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VIOLENCE IN THE WORKPLACE: WHAT IT IS AND WHY IT'S IMPORTANT

Workplace violence is the third leading cause of fatal occupational injuries in the US. To put that into perspective, the [Bureau of Labor Statistics](#) Census of Fatal Occupational Injuries reported 5,190 fatal workplace injuries in 2021. Of those, 718 deaths resulted from intentional injury by another person.

Further insight comes from the [National Safety Council](#) reporting 20,050 workplace injuries from assaults in 2020. Their list of intentional injuries includes shooting, stabbing, hitting, strangulation, bombing, arson, rape and sexual assault.

And all that, however tragic, is just the tip of the iceberg. OSHA reports that nearly two million workers have been victims of workplace violence. The Society of Human Resource Management found that 28 percent of workers have witnessed aggression or been personally involved.

So what's to be done about it? This article defines workplace violence, examines the types, addresses the levels of assault and the appropriate responses, and touches on employer liability.

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WHAT IS WORKPLACE VIOLENCE?

According to OSHA, *workplace violence* is any act or threat of physical violence, harassment, intimidation, or other threatening disruptive behavior that occurs at the work site. It ranges from threats and verbal abuse to physical assaults and even homicide. It can affect and involve employees, clients, customers and visitors.

WHAT ARE THE TYPES OF WORKPLACE VIOLENCE?

There are four types of workplace violence.

- **Criminal Intent.** In this situation, the person initiating the violence has no direct relationship with the business. They are committing a crime along with violence. This can include robbery, trespassing or similar offense.
- **Customer or Client.** With this type of workplace violence, current or former customers or clients, including visitors, initiate violence against workers.
- **Worker-on-Worker.** This is often called lateral or horizontal violence. It includes bullying, verbal abuse and emotional abuse. It can be supervisor-on-worker or peer-to-peer violence. It also includes assault by former employees.
- **Personal Relationship.** This includes anyone who does not work on the premises but has a personal relationship with an employee.

WHAT ARE THE LEVELS OF WORKPLACE VIOLENCE AND THE APPROPRIATE RESPONSES?

There are three levels of workplace violence. They can appear one at a time or in combinations. This listing is offered to help identify the warning signs and provide insight into the appropriate steps to address the violence and prevent its escalation.

LEVEL ONE – EARLY WARNING SIGNS

The early warning signs are when someone is intimidating or bullying, discourteous or disrespectful, uncooperative, or verbally abusive.

The appropriate response is to observe the behavior closely. Report your concerns to your supervisor or the next level of supervision if the person is your supervisor. Document the behavior. The supervisor should then privately meet with the employee to address their actions.

LEVEL TWO – ESCALATION

Escalation of the situation can be readily identified. It includes arguing with co-workers, management, customers and vendors. Refusal to follow policies and procedures. Threats to co-workers and supervision. Sabotage of equipment. Verbalizing the desire to harm co-workers or management.

The response here is to escalate your actions. That includes immediately contacting the supervisor or higher-level management, securing your safety and the safety of others and documenting the situation. The supervisor then must meet privately with the employee to start the progressive disciplinary process and calm the situation down.

LEVEL THREE – EMERGENCY

At level three, the person displays intense anger with physical fights, destruction of property, using weapons to harm others, and suicidal threats.

This level of threat requires calling 911 first and foremost. Then secure your safety, including leaving the area. Contacting your supervisor and cooperating with law enforcement when they arrive is also critical. Documentation can help the follow-up investigation.

WHAT IS AN EMPLOYER'S LIABILITY FOR WORKPLACE VIOLENCE?

As with any on-the-job injury, employers must provide a place of employment free from recognized hazards that can lead to death or serious physical harm. While OSHA has not established a specific workplace violence standard, states are doing so. California's Workplace Violence Prevention in Healthcare rule requires a written violence prevention plan, employee training, and state reporting.

Several common law principles come into play regarding employer liability.

- **Premises Liability.** The employer is responsible for keeping everyone on the premises safe from injury. This can be addressed through a site security assessment and implementing the security measures it recommends.
- **Negligence in Hiring or Retention.** This happens when it's determined that an employer should have known the employee's potential for violence. Conducting criminal background checks and responding appropriately to threats of violence in the workplace can help address this liability.
- **Discrimination and Harassment.** Liability claims can happen based on whether workplace violence is motivated by race, religion or another protected characteristic.
- **Respondent Superior.** This addresses an employer's liability for the actions of its employees within the course of their employment. It typically looks at the employer's action or inaction and whether they contributed to the violent act.

FREE WEBINAR – VIOLENCE IN THE WORKPLACE

That's a great deal to process. And it's just the start of all the considerations around establishing and maintaining a workplace free of violence. The good news is that we've got you covered with a free webinar titled [Violence in the Workplace: How To Be Aware and Be Prepared](#). Follow the link to learn more and to register.

WE CAN HELP ALL YOUR WORKPLACE SAFETY ISSUES

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