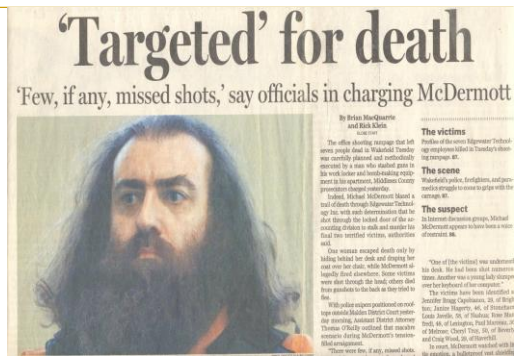


Violence in the Workplace

Presented by:
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Agenda

- Personal experience-lessons learned
- Workplace violence statistics
- OSHA recommendations
- Workplace violence prevention
- Threat & risk assessments
- Program & policy development
- Communication and sensitivity training
- Employee assistance program resources
- Selection tools and prescreening
- Termination key points



'Targeted' for death
Few, if any, missed shots, say officials in charging McDermott

By Brian MacQuarrie and Rich Klein

The office shooting rampage that left seven people dead in Waterloo Tuesday was carefully planned and methodically executed by a man who studied gun in his work locker and bookkeeping equipment in his apartment, witnesses charged prosecutors charged yesterday.

Indeed, Michael McDermott, 38, was a real estate agent through Waterloo's largest real estate group, who had a record of shooting through his front door at the apartment building he lived in, witnesses said.

Two women escaped death only by being hit with a bullet and dropping her feet on the floor, while witnesses at nearby food restaurants, some victims were shot through the back when they were guided to get back on they fled to flee.

With police reports published on Monday, police said McDermott shot another day morning, Assistant District Attorney Thomas O'Reilly said that his murder suspect, that McDermott's motive was unclear.

"There were five, if any, missed shots."

The victims
Profile of the seven 18-year-old victims was provided to the Waterloo Region Police Department.

The scene
Waterloo's police, firefighters, and paramedics were on scene to give the victims care.

The suspect
In Waterloo's police department, Michael McDermott appears to have been a recent arrival.

"One of the victims was standing in the back. He had been shot multiple times. Another was sitting back during the shooting of her company."

The victim was from Waterloo's Waterloo Region, 38, of 18th Street, Waterloo, Ontario, N2L 1G1, was shot back, an of Waterloo, Paul MacKenzie, of Waterloo, Ontario, N2L 1G1, was shot and Craig Wood, 38, of Waterloo, Ontario, N2L 1G1, was shot.

In Waterloo's police department, Michael McDermott appears to have been a recent arrival.



Definition of Workplace Violence

- Workplace violence is any physical assault, threatening behavior, or verbal abuse occurring in the work setting. Examples of workplace violence include:
 - Shootings
 - Stabbings
 - Beatings
 - Suicides
 - Psychological traumas
 - Threats or obscene phone calls
 - Harassment of any nature



Workplace Violence Statistics (National Institute Of Occupational Safety and Health)

- Homicide is the leading cause of death for women in the workplace; and it the second overall cause of death for all American workers
- According to the Bureau of Labor Statistics there were 11,613 workplace homicide victims between 1992 and 2006.
- Approximately 2 million American workers are victims of violent crime while working or on duty each year

Workplace violence statistics

(National Crime Victimization Survey)

- Workplace violence incidents have increased by 41% over the past 10 years
 - Cost to business: over \$4 billion annually
- More than 80% of all workplace homicides were committed with a firearm
- Except for rape and sexual assault, males experience workplace violence at a higher rate and percentage than females



Categories of workplace crime perpetrators

- Criminal Intent (Type I – 85%)
 - Robbery
 - Shoplifting
- Customer/Client (Type II)
 - Customers
 - Clients
 - Patients
- Worker-on-Worker (Type III – 7%)
 - Employee
 - Former employee
- Personal Relationship (Type IV)
 - Domestic violence



Additional Costs of Workplace Violence

- Lost productivity
- Legal expenses
- Property damage
- Diminished public image
- Increased security

Occupations with Highest Risk

- Taxicab drivers
- Police
- Private guards
- Managers of food-serving and lodging establishments



Ten Risk Factors of Workplace Violence

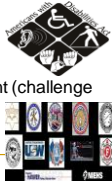
1. Contact with the public
2. Working with unstable or volatile persons
3. Delivery of passengers or goods
4. Having a mobile workplace such as taxicab or police cruiser
5. Working in community-based settings
6. Working alone or in small numbers
7. Working late at night or during early morning hours
8. Working in a high-crime areas
9. Exchange of money
10. Guarding valuable property or possessions

Workplace Violence and the Law

- Two broad categories
 - Legal responsibility of an employer to safeguard against preventable harm to employees, customers, and anyone visiting a workplace
 - No specific law on VIW as to employer's responsibility but emerges from OSHA statutes and judicial decisions
 - Under OSHA each employer owes a "general duty" to protect employees against "recognized hazards"
 - OSHA agencies have issued citations to employers under the general duty clause for failure to protect employees against workplace violence.

