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# PROTECTING YOUR WORKPLACE FROM THE UNIMAGINABLE: Developing A Prevention & Response Strategy For Workplace Violence & Catastrophic Accidents

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**THANK YOU FOR YOUR  
COMMITMENT TO SAFETY**

**WORKPLACE VIOLENCE CANNOT  
BE COMPLETELY PREVENTED**

**WE CAN ONLY WORK TO REDUCE  
IT AND MINIMIZE THE IMPACT**

# WHAT IS THE “PROFILE” OF THE PERSON WHO COMMITS WORKPLACE VIOLENCE?

- White male, 35-45 years old
- Transient job history
- A “loner” with little or no family or social support
- Chronically disgruntled
- Externalizes blame
- High maintenance employee
- Fascination with weaponry

# IDENTIFYING POTENTIALLY VIOLENT EMPLOYEES

CAVEAT:

Focus on behaviors,

NOT

simply “profiles.”

# COMMON PERFORMANCE ISSUES

- Excessive absenteeism or tardiness
- Excessive work breaks or job absence
- Difficulty with coworkers or withdrawal from contact with others
- Accidents and injuries
- Poor work quality
- Missed deadlines
- Sudden or significant deterioration in performance
- Difficulty accepting constructive criticism or guidance

# INDICATORS SIGNALING A TROUBLED EMPLOYEE

- Irrational, unpredictable or inappropriate behavior
- Negativity or harsh criticism of others
- Difficulty concentrating, remembering or making decisions
- Ruminating about a situation; excessive preoccupation
- Difficulty accepting constructive criticism

# INDICATORS SIGNALING A TROUBLED EMPLOYEE

- Mood symptoms:
  - Depression
  - Despair/blue
  - Anxious
  - Irritable
  - Anger
  - Fatigue
  - Poor concentration
  - Loss of motivation
  - Poor memory
  - Disturbed appetite or sleep
- Marked change in usual manner, patterns, mood, behavior or grooming
- Excessive use of alcohol or drugs



# INDICATORS SIGNALING A TROUBLED EMPLOYEE

- Recklessness in driving, spending, gambling or sex
- Avoidance of situations and social withdrawal
- Consistently non-compliant, resistant or uncooperative
- Strained relationships
- Isolation, social withdrawal
- Problems with performance despite adequate training and motivation

# INDICATORS SIGNALING A TROUBLING SITUATION

Any of the following indicators of a troubling situation requires thoughtful intervention to reduce the risk of violence and other undesirable workplace behaviors:

- Significant problem that persists despite efforts to help or refer
- Persistent, unresolved conflict at work
- Dramatic change in behavior
- Lying or concealing information

# INDICATORS SIGNALING A TROUBLING SITUATION

- Evidence of drug or alcohol abuse
- Suspected violation of company policy (e.g., drug and alcohol use, harassment, business conduct, safety, workplace violence or weapons)
- Repeatedly blaming others for one's problems at work
- Accusations or complaints of being conspired against, misjudged, made fun of, persecuted or discriminated against

# INDICATORS SIGNALING A TROUBLING SITUATION

- Repeated, unreasonable complaints
- Erratic, impulsive, reckless or unsafe behavior
- Baiting or provoking others
- Insubordination, open defiance or disrespect for authority
- Bothering someone with overly frequent visits, calls, faxes, emails, letters, gifts or stalking
- Repeated, derogatory comments, such as racist or sexist remarks

# INDICATORS SIGNALING A TROUBLING SITUATION

- Holding grudges
- Misuse of weapons, such as bringing them to the workplace or intentionally intimidating others by speaking about weapons
- Threats, even if veiled or possibly joking
- Violent words, writing or actions

# ACTION UPON LEARNING OF A TROUBLING SITUATION

## ACTION

- Supervisors: Report to and consult with Human Resources, Security or Senior Management and seek guidance on next steps
- Human Resources, Security or Senior Management: Report to and consult with Corporate HR, legal counsel, EAP and/or Corporate Security

**TROUBLED EMPLOYEES NEEDING  
IMMEDIATE ASSISTANCE:**

**REPORT IMMEDIATELY AND GET  
EXPERT INTERVENTION**

# CRITICAL INDICATORS

Signaling that a troubled employee needs assistance immediately:

- Talk of suicide or having no reason to live
- Unfounded concerns about being killed, harmed, spied upon or conspired against
- Exhibits peculiar, bizarre or weird thinking
- Hearing or seeing things that aren't there
- Makes delusional statements (e.g., receiving messages through “brain waves” or “hidden transmitters”)



# ACTION UPON LEARNING OF A CRITICAL INDICATORS

- Immediately notify HR, Security, medical or employee assistance
- If you are unable to get an immediate response, use your best judgment as to whether to call the nearest emergency room, a doctor of the employee's choosing, a family member or the police

# HOW DO YOU PREVENT WORKPLACE VIOLENCE?

- Pay attention to every facet of the employment relationship
  - Screening
  - Drug testing
  - Policies
  - Training
  - Security

# HOW DO YOU PREVENT WORKPLACE VIOLENCE?

- Pay attention to every facet of the employment relationship
  - Searches
  - Threat investigation
  - EAP
  - Discharge
  - Problem solving & ADR

# PREVENTIVE MEASURES

## 1. Screening Process

- Application form: verify all information, especially relating to skills, qualifications, job history and education
- Face-to-face interviews: conduct them at two different times by someone skilled in interviewing and the use of open-ended questions
- Background checks: review criminal, credit, driving and other records

# PREVENTIVE MEASURES

## Of All Applicants...

- 11% criminal record
- 19% lied about criminal record
- 23% used other names
- 29% lived at address not listed
- 25% misrepresented prior to employment
- 6% used false social security numbers

# PREVENTIVE MEASURES

## 2. Drug & Alcohol Testing

– Abusers are:

- 1/3 less productive
- 3x as costly to medical plan
- 5x as likely to be injured
- Absent twice as often
- More likely to commit acts of violence

# PREVENTIVE MEASURES

## 3. Policies

- Basic work rules
- No weapons
- Anti-violence policy
- Electronic communications policy
- Workplace searches

# PREVENTIVE MEASURES

No Violence Policy: clear and unambiguous

- Zero tolerance
- Complaints will be taken seriously
- Reporting procedures in writing
- More than one person on chain of command to report to
- Confidentiality
- No retaliation



# PREVENTIVE MEASURES

No Violence Policy: clear & unambiguous

- No weapons
- Discipline will result
- Threats and abuse = discharge
- Conduct training
- Enforce policy consistently
- Document violations

# PREVENTIVE MEASURES

## 4. Education and Training

- Train all employees, supervisors and managers
- Training should cover topics such as:
  - Company workplace violence policy, including what to report:
    - Weapons at work
    - Any threat, veiled or direct
    - Situations that could lead to violence
    - Domestic abuse victims
    - Employees who are known to be violent
    - Outsider threats

# PREVENTIVE MEASURES

## 4. Education and Training

- Violence is an escalating process.
- A person experiences
  - Distress;
  - No one cares;
  - Rationalize they are alone and must protect themselves at any cost;
  - Believe that violence will provide control;
  - Violent act is attempted or committed.

# PREVENTIVE MEASURES

## 4. Education and Training

- Use conflict resolution techniques such as
  - Don't make assumptions
  - Listen, get the facts/clarification
  - Emphasize one point at a time
  - Ask for a definite answer
  - Ask why
  - Use the “yes, but” technique
  - Don't be greedy
  - Help subject save face and maintain dignity

# PREVENTIVE MEASURES

4. Education and Training
  - Recognize pre-attack behavior
    - Physical signs:
      - Widening of the eyes
      - Quick breathing
      - Clenched fists
      - Uncontrolled yelling
      - Twitching muscles
      - Jerky eye movements

# PREVENTIVE MEASURES

## 4. Education and Training

### – Avoiding an assault

- Don't block exit – leave escape route for the subject and yourself
- Speak in a calm voice
- Avoid any physical contact or offensive gestures

# PREVENTIVE MEASURES

## 4. Education and Training

- Keep communication simple, to the point and focused
- Allow personal space and always watch subject's hands
- Remove objects that may be used as a weapon

# PREVENTIVE MEASURES

## 4. Education and Training

- What to do in an emergency situation
- *Remember, you cannot deal with violent or irrational behavior with logic and reason.*
  - Call 911 for police emergency response
  - Activate panic/emergency alarms
  - Alert the Emergency Response Team



# PREVENTIVE MEASURES

## 4. Education and Training

- Flee from the building if possible. Do not take cover behind desks or inside dead-end office space.
- Use the safe room if possible.
- Don't argue or fight; offer no resistance.

# PREVENTIVE MEASURES

4. Education and Training
  - Move slowly; explain each move
  - Don't play hero
  - Follow your emergency plan

# PREVENTIVE MEASURES

4. Education and Training
  - Encourage reporting
  - Internal reporting is key
    - Supervisors
    - Managers
    - employees

# PREVENTIVE MEASURES

## 5. Security

- Receptionist/security officers
- Lighting (especially parking)
- Intercom/locks and alarms
- Limited access/access control system
- Photo ID badges
- Surveillance/video monitoring
- Rules for working along
- Professional audit/review

# PREVENTIVE MEASURES

## 6. Searches

- Must be done legally, with careful review and common sense

# PREVENTIVE MEASURES

## 7. Threat investigation

- Check with counsel
- Witness interviews
  - Who made the threat?
  - Where, when, what exactly said?
  - Isolated or part of pattern?
  - Other witnesses?

Do not agree to unqualified confidentiality.

# PREVENTIVE MEASURES

7. Threat investigation
  - Corrective action
    - Use suspensions
    - Discipline or discharge
    - Recover keys and other property
    - Document your actions
  - Follow through
    - Inform the accuser of action taken
    - Demand prompt complaint upon recurrence

# PREVENTIVE MEASURES

8. Employee Assistance Programs
  - Stress management
  - Trauma counseling
  - Fitness for duty
  - Be aware of ADA and other legal implications
  - Protect confidentiality



# PREVENTIVE MEASