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# Violence in the Workplace

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## Basic Employment Law Principles

How common are threats and violence at work? A 2000 study done by the USPS Commission on a Safe and Secure Workplace found what it called “a disturbing and unacceptable level of violence in the American workplace,” with one out of every twenty employees reporting a physical assault, and one in three saying they were verbally abused on the job.

In 2002, homicide was the third leading cause of death on the job, topped only by motor vehicle accidents and falls. More than 1.8 million work days and \$55 million in wages are lost every year due to workplace violence, according to the Bureau of Justice Statistics.

Although no one can predict where and when violence will erupt at a job site, employers can be held liable for the resulting injuries. When an employee gets violent or abusive, it’s the manager’s duty to remain calm and try to diffuse the situation, according to a 2001 federal appellate case where an employee mocked, used racial slurs, and then head-butted his boss. The boss slapped the employee away and cursed back at him. Was that OK? No, said the court, and the employer was well within its rights when it demoted the boss to a non-supervisory position. More importantly, violence can be reduced – and even prevented – through some common-sense precautions. One thing you can do to prevent violence is establish and enforce a clear policy against violence – as well as provides employees with proper training.

## **Have a Strong Policy, Training and Enforcement**

You and your employees have a right to be safe at work. If someone's threatening physical harm or engaging in physical abuse at work, they're violating the law, as well as, most likely, your organization's policy.

As a manager, you should be enforcing your organization's policies. If you see more than one of the warning signs listed below you need to confront the person, or, if he/she is a security risk, call security, legal and HR immediately.

The good news is that every case of workplace violence has been studied thoroughly. The vast majority of perpetrators have been with their organizations for years. Usually they felt that they had been denied a promotion they thought they were entitled to, or they had been terminated. In virtually every case, the perpetrators made threats beforehand.

Most people point to the post office as an example of a workplace that's prone to violence but the reality is, if you look at percentages, there's no higher percentage of threats and violence in most workplaces than there is in the post office. The difference is the number of people working there: there's actually more people employed at the post office than any other place in the U.S., except the military. So we have the perception that there's more violence but the reality is that the post office is just average.

## **Warning Signs of Violence**

Here are the warning signs of violence. Most people who erupt into violence will exhibit more than one of these characteristic behaviors:

- Makes direct and indirect threats
- Mood swings, depression, bizarre statements, delusions of persecution
- History of Violence
  - Domestic violence, verbal abuse, antisocial activities

- Romantic Obsession
  - Physical or romantic obsession
- Substance Abuse
  - Trouble with alcohol or drug addiction
- Depressive Behavior
  - Self-destructive behavior
  - Loner behavior or isolation
  - Unkempt physical appearance, despair, sluggish decision-making
- Pathological Blamer
  - Accepts no responsibility for his or her actions
  - Constantly blames co-workers, employer, government, the system
- Impaired Ability to Function
  - Poor impulse control
- Obsession with Weapons
  - Ownership of gun or gun collection, combined with antisocial behavior
  - Fascination with shooting skills or weapon-related activity
- Personality Disorder
  - Antisocial or borderline personality disorders
  - Irritable, aggressive, often involved in disputes or fights with others
  - May steal or destroy property with little remorse
  - Borderline personality shows moodiness, instability, impulsive action, easily agitated

Clearly, you have both the right and the responsibility to intervene if you see behavior that is threatening or violent, or that you, in good faith believe might lead to threats and violence. This is an area where being proactive is always a good

idea. Don't wait until it's too late. While actual incidents of violence may be rare, when one happens, the consequences are so grave that you must take action ahead of the curve.

## **Preventing Violence**

Experts agree that effective pre-employment background checks are crucial. Before hiring any applicant, check references and ask specifically if there is any history of violent or harassing behavior. Even if the references refuse to answer the question, you have taken reasonable steps to screen out potentially violent employees, and that will help you if you're ever sued.

Once you've hired employees, you have an obligation to provide a safe workplace. You want to create a violence-free environment.