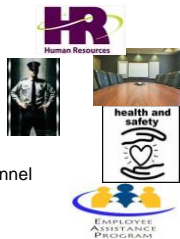
Workplace Violence and the Law

- ❑ Employer's obligation to respect employee rights during any investigative or disciplinary process stemming from an incident involving workplace violence or threat of violence
 - Employee rights to privacy (searching desks, computer)
 - ADA (psychological disability)
 - Due process (conduct a investigation)
 - Discrimination (fair treatment of all)
 - Rights under collective bargaining agreement (challenge by union of due process)



The Need for a Multidisciplinary Approach

- Key Stakeholders
 - ❑ Security/Police
 - ❑ Human Resources
 - ❑ Legal
- Other Stakeholders
 - ❑ Executive Management
 - ❑ Occupational Safety and Health Personnel
 - ❑ Union Leaders
 - ❑ Employee Assistance Programs
 - ❑ Public Relations/Communications
 - ❑ Risk Management and Crisis Management Professionals



OSHA Recommendations for Prevention of Workplace Violence

- Management commitment
- Employee involvement (i.e. policy and program)
- Worksite analysis
- Hazard prevention & control
 - ❑ Worksite controls
 - ❑ Security review/assessment
 - ❑ Post-incident response



OSHA Recommendations for Prevention of Workplace Violence

- Education and training
 - Staff
 - Management
- Evaluation
 - Recordkeeping
 - Prevention programs



Keys to Workplace Violence Prevention

- Designate a group to generate top-down commitment and implement the program
- Design the program and establish a plan for its implementation
- Establish a threat management team and develop an incident management protocol
- Develop and disseminate a workplace violence policy
- Roll out training throughout the organization
- Implement other preventive practices
- Monitor and evaluate



Threat Assessment

- Identify early warning signs
- Report all threats to a central location
- Interdisciplinary threat assessment team (HR, legal, risk management, security, outside consultant)
- Develop a threat management plan
- Document all threat incidents, response and conclusion



Resources Available

- Incident Report Form (OSHA)
 - Incident Reporting and Investigation Report (OSHA)
 - Workplace Violence Incident Report Form (FBI)
 - Threat Assessment Report (OSHA)
-

Risk Assessment Survey



- Conduct periodic audits of physical security systems and procedures
 - Review past incident reports and records of crimes or security violations
 - Practice and test emergency evacuation procedures
 - Evaluate employee awareness of security measures
-



Resources Available

- Hazard Assessment Report (OSHA)
 - Workplace Violence Inspection Checklist (FBI)
 - Self Inspection Security Checklist (OSHA)
 - Workplace Hazard Control and Prevention (FBI)
-

Reporting Avenues

- Risk-free communication for employees to report workplace crimes
- Available 24 hours a day, 7 days a week
- Confidential report to management for investigation and resolution



Policy Statement Content

- Provide adequate authority and budgetary resources to responsible parties so goals can be met
- Includes and encourages employee participation in design and implementation
- Refuses to tolerate violence at the workplace
- Applies all policies consistently and fairly to all employees
- Requires prompt and accurate reporting of incidents
- Will not discriminate against victims of violence or damage

Policy Statement Content

- The policy will clearly advise employees that violations will include discipline, up to and including termination
- Violation of policy may mean
 - Referral to counseling or other help
 - Subject to criminal prosecution as well as discipline up to and including dismissal in accordance with HR and collective bargaining agreements



Complementary Policies

- Injury and Illness Prevention Policies
 - No-Weapons Policy
 - Harassment and Discrimination Policy
 - Drug and Alcohol Policy
 - Code of Business Conduct/Ethics Policy
 - Electronic Communications Policy
-

