



# WORKPLACE VIOLENCE

**Prevention,  
Intervention,  
and Recovery**

**The information provided in this handbook is for general informational purposes only, and may not be applicable to each employer's specific situation. The information presented here is not intended to set any standards of care, nor is it to be taken as, nor should it replace legal, mental health, and medical advice or counsel. It is not intended to replace or supersede official and organizational laws, rules, regulations, and directives. While training is an important part of a workplace violence prevention program, no guarantee is made that this information will prevent an incident of violence from occurring or provide protection from harm.**

**Although some of the information contained herein is about legal issues, this handbook is not and should not be treated as legal advice. Due to the ever-changing nature of the law, employers should seek timely legal advice from counsel, based on current law, prior to taking any action based upon this handbook.**



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Preventing workplace violence is a growing concern in Hawaii. According to the United States Department of Labor and Industrial Relations, workers' compensation claims filed during the past five years included 2,873 claims for injury from violent attacks in the workplace. Within the past eight years, violence was responsible for approximately 12 percent of reported workers' compensation cases.

The United States Department of Justice National Crime Victimization Survey reports that approximately two million assaults and threats of violence occur each year in the workplace. Each year, nearly 1,000 workers are murdered, 1.5 million are physically assaulted, and 51,000 rapes and sexual assaults are reported to occur in the workplace. Furthermore, 6 million workers are threatened and 16 million are subjected to harassment every single workday.

Economic damage to business as a result of workplace violence exceeds \$35 billion dollars per year in the United States. Economic loss to individuals through lost days of work and lost wages totals tens of millions of dollars. We can only speculate what it costs for lost productivity, increased risk of injury, loss of key employees and customers, missed opportunities, as well as job dissatisfaction and damaged relationships.

Public interest and media attention have focused primarily on dramatic but very rare types of violence, such as shootings by disgruntled employees in office buildings. Planners of workplace violence prevention programs face the dual challenge of reducing employees' anxiety about very rare risk factors while focusing their attention on more likely sources of danger. Undue anxiety about the "office gunman" can stand in the way of identifying more significant, but less dramatic, risk factors, such as poorly lit parking lots or gaps in employee training programs. This anxiety can also make it more difficult to cope with one of the most common workplace violence problems – the employee whose language or behavior frightens coworkers.

It is the legal responsibility of the organization and its employees to provide a safe work environment for all workers. All employees are encouraged to bring any unsafe work practices to their manager's attention. Managers are responsible for taking reports seriously and seeing that they are dealt with as high priority. Preventing violence in the workplace involves teamwork. By recognizing the potential warning signals and knowing your organization's policies or procedures for addressing workplace violence, you can reduce the risks. Make a commitment to develop an awareness of potential hazards. If your workplace does not already have policies and procedures for preventing and responding to workplace violence, talk with your manager about how you can work together to address the issue.

In an effort to produce a handbook on developing and implementing a workplace violence prevention program, a multi-disciplinary group of committed individuals experienced in workplace violence prevention and intervention was formed. This document is the product of the Hawaii Workplace Violence Working Group Committee.

*The Hawaii Revised Statutes, Section 396-6 (a) states that "Employer responsibility: safe place of employment; safety devices and safeguards. Every employer shall furnish to each of the employer's employees employment and a place of employment which are safe as well as free from recognized hazards. No employer shall require or direct or permit or suffer any employee to go or be in any employment or place of employment which is not free from recognized hazards that are causing or likely to cause death or serious physical harm to employees or which does not comply with occupational safety and health standards, rules, regulations, citations, or orders made pursuant to this chapter except for the specific purpose of abating said hazard."*



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Appendix D:	Research Article: "Threat Assessment: Defining an Approach for Evaluating Risk of Targeted Violence"
Appendix E:	Fitness for Duty/Threat Assessment Evaluation Sample
Appendix F:	Physical Security Checklist Sample



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## Purpose of Handbook

**This handbook was developed by the Hawaii State Department of the Attorney General, and funded by the Fund for Victims of Violent Crimes in Hawaii, Hawaii Community Foundation. The handbook is the result of the cooperative efforts of many individuals from both government and private sectors sharing their expertise in preventing and dealing with workplace violence. It is intended to assist those who are responsible for establishing workplace violence prevention, intervention, and response initiatives within their organizations. However, we anticipate that its usefulness will extend well beyond the planning phase since much of the information can be helpful for managers and others as they deal with difficult workplace violence situations.**

Workplace violence can encompass a broad range of events. This handbook will focus primarily on the specific issue of coworker violence and similar situations such as violence committed by contract hires, sub-contractors and others who have a legitimate relationship to the workplace in which a violent event occurs. This handbook is intended to be used as a general guide and does not propose to be a definitive work that addresses all the variables that exist in different workplaces. It is sincerely hoped that the information provided will help both employers and employees in Hawaii in their efforts to create workplaces where the risk of violence is minimal.

