Violence in the Workplace & High Risk Terminations

Identification, Intervention & Prevention

Greater Valley Forge Human Resource Association
16 February 2016
Welcome To
IT COULD NEVER
Happen Here,
USA
A Suburb of Seattle, Honolulu,
Fort Worth, Los Angeles, Atlanta,
Etc., Etc.

Coroner

SWAT Unit

Anywhere, USA

Coroner

SWAT Unit
Attacks in the Workplace

• 17 November 2009
  – Male 24 attacked Hudson Docket – Valdosta, GA

• 30 November 2009
  – Male 37 attacked Forza Coffee Shop, Tacoma, WA

• 23 December 2009
  – Male 53 attacked Grady Crawford Const – Baton Rouge, LA

• 8 January 2010
  – Male 51 attacked an ABB Plant – St. Louis, MO

• 2 March 2010
  – Male 19 attacked the Farm King Store – Macomb, IL
Attacks in the Workplace

• 9 March 2010
  – Male 50 attacked Ohio State University Maintenance Building after being Fired for falsifying job application – Columbus, OH

• 30 March 2010
  – Female 44 attacked a Publix Supermarket – Tarpon Springs, FL

• 10 May 2010
  – Male 17 attacked an Outdoor Carnival – Bloomfield, NJ

• 18 May 2010
  – Male 50 attacked Boulder Stove & Flooring – Boulder, CO

• 27 May 2010
  – Male 79 attacked AT&T Wireless Store – New York Mills, NY
Attacks in the Workplace

• 9 June 2010
  – Male 38 attacked the Yoyito Cafe – Hialeah, FL
• 12 July 2010
  – Male 37 attacked Emcore Corporation – Albuquerque, NM
• 3 August 2010
  – Male 34 attacked a Beer Distributor – Manchester, CT
• 10 September 2010
  – Female 43 attacked Kraft Foods Factory – Philadelphia, PA
• 20 September 2010
  – Male 63 attacked a Convenience Store – El Paso, TX
Workplace Violence
“N.I.O.S.H.” Statistics

National Institute for Occupational Safety & Health Statistics:
How Prepared are You for these Eventualities?

18,000
The number of employees who are assaulted on the job in the United States each week.

20
The number of employees who are murdered on the job in the United States each week.
N.I.O.S.H. Statistics

How Prepared are You for these Eventualities?

74%

The percentage of Predators; those committing these acts of aggression or assaults, who are known to one or more of the individuals working in the company or firm.

40%

The percentage of attacks; that occur in the workplace, which are a direct result of Domestic Violence, Intimate Violence and/or incidents of Stalking.
• **Increases in Workplace Violence**
  - Pinkerton Agency Survey Results of the Top Five (5) Threats to Businesses:
    - Number 1: Violence in the Workplace
    - Number 2: Threats to Executives
    - Number 3: Fraud & White Collar Crime
    - Number 4: Employee Screening
    - Number 5: Hardware / Software Theft
Managing Threats & Violence

• 21st Century Issues:
  • Responding to Threats or an Incidence of Violence in the Workplace
  • Detection, Prevention & Intervention
  • Defuse & Protect
  • Assessment & Containment
Policies & Procedures

• Implementing Operational Guidelines
  • Five (5) Step Development Process
    • Understanding the Nature of Threats
    • Advanced Detection & Identification
    • Interdiction to Defuse & Protect
    • Assessments & Containments
    • Ways & Means for Prevention
Policies & Procedures

• Implementation
  • Step One (1) of the Development Process
  • Understanding the Nature of Threats
    • Common Myths & Misconceptions:
      • It cannot happen here!
      • It will not happen here!
      • It cannot be prevented!
• Implementation
  • Step Two (2) of the Development Process
    • Advanced Detection & Identification
      • Understanding & Recognizing Behavioral Characteristics:
        • The subtle; and not so subtle, Warning Signs
Policies & Procedures

• Implementation
  • Step Three (3) of the Development Process
    • Interdiction to Defuse & Protect
      • Education of Management, Supervisors and Employees
      • Communication of Policies, Procedures & Guidelines
    • Internal Crisis and Threat Response Team
Policies & Procedures

• **Implementation**
  - Step Four (4) of the Development Process
  - Assessment
    - Identification of the Types, Level and Scope of potential Violence in the Workplace
    - Determine the Significance & Severity of the Perceived or Actual Threat being presented
    - Determine if the Individual has the Intent, Means & Opportunity to use Violence
Policies & Procedures

• **Implementation**
  
  • Step Five (5) of the Development Process
  
  • Means for Recognition & Prevention
    
    • Positive interaction on a daily basis with:
      
      • Employees
      
      • Customers, Vendors, Patients, etc.
    
    • Observation of:
      
      • Day to day events and operations
      
      • Strangers around or in the Workplace
Workplace Violence Issues in the 21st Century

- **Warning Signs & Triggers**
  - Behavioral Characteristics:
    - History of Violence
    - Loner
    - Emotional Problems
    - Career Frustration
    - Antagonistic & Hostile Relationships with Others
    - Obsessions
Workplace Violence Issues in the 21st Century

• Warning Signs & Triggers
  • Recognizing the Observable Warning Signs
    • Violent & Threatening Behavior
    • Strange Behavior
    • Emotional Problems
    • Performance Problems
    • Interpersonal Problems
    • At the End of Their Rope!
• **Warning Signs & Triggers**
  
  • Detection of Event Triggers: *The Last Straw*
    
    • Job & Career Related
    • Institutional
    • Personal or Familial Crisis
    • Benchmark Date
Workplace Violence Issues in the 21st Century

• Incidents of Workplace Violence

  • Sixty (60%) percent of violent workplace incidents have occurred in privately held companies with no correlation to the number of individuals who were employed by the company!
Workplace Violence Issues in the 21st Century

- Incidents of Workplace Violence
  - Incidents by Type as classified by the FBI
    - Type 1: Violence by Criminals
    - Type 2: Assaults by Someone receiving Service
    - Type 3: Assaults by Past or Present Employees
    - Type 4: Domestic Abusers
    - Type 5: Terrorism
Domestic Violence & the Workplace

• **Statistics: Perpetrators**
  
  • 78% reported that they used Workplace resources to:
    
    • Express Anger or Remorse
    • Check Up On their Victim
    • Pressure or Threaten their Victim
    • Gain Access to their Victim
Domestic Violence & the Workplace

• **Statistics:** *Perpetrators* ...
  
  • *74%* stated that they had easy access to their Victim’s workplace
  
  • *21%* stated that they contacted their Victim at the workplace in violation of *No Contact Orders or Protection from Abuse Orders*
High Risk Employee Terminations

- Terminations
  - Risk of Violence: *Expect the Unexpected*
  - Reduce the Risk or Violence
    - Two Managers Participate in the Meeting
      - Include a Female manager as a third if the employee is a Female
High Risk Employee Terminations

• Terminations
  • Risk of Violence: *Expect the Unexpected*
    • Handle the Termination Meeting in an Organized and Controlled Manner ...
      • Rehearse the Meeting
      • Provide the Employee with a Factual Overview of the Reasons for their Termination
      • Avoid Unnecessary Confrontations
      • **Do Not** be Hostile to the Employee

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High Risk Employee Terminations

• Terminations
  • Risk of Violence: *Expect the Unexpected!*
    • Handle the Termination Meeting in an Organized and Controlled Manner.
      • Treat the Individual with Dignity & Respect
      • Checklist of Issues to Address during the Termination Process
    • Company Property
  • Reduce the Risk or Violence
High Risk Employee Terminations

• **Terminations**
  
  • Risk of Violence: *Expect the Unexpected*
  
  • Treat the Individual with Dignity & Respect
    
    • Avoid Confrontations & Insults
    
    • Be Empathic regardless of the Reason for Termination
    
    • **Do Not** belittle the Individual
    
    • Process All Severance Packages and Benefit Continuation in a Timely Manner
High Risk Employee Terminations

• Terminations
  • Risk of Violence: *Expect the Unexpected*
    • Rehearse the Meeting
      • Plan your course of action
      • Plan your topics for discussion
      • Employee reaction:
        • Benign; Emotional; Aggressive or Violent
High Risk Employee Terminations

• Terminations
  • Risk of Violence: *Expect the Unexpected*
    • Provide the Employee with a Factual Overview of the Reasons for their Termination
      • Facts based on Historical Personnel Records
      • Performance, Discipline, Behavior, etc.
High Risk Employee Terminations

• Terminations
  • Risk of Violence: *Expect the Unexpected*
  • Security Personnel or Law Enforcement
    • Additional security measures are justified when terminating an employee with a history of aggressive behavior or violent outbursts.
High Risk Employee Terminations

• Terminations
  • Risk of Violence: *Expect the Unexpected*
    • Violence – *After the Termination*
      • Has the terminated employee blamed another employee, manager or principal for their job loss?
      • Has the terminated employee threatened any employee, manager or principal?
Legal Implications

OSHA requires Employers to provide employees with a place of employment which is free from recognized hazards that are causing; or likely to cause, death or serious physical harm to employees.

29 U.S.C. 654(a)(1)
The OSHA review commission found that Workplace Violence may be found to constitute a "General Duty Clause Violation" if these four elements are established:

- The existence of a hazard that poses a significant risk to employees.
- Recognition of that hazard by the employer.
- The hazard was likely to cause death or serious harm and;
- Feasible means existed to eliminate or materially reduce the hazard.
Courts have ruled that Employers have a

“Duty of Care”

towards their employees and their customers
to take reasonable steps to prevent violence
as well as to respond appropriately to:

“Known Risks & Hazards”
2014

Workplace Violence, High Risk Terminations & Active Shooter Survey Responses:
Has your organization ever had any workplace violence prevention training?

46 Yes  52 No
Has your organization ever had any violence in the workplace?

34 Yes  64 No
Has your organization developed and trained for an Active Shooter in the workplace?

30 Yes  68 No
Has your organization had an Active Shooter in the workplace?

5 Yes 93 No
Has your organization had a High Risk Termination?

60 Yes  38 No
Have you experienced / been a part of a High Risk termination?

46 Yes  52 No
Rely not on the likelihood of the enemy not coming; but on our own readiness to receive him.
Rely not on the chance of his not attacking; but rather on the fact that we have made our position unassailable.

*Sun Tzu – The Art of War*
Lehigh Valley Paladin, LLC
Security & Intelligence Professionals

Critical Incident Management
High Risk Terminations Management
Behavioral Analysis
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