violence? Bloomberg BNA provides this [guide on workplace violence](#).

According to statistics from the Occupational Safety and Health Administration, nearly 2 million American workers report having been victims of workplace violence each year, and data from the Bureau of Labor Statistics Census of Fatal Occupational Injuries show that of the over 4,500 fatal workplace injuries that occurred in the United States in 2010 (the most recent year for which complete statistics are available), more than 500 were workplace homicides. **Reported workplace violence costs U.S. businesses approximately \$36 billion per year.**

### Definition of Workplace Violence

The Alexandria, Va.-based ASIS International Foundation Inc., an organization for security professionals, defines workplace violence as physical violence toward a person, as well as threats of violence, whether direct or indirect. This behavior includes all forms of physical violence—regardless of how harmful or severe—and all stated threats of violence, whether direct (“I’m going to kill you!”), indirect (“I’m going to make sure you get what you deserve!”), or conditional (“If he fires me, I will kill him!”).

### Duty of Employers to Prevent Workplace Violence

Under the federal Occupational Safety and Health Act, an employer is required to protect employees against “recognized workplace safety and health hazards likely to cause serious injury or death.” OSHA has identified workplace violence as such a hazard, particularly in the health care, retail, and taxi cab industries. **The agency has issued citations with monetary penalties alleging that employers have failed to develop appropriate workplace violence policies, and has issued guidance to help employers develop violence-prevention programs.**

Title VII of the Civil Rights Act of 1964 requires an employer to protect its employees against all forms of workplace harassment (sexual, racial, color, religious, national origin) that may create a hostile or offensive workplace environment. Employee violence is frequently triggered by such harassing behavior, which causes the victim to react to the harasser—and sometimes to innocent coworkers or bystanders—with reflexive anger in the form of verbal outbursts or even physical violence. The same anti-harassment rules apply under the Age Discrimination in Employment Act.

### Action Steps for Employers

It is important for employers to adopt comprehensive workplace violence prevention policies that establish procedures to ensure employees’ safety and wellbeing, including how to prevent violence, manage a violent event, support victims of violence, and control the presence of guns and other weapons in the workplace. Specifically, the policy should:

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- clearly define unacceptable behavior;
- regulate or prohibit weapons on-site and during work-related activities to the extent permitted by applicable laws;
- require the prompt reporting of suspected violations of the policy and of any circumstances that raise a concern for safety from violence;
- provide multiple avenues for employees to report suspicious or violent behavior, including human resources, security personnel, and members of the organization's threat management team;
- assure employees that reports made under the policy will be treated with the highest degree of discretion and will promptly be investigated by the employer;
- include a commitment to non-retaliation toward employees who make a good faith report under the policy;
- impose discipline for policy violations up to and including termination; and
- require or encourage employees to inform clearly identified personnel of any protective or restraining order they have obtained that lists the workplace as a protected area.

*PROXUS' HR practitioners deliver expert guidance and resources to help you successfully address challenging issues like the one discussed above. To learn how you can plan proactively to prevent workplace violence, or to discuss any human resource related matters facing your organization, contact **Jeff Green**, Principal at **215-654-9140, ext. 102** or [jgreen@proxushr.com](mailto:jgreen@proxushr.com).*

**Source:** [Employee Threat Assessment: Planning Proactively to Prevent Workplace Violence](#), HR Decision Support Network, Bloomberg BNA.

Link: [Click here for Bloomberg BNA's complete guide on workplace violence.](#)

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Jan. 23, 2013