

WORKPLACE VIOLENCE... **FOR CALIFORNIA EMPLOYEES**

COURSE OUTLINE

- **When it comes to violence, the media always latches onto the headline-makers, like "murder".**
 - But other types of workplace violence occur far more frequently.
- **Before we go any further, we need to define the word "violence".**
 - The first thing that comes to mind is a physical confrontation.
- **But violence also includes verbal and emotional attacks.**
 - The psychological harm caused by threats, intimidation and verbal abuse can be as serious as any physical injury.
- **There are several sources of violence in the workplace.**
 - One is "outside threats".
- **These are people who may commit acts of violence in your workplace but aren't employed by your company.**
 - Customers or vendors may seek revenge for some perceived wrongdoing.
 - Terrorists can even target your business to "set an example".
 - In healthcare environments, patients or their families can sometimes become hostile, and assault medical personnel.
- **And unfortunately, the workplace isn't immune to incidents of "domestic violence", either.**
- **Another type of outside threat is "commercial crime".**
 - A robber enters a business looking for some "quick cash".
 - People can get hurt, even killed, if things don't go as planned.
- **The workers at greatest risk from commercial crime...**
 - Exchange money with the public.
 - Work alone or in small numbers.
 - Work late night or early morning hours.

- **Another source of workplace violence is "inside threats".**
 - All organizations are at risk from aggressive or violent people who are working in their facilities.
 - And we're not just talking about disgruntled employees who take out their frustrations on their supervisors.
- **Disagreements or personality conflicts between coworkers are the most common causes of workplace violence.**
 - This means people we work with... people we know.
 - Fortunately, violence rarely happens without warning.
- **You can't predict when and where workplace violence will strike.**
 - But there are usually "warning signs", or "red flags" that tell you when violence might occur.
- **In fact, California's "Workplace Violence Bill" requires employers to have a system in place for identifying and evaluating these "hazards".**
 - That is, situations and conditions that could lead to workplace violence.
- **The "Bill" also provides a sample Workplace Violence Prevention Plan. This Plan includes a section on "Workplace Violence Hazard Correction" that describes...**
 - When "violence hazard" inspections will be conducted.
 - How concerns about potential hazards will be evaluated.
 - What to do if there is a hazardous condition that can't be fixed immediately.
 - The corrective actions that will be taken, and by who, to resolve hazards.
 - Corrective measures for hazards that are specific to a given work area.
- **So make sure you're familiar with your company's Workplace Violence Prevention Plan.**
 - As an employee, you even have the right to participate in its development as well as its implementation.
- **There are many types of "warning signs" that you, your coworkers, and your supervisor can work together to identify.**
 - For instance, a coworker may suddenly become irritable and prone to emotional outbursts or mood swings.
 - Or they may get defensive and overreact to comments or criticism.

- **Someone may also start complaining frequently or blame others for their problems.**
 - They may talk about "getting back" at a coworker... or be fascinated by other incidents of violence.
 - These can be warning signs as well.
- **Other "red flags" include being late or absent more often than usual or disappearing during the workday.**
 - These can be indications that someone may be having trouble coping with their problems and be emotionally "on edge".
- **Or you may notice a coworker becoming careless, reckless or having accidents on the job because they are frustrated or distracted.**
 - Which are possible warning signs of the potential for violence.
- **But remember, these types of warning signs don't always indicate future violence.**
 - Everyone has "bad days" or may blow off a little steam now and then.
 - What you really need to watch for is when these start to lead to aggressive or violent behavior.
- **"Aggressive behavior" is any attempt to hurt or demean someone.**
 - This doesn't just mean causing physical harm.
 - It includes threats, sexual harassment and verbal abuse.
- **There are basically three types of threats...**
 - Veiled.
 - Conditional.
 - Direct.
- **"Veiled", or "hidden", threats suggest that a person intends to do harm without them actually spelling out what they plan to do.**
- **"Conditional threats" are used to intimidate people.**
 - The goal is to make someone do something or to prevent them from doing it.
- **"Direct threats" come through loud and clear.**
 - This is when a person declares their intention to commit an act of violence.

- **“Sexual harassment” is also a form of aggressive behavior**
 - And women aren't the only victims.
 - It's defined as repeated, unwanted behavior based on an individual's sex or sexual identity, whether they are male or female.
- **It includes...**
 - "Sexist" as well as sexual remarks.
 - Any unwanted physical contact.
 - Sexual advances.
 - Hazing or practical jokes based on an individual's sex or sexual orientation.
 - Or assigning someone menial or demeaning tasks because of their gender.
- **"Verbal abuse" is yet another type of aggressive behavior, and can include...**
 - Bullying.
 - Mocking.
 - Intimidation.
- **This shouldn't be dismissed as someone "just being mean".**
 - There is no excuse for using language or behavior to hurt someone's feelings.
- **It's important that any type of aggressive behavior be nipped in the bud.**
 - But some people don't want to get anyone “in trouble” by reporting these kinds of incidents.
 - They don't want to be seen as a “tattletale” or would like to think that the problem will just go away on its own.
- **The fact is, making a report is your best opportunity to help solve the problem once and for all.**
 - It's a chance for a troubled person to get the help they need and can often prevent a more serious incident from occurring.
- **That's why California's Workplace Violence Prevention Bill requires employers to have a written procedure for employees to report instances of aggression as well as violence.**

- **The Bill requires companies to designate...**
 - Who will act as the Workplace Violence Prevention Plan “Administrator”.
 - The format that they want to be used for written reports.
 - What other ways there are for employees to report aggressive or violent incidents.
- **Local law enforcement agencies should always be notified of incidents involving threats of violence or physical assaults.**
 - Regardless of who you report the incident to, make sure that it gets documented for future reference.
- **Another situation that you should always report immediately is the presence of a weapon in your workplace.**
 - Even a licensed, authorized weapon can be very dangerous.
 - If you see one, tell your supervisor, security personnel or an HR representative about it immediately!
- **You should also report any unfamiliar or unauthorized people that you see.**
 - If it turns out that they have been approved to be there, there is no harm done.
 - But it’s better to be safe than sorry!
- **Any involvement with violence has serious consequences. Take fighting.**
 - By definition, an “assault” can be an attempt to cause physical injury... or a physical threat to do bodily harm.
 - Even if you aren’t the one who starts it, you could get injured, suspended or fired... possibly even sued by your assailant or arrested.
- **So try to avoid arguments... and never get caught up in a shouting match.**
 - Attempt to resolve disagreements peacefully.
 - Offer a compromise, or suggest asking another person to step in.
- **If an unreasonable or irrational person confronts you...**
 - Remain calm.
 - Keep your arms low... in a non-threatening position.
 - Try to stay at least five feet away from them and avoid physical contact.
 - Maintain a soothing tone of voice.
 - Let them know that you understand their concerns... don’t judge, argue or disagree.
 - If they become violent, try to get away... or call out.

- **If someone challenges you to a fight, turn them down.**
 - Fighting always causes more problems than it solves.
 - The best response is to just walk away.
 - Don't fight back unless your life is in danger.
- **If you see or are involved in any violent behavior, you need to report it to your employer immediately.**
 - And since assault is a crime, local law enforcement agencies should also be informed.
- **Unfortunately, now-a-days “active shooter” situations occur almost daily and can happen in any type of work environment.**
 - Whether it's a personal dispute, a robbery or something else, any situation that involves a weapon is extremely dangerous and requires special considerations.
- **Never confront an armed assailant if you can avoid it.**
 - The best plan is to get as far away as possible.
 - Stay low and out of sight.
 - Help others to get to safety if you can.
- **In general, don't sound alarms if it will put anyone in danger.**
 - Check your company's policy to determine how they want these situations handled.
 - Contact security or law enforcement personnel only when you can do it safely.
- **If you come face-to-face with an armed assailant, remember “The person with the gun is in charge”.**
 - Follow their instructions to the letter.
 - Repeat their commands as you do as they ask.
 - Don't make any sudden moves, and keep your hands visible at all times.
- **Never resist an armed assailant unless you feel they are going to kill you.**
 - This is the only time it's worth risking your life to fight back.
- **These types of situations are also why it's good to know the emergency response procedures in your company's Workplace Violence Prevention Plan.**
 - In fact, California's “Workplace Violence Prevention Bill” requires that companies have this Plan written and available to employees.

- **Cal OSHA's sample Plan asks employers to describe....**
 - How they will alert employees of an emergency.
 - What their “shelter” and evacuation plans are.
 - How they will obtain help from staff, security, or law enforcement.
- **The Plan also has a section dedicated to post-incident response and investigation.**
 - This way, if a violent emergency occurs, you can know what to expect from your supervisor and Workplace Violence Prevention Plan Administrator.
- **Knowing how to recognize the warning signs of potential violence as well as how to handle violent behavior are important.**
 - But to be as effective as possible in helping everyone deal with workplace violence, companies need to be even more proactive in their efforts.
- **In 2016 OSHA published a set of guidelines that address the workplace violence issue for healthcare and social service workers.**
 - These guidelines focused mainly on facilities such as hospitals and nursing homes.
 - But with the introduction of California's Senate Bill 553, there are now clear guidelines and requirements for other work environments as well.
- **Both OSHA's guidelines and California's Bill require companies to create and implement a written Workplace Violence Prevention Plan.**
 - The Plan is built around several core elements.
- **The first is “management leadership and employee participation”.**
 - Everyone in your workplace needs to get behind the plan and work together to help it succeed.
 - So there should be clear procedures written to make sure employees can participate in the development and implementation of the Workplace Violence Prevention Plan.
- **There should also be clearly defined roles and responsibilities in the Plan.**
 - For instance, every company needs a Workplace Violence Prevention Plan Administrator.
 - Make sure you know who this is in your workplace so you can go to them if you ever need to report a problem or incident.

- **Hazard identification and assessment is the second element and is critically important.**
 - The potential conditions or situations that could give rise to violence have to be identified in order to develop solutions to address them.
- **The next element is “hazard prevention and control”.**
 - Once potential “trouble spots” have been identified, employers need to implement appropriate measures to control or eliminate them.
 - When hazards that could give rise to potential violence can’t be prevented or controlled, you have to have a plan for appropriate emergency responses and post-incident investigation.
- **“Education and training” are both extremely important as well. Everyone needs to know...**
 - What types of conditions and situations are most likely to lead to workplace violence.
 - What they can do to help guard against it.
 - What to do if it occurs.
- **Under California’s “Workplace Violence Prevention Bill”, employers must offer annual training that keeps you and your coworkers aware of workplace violence prevention procedures.**
- **Recordkeeping and evaluation are the final elements of a Workplace Violence Prevention Plan. The Plan should be monitored on an ongoing basis to...**
 - Assess its effectiveness.
 - Identify any new problems that may have developed.
 - Implement improved solutions where needed.
- **Companies need to keep records of all workplace violence prevention training as well as workplace violence incidents.**
 - California is requiring all companies to keep “Violent Incident Logs” on file for at least five years, and training records on file for a minimum of one year.
- **Cal OSHA’s sample Workplace Violence Prevention Plan can also help your company to create a Plan that is unique to your environment.**

- **Your own knowledge can be key to identifying situations in your job and locations in your workplace that have the potential for violence, as well as developing ways to address them.**
 - So your contribution can be important both in the initial stages of creating the Plan and on an ongoing basis.
- **If you feel that new tasks or changes in your workplace create additional sources of potential violence, you need to share this information with the people who are responsible for implementing your Violence Prevention Plan.**

*** * * SUMMARY * * ***

- **Watch for the warning signs of violence, such as mood swings, defensiveness and acting recklessly.**
- **Report incidents of threats, intimidation and sexual or verbal harassment, as well as aggressive and violent behavior.**
- **Try to resolve conflicts peacefully. Remember that fighting causes more problems than it solves.**
- **If you're confronted with violence, escape from your attacker if you can, or try to get help.**
- **If you are attacked, never "fight back"... unless you feel that your life is in danger.**
- **And be sure you are familiar with all aspects of your company's Workplace Violence Prevention Plan.**