

“It Won’t Happen Here” and Other Myths about Workplace Violence

Manage the Growing Risk of Violence
and Create a Safe Workplace

June 20, 2019



Today's Speakers



Catherine Buster
HR Advisor



Christina Veazey
HR Advisor



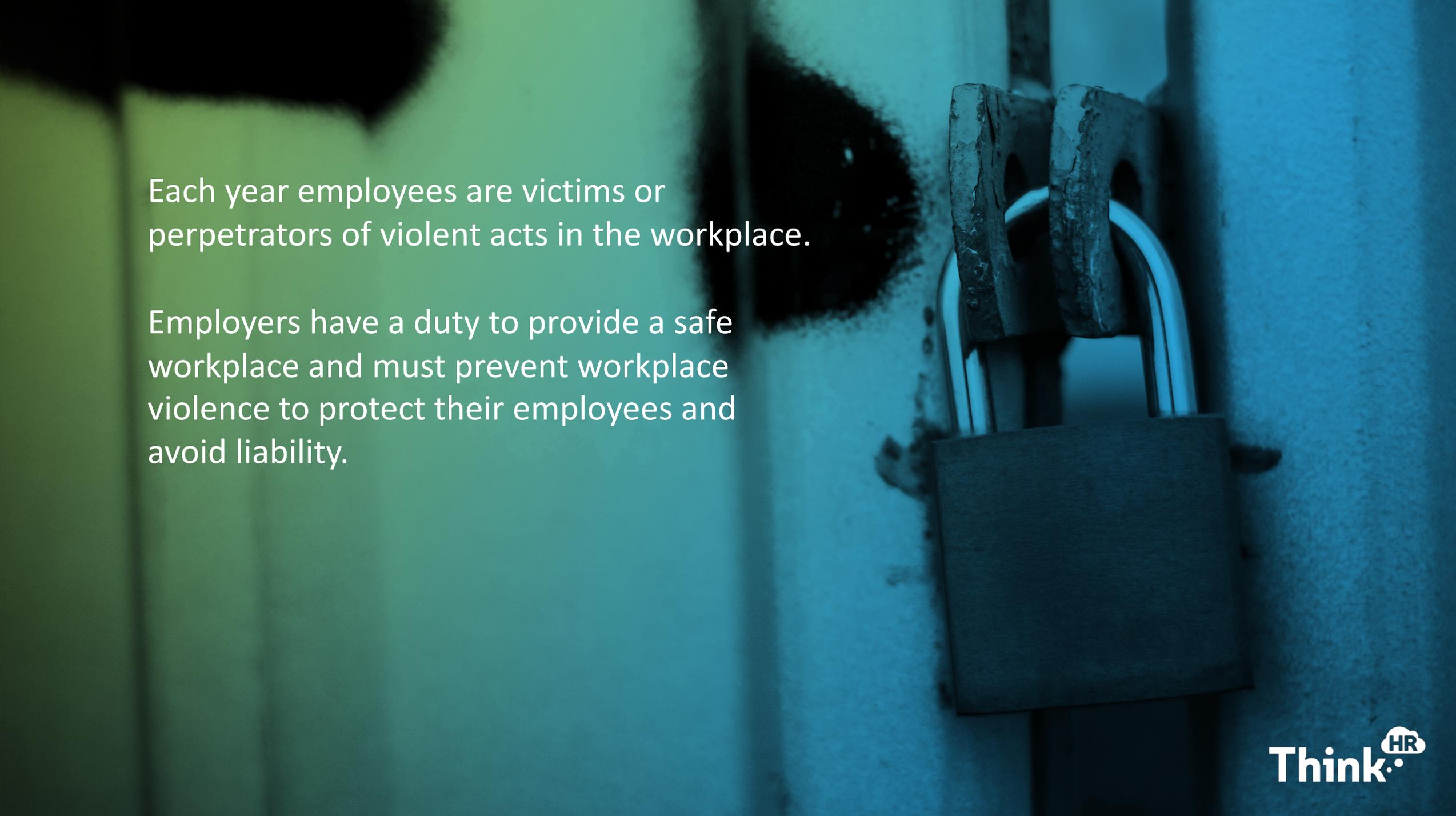
Kerry Greene
HR Advisor



Rachel Sobel
Content Strategist

Agenda





Each year employees are victims or perpetrators of violent acts in the workplace.

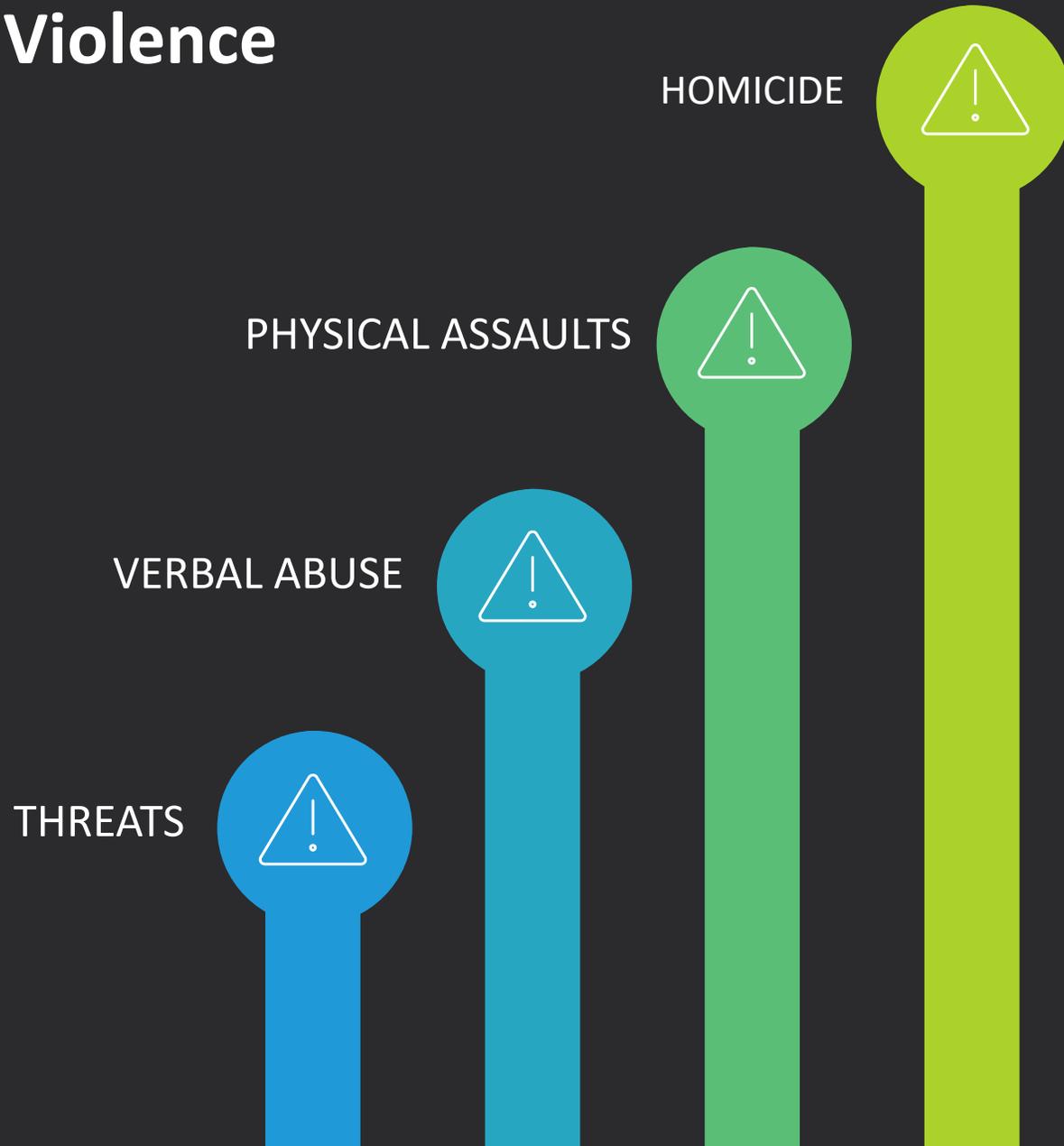
Employers have a duty to provide a safe workplace and must prevent workplace violence to protect their employees and avoid liability.

What is Workplace Violence

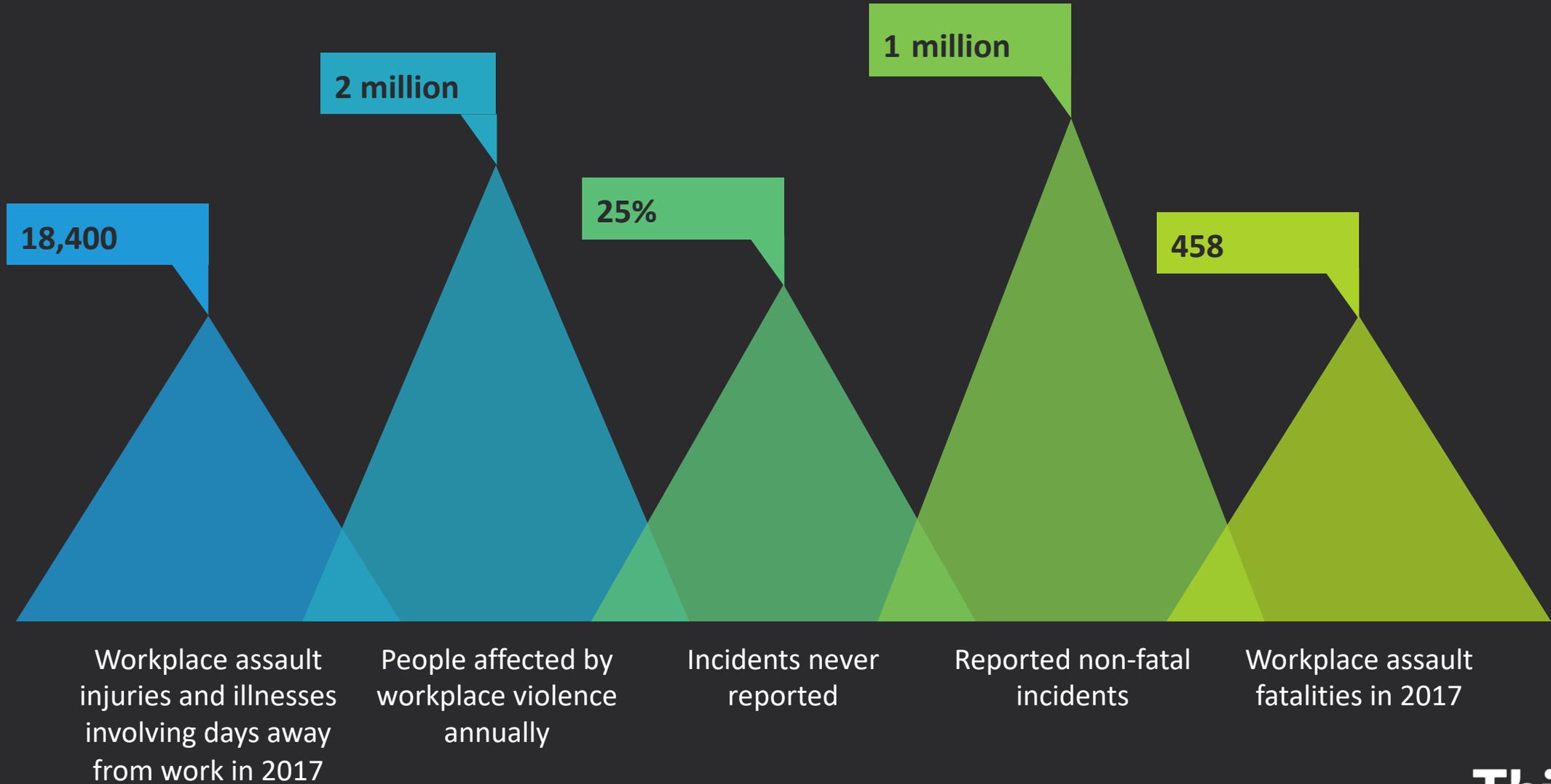


Definition of Workplace Violence

Any act or threat of physical violence, harassment, intimidation, or other threatening disruptive behavior that occurs at the worksite



Statistics

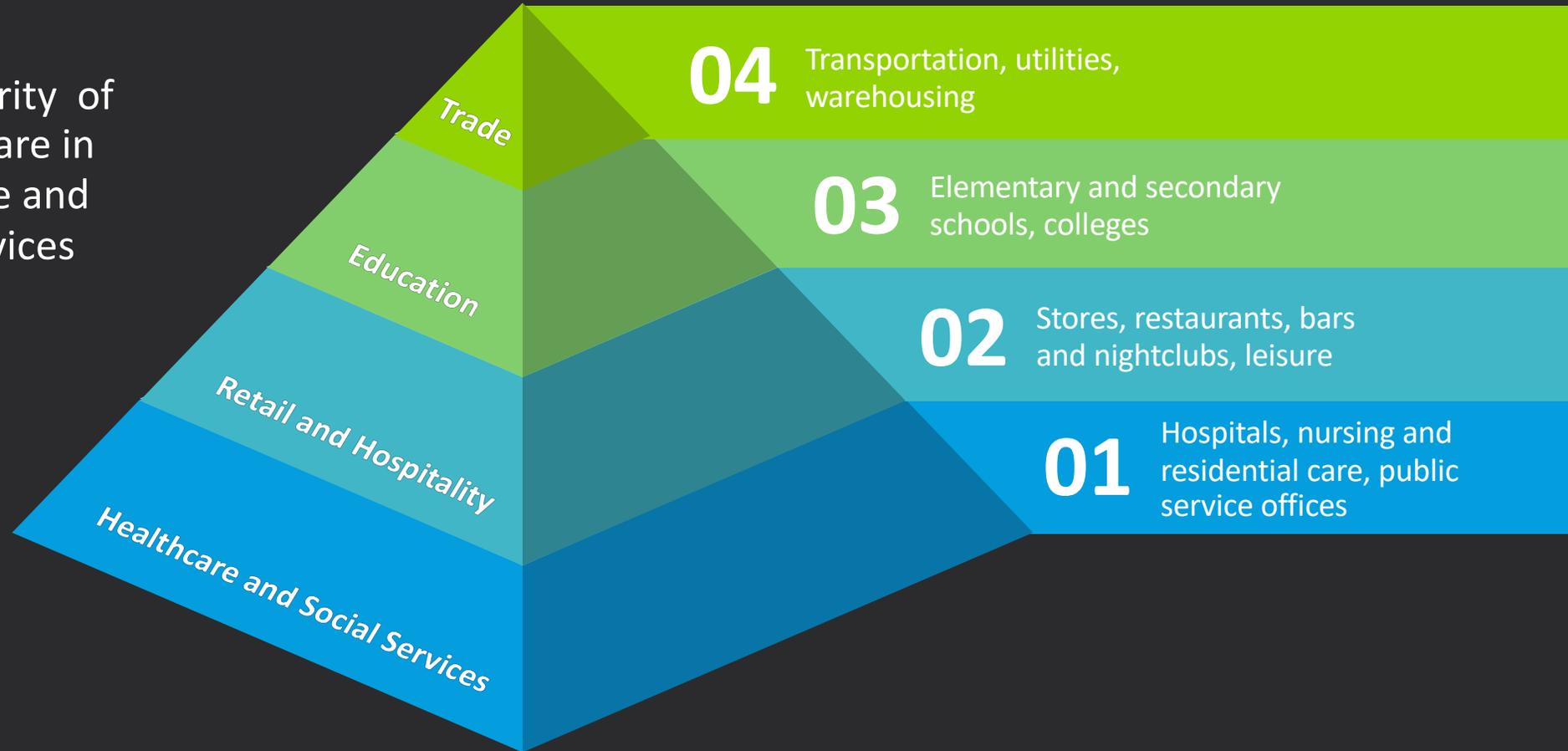


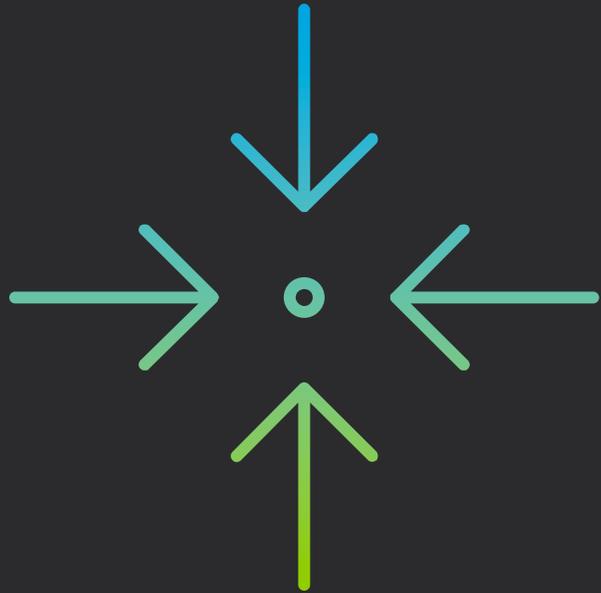
Source: Bureau of Labor Statistics, OSHA