Resources Available

- Company Policy (OSHA)
-

Training






- Conduct training for employees
 - Prevention
 - Policy
 - Procedures
 - Conduct training for supervisors and managers
 - Detection
 - Prevention
 - Policy
 - Procedures
 - Legal Issues
-

Video- Shots Fired

Resources Available

- Training Program Sample Content (OSHA)
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<p>THE MIND OF A KILLER</p>  <p>The average workplace murderer is likely to be unmarried, male and on the job at least 4 years. He has a grudge and knows exactly whom he wants to kill. Larry Hansel, for example, carried a 12-gauge shotgun to shoot co-workers in San Diego. He says he would do it again.</p> <p>Death in the workplace</p> 	<p>STOPPING A KILLER</p>  <p>James Davis said if he were ever fired, he would kill somebody. Two days after being let go, Davis killed three co-workers. Many employers fail to take the necessary steps to protect workers from a co-worker who kills. And those who do try to prevent attacks often make fatal mistakes.</p> <p>Death in the workplace</p> 
<p>USA TODAY's exclusive study of 224 killings shows motives are firings and arguments</p>	<p>USA TODAY finds managers not prepared — and extra security rarely a consideration</p>

Warning Signs

Warning signs are clues that may indicate situations in the workplace and personal factors that may precede, predict, or contribute to the cause of violent outburst.

Signs of Trouble from Employee



- Threats, threatening behavior, frequent aggressive outburst, excessive displays of temper
- A history of threats or violent acts
- Ominous fascination with weapons and/or references to weapons, violent media content, or violent events
- Chronic, hypersensitive complaints about persecution or injustice
- Verbal abuse of coworkers and customers, or harassment through phone calls or emails
- Must be right all the time
- Not newcomer or not at bottom
- Makes direct or indirect threats
- Romantic obsession
- Desperation over finances

Performance Red Flags



- Chronic behavior problems
- Inconsistency
- Mood swings
- Changes in work quality
- Avoiding colleagues
- Missed deadlines
- Attendance problems
- Excessive tardiness

Video- Flash Point

Employee Assistance Program as Management Resource

Supervisory referral of employee

- Describe behavior concerns
- Design performance improvement plan
- Explain EAP & confidentiality
- Suggest EAP contact
- Schedule follow up



The Importance of the Interview

Be sure to check

- Work history
 - Gaps in job history?
 - Reasons for leaving
 - Average length of employment
 - Length of employment at last job
- References
 - Are past supervisors listed?



Sample interview questions

- What would your last boss/co-workers tell us about you?
- How was your job performance assessed?
- What were you commended for?
- What did you need to improve?
- In what areas were there disagreements and how did you handle that?
- Why did you decide to handle the situation in that manner?
- What skills will you bring here?
- Why did you leave your last position?
- How were you able to demonstrate teamwork in your last position?

Sample reference check questions

- Ability to work cooperatively with supervisor/co-workers
- Ability to take direction
- Ability to take responsibility for his/her work and actions

SHRM Reference Checking Survey

Regularly or sometimes falsified job applicant information



- 53% Length of employment
- 51% Past salaries
- 45% Criminal records
- 44% Former job titles
- 35% Former employers
- 33% Driving records
- 30% Degrees
- 24% Credit
- 22% Schools attended
- 14% Social security number

SHRM Reference Checking Survey

Reference information regularly provided by employers

- 98% Dates of employment
- 42% Eligibility for re-hire
- 41% Salary history
- 19% Reason for leaving
- 18% Job qualification
- 16% Employability
- 13% Work habits
- 11% People skills
- 8% Violent/bizarre behavior
- 7% Personality traits



Exercise: Develop Rules for Termination Checklist

- Divide in to four groups of ten and develop a checklist of rules to follow for terminating any employee that would minimize the risk of retaliation.

Cardinal Rules of Termination

- Pinpoint the basis for the discharge
- Get all the facts first to make sure your investigation is thorough, complete & well-documented
- Investigate promptly; don't delay!
- Use progressive discipline & keep appropriate documentation



Cardinal Rules of Termination



- Terminate at the beginning or end of shift
- Inform in person or based on situation via telephone or letter
- Notify security
- Take another member of management or HR team member with you
- Have a means of escape available
- Conduct all employee interviews with care and respect
- Listen more than talk
- Project calmness
- Make the termination a statement of fact

Resources

- Red Cross www.redcross.org
- SHRM www.shrm.org
- OSHA www.osha.gov
- FBI www.fbi.gov
- USDA www.usda.gov