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## What is Workplace Violence?

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

This guide is intended to help organizations design and implement an effective policy to protect workers against workplace violence. In this regard, the guide seeks to address workplace violence as physical assaults, property damage, or any act or conduct that makes a worker feel scared, threatened, or worried for his or her physical safety or the physical safety of another, including acts or displays of violence, threats of violence, intimidation, harassment, bullying, damage to property, and other inappropriate or disruptive behavior. Such behavior can include oral or written statements, gestures, or expressions that communicate a direct or indirect threat of physical harm.

A workplace is identified as any location, either permanent or temporary, where an employee performs any work-related duty. This includes, but is not limited to, buildings and surrounding perimeters, including the parking lots, field locations, clients' homes, and traveling to and from work assignments.

## Categories of Workplace Violence

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- **Stranger toward Employee**

Violence is committed by a stranger. There is no known relationship to the worker or workplace. The stranger enters the workplace to commit a robbery or engage in another violent act. Workers may also become victims of a stranger outside the “traditional” workplace but while within the course and scope of their job, such as making a delivery or bank deposit.

- **Customer toward Employee**

Violence is committed by someone who receives a service, such as a current or former customer, client, patient, or passenger. The violence can be committed in the workplace or, as with service providers, outside the “traditional” workplace but while the worker is performing a job-related function.

- **Acquaintance/Relative toward Employee**

Violence is committed by someone who has a personal relationship with a worker, such as a current or former spouse or partner, a relative, or a friend. Included in this category is the attacker who has a personal dispute with a worker and enters the workplace to harass, threaten, injure, or kill.

- **Employee toward Employee**

Violence is committed by a current or former employee, a prospective employee, or a current or former supervisor or manager. Coworker violence that occurs outside the workplace but results from an employment relationship may be included in this category when the conduct affects the employer’s legitimate business interest.

## Whose Responsibility?

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Employers have both a legal duty and a moral responsibility to provide a safe workplace. To prevent loss of life and injuries and to limit financial losses and potential liability, employers should institute policies and procedures to prevent violence from occurring in their workplaces. These policies may include ways to identify the potential for violence, procedures to prevent the occurrence of violence and, in the event prevention fails and an incident of violence occurs, plans to respond to and mitigate further damage.

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

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

## Overview

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- **Program development**

Part I of the handbook introduces a process for developing an effective workplace violence prevention program. It guides an organization's planners through the basic steps of developing policies, programs, and prevention strategies.

- **Basic technical information**

Part II offers basic technical information on several areas of expertise that may be involved in workplace violence prevention programs. Its purpose is to serve as a reference for planners. While in no way comprehensive enough to serve as a training manual, it may help the planners become more familiar with the technical language, legal constraints, and other special issues that may be involved in developing a workplace violence prevention program.

- **Resources**

Part III is a listing of resources available in Hawaii. This listing is intended to be used as a reference by employers.

- **Case studies**

Part IV presents a set of case studies and practice exercises for the employer to use in analyzing organizational needs, planning programs, and training personnel to respond to workplace violence situations. The case studies introduce a wide range of challenges an organization may face, and they provide discussion points to help develop the most effective approach to these challenges.

- **Appendices**

The appendices have multiple uses. They contain examples, explanatory information, sample forms, and additional resources.

## The Importance of Planning

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The central theme which emerges from the shared experience of these specialists from different disciplines is this: While many cases of workplace violence can be dealt with swiftly and easily by a manager, the more serious cases can be resolved far more easily and effectively if there is a joint effort which has been planned out in advance. This planning can often be facilitated 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 workplace.” While it may be true that it is unlikely that a violent incident will occur at a workplace, it is wise to take precautions. Lethal incidents are rare, but they do occur. 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 preparations have been made ahead of time.

***The benefits of a joint effort***

Experience has shown that managers are more willing to confront employees who exhibit disruptive and intimidating behavior when they are supported by administrators, policies and practices, and have access to 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.