High-Risk Industries



Vast majority of incidents are in healthcare and social services





Categories of Workplace Violence

01

Criminal
intent



*Robbery,
terrorism,
trespassing*

02

Customer/
client



*Student,
patient,
inmate,
passenger*

03

Worker-on-
worker



*Current,
former*

04

Personal
relationship



*Domestic
violence*

Examples of Workplace Violence



Kerry's Experience



Sunnyvale Massacre

Seven killed and four wounded at ESL, Inc., on February 16, 1988

COURTING TRAGEDY

Laura Black: She had to seek order to spell out rejection

By Dan Nakaso and S.L. Wykes
 Mercury News Staff Writers
 For nearly four years, Richard Wade Farley had haunted Laura Black.

Psychiatrists can't always predict outbursts, Page 1F

He followed her, called her, sent her threatening letters and even joined the health club where she worked out. She moved three times to be rid of him, but to no avail. His obsession was well-known at ESL in Sunnyvale, the firm where they both worked until he was fired almost two years ago.



Laura Black
 ... 'It was her smile'

Richard Farley
 ... 'A pretty nice guy'

Richard Farley: Trouble brewed beneath surface

By Kirstin Downey
 Mercury News Staff Writer
 On the surface, Richard Wade Farley, the man accused of blasting his way into a Sunnyvale defense company and killing seven people, didn't seem like a man about to become unhinged. To many who worked with him most recently, the methodical, heavyset 39-year-old appeared to be plodding his way to a better future.

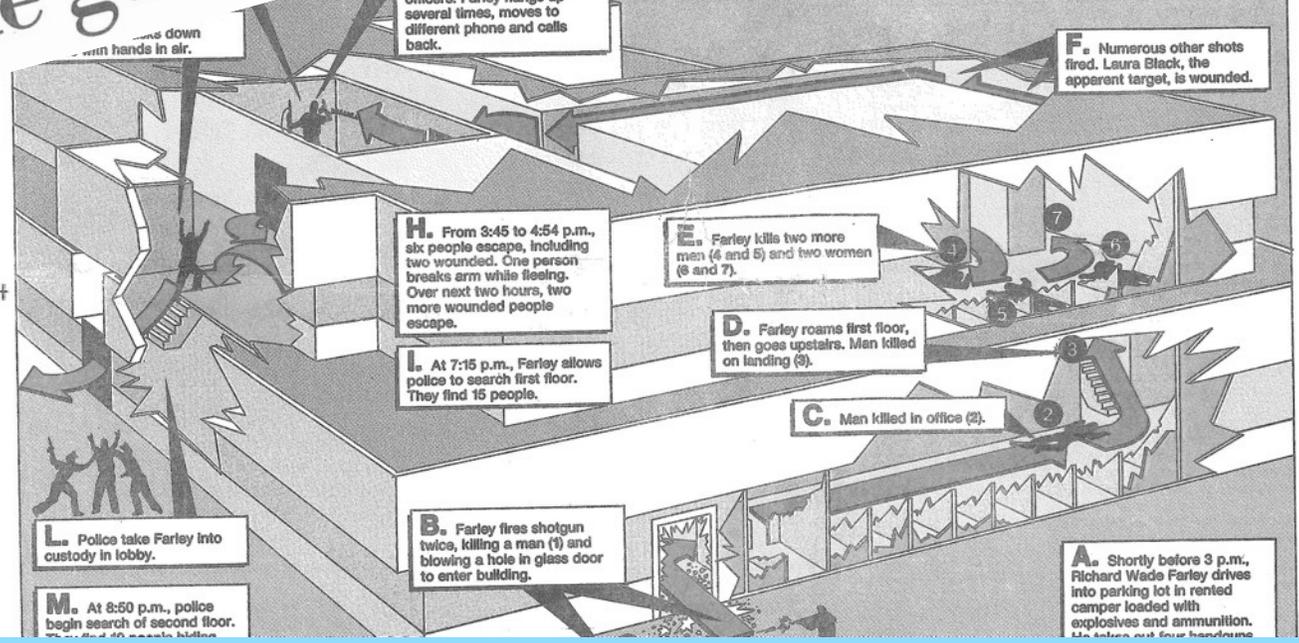
A computer enthusiast with top secret FBI clearance, Farley worked in software development at Covalent Systems Corp. in Sunnyvale, where he was viewed as cheerful. He spent his free hours working toward a bachelor's degree at San Jose State University, doing partwork, fixing up his ramshackle bungalow in San Jose and spending time with his girlfriend.

See FARLEY, Page 10A

After the gunfire — sobbing

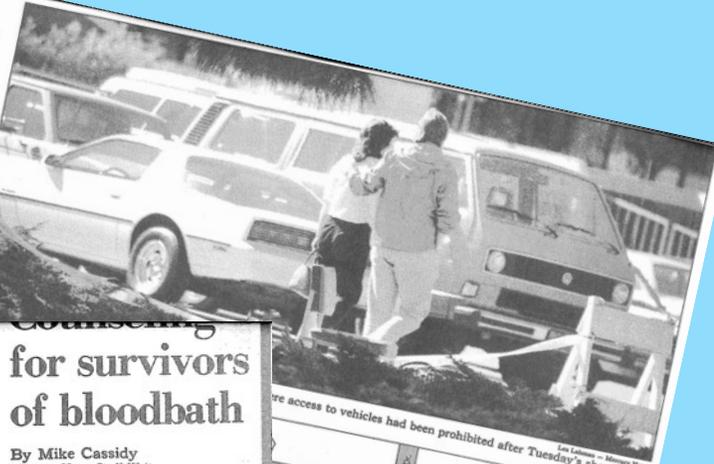
How the horror unfolded

Sunnyvale public safety officers gave this account of six-hour ordeal that left seven workers dead and four injured at ESL Inc.'s Building M5



Workers counseled at ESL

SHOOTING from Page 1A
 ... a shotgun and a high-powered rifle and blasted his way into a building where he staged a six-hour siege.



Counseling for survivors of bloodbath

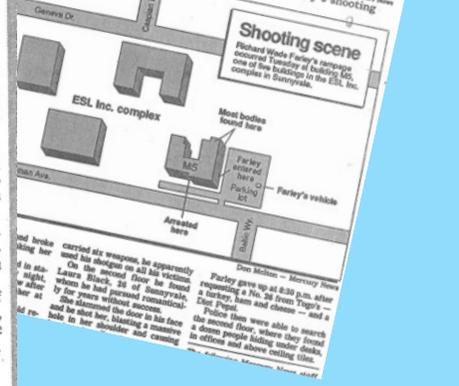
By Mike Cassidy
 Mercury News Staff Writer
 The horrifying blasts of gunfire and the screams of the wounded were replaced with quiet sobs and reassuring words at ESL Inc. on Wednesday as workers returned to their jobs at the Sunnyvale defense company, one day after living a nightmare.

The survivors of the afternoon attack that left seven dead and four wounded were encouraged to talk to professional counselors about their ordeals.

Police blame the attack on Richard Wade Farley, a fired ESL employee, who went to the company's campus Tuesday. They say Farley armed himself with a 9mm Browning automatic, a .30-80-caliber semiautomatic.

The Sunnyvale Massacre

- The dead: gunman's innocent victims, Page 10A
- Worst security fears realized, Page 12A



Victims of Workplace Violence



How to Mitigate the Risk



Employer Preparedness

- Have emergency preparedness plans in place
- Designate management team members to be directly responsible and involve them in your emergency planning
- Create and disseminate a clear policy of zero tolerance for workplace violence
- Ensure no reprisals are taken against employees who report incidents
- Encourage employees to promptly report incidents and suggest ways to reduce or eliminate risks



Early Intervention

- Early attention to warning signs (e.g. bullying)
 - Makes workplaces safer
 - Minimizes fear and disruption
 - Improves morale and productivity
- Immediate response
 - Open communication
 - De-escalation
 - Timely process for complaints and concerns
 - Impartial and consistent discipline



Encourage a positive
company culture

No bullying

No harassment

No violence



Incident Response

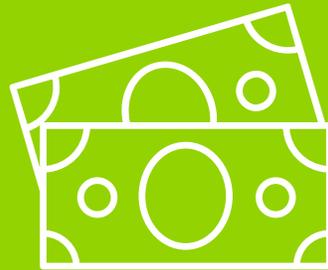
- Consult emergency action plan
- Call authorities

Post-Incident Response

- Immediate response vital
 - Swift communication
- Comprehensive treatment for victims and witnesses
 - Trauma/crisis counseling
 - Critical incident stress debriefing
 - Employee assistance programs



Costs and Liabilities



Financial Costs

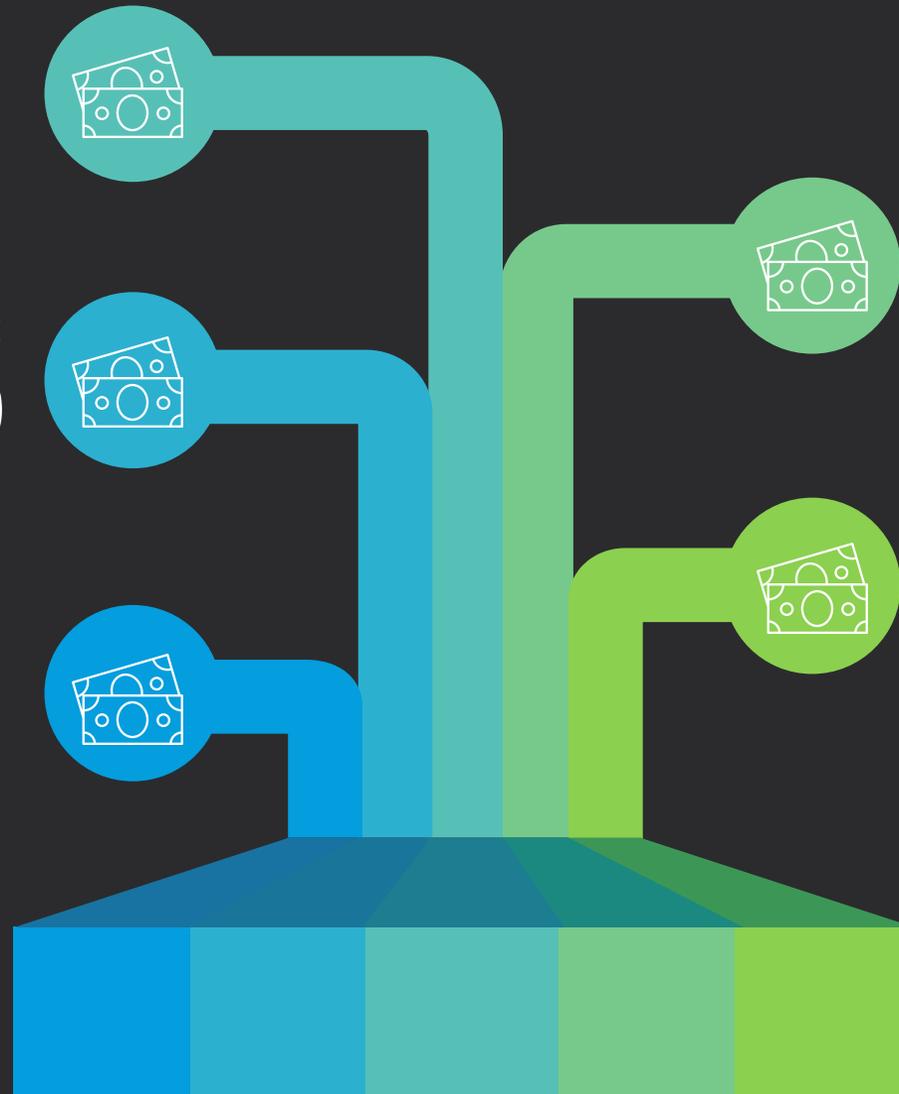
Total costs to businesses
\$130 billion

Average out-of-court settlement
\$500,000

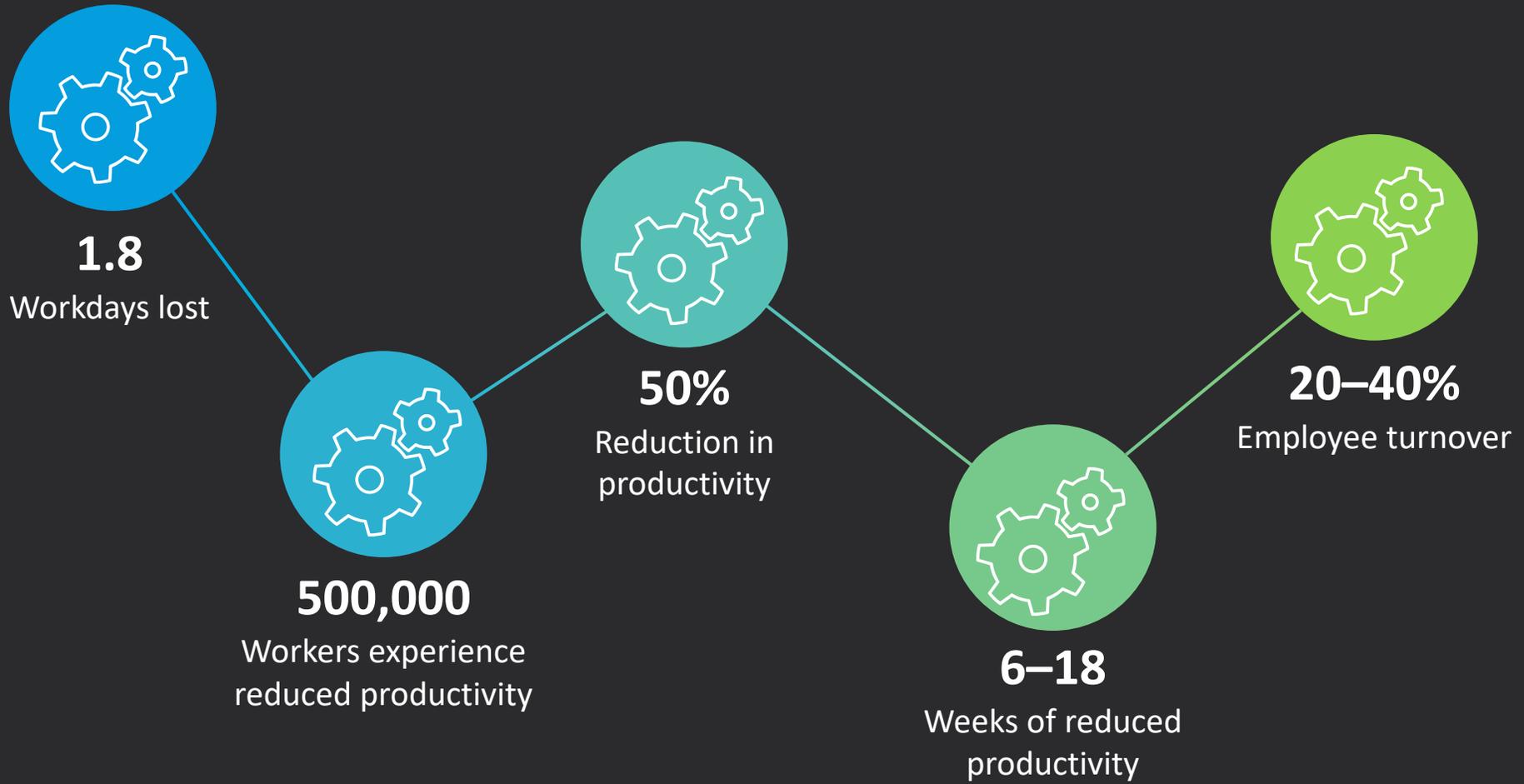
Average jury award
\$3 million

Cost of single homicide
**\$250,000 to
\$1 million**

Average negligence award
\$2 million



Productivity Costs



Employer Liability

01

Occupational Safety and Health Act (OSH Act)

General Duty Clause requires employers to provide a safe and healthful workplace for all workers covered by the OSH Act.

02

Workers' Compensation

If the employer is negligent in providing a safe environment resulting in injury to employees, they may have cause for a workers' compensation claim.

03

Third-party Lawsuit

Victims may have the right to file a third-party claim if the violence was caused by a stranger, former employee, visitor, customer, contractor, or any other person not employed by the company.

04

Independent Claim

Depending on the precedent law in your state, an individual may also be able to file an independent claim against the employer for inadequate protection or security.

Conclusion



Key Takeaways



Awareness



Preparedness



Action



Communication

Manage Your Investment in Your Employees



People Risk Management from ThinkHR



Thank you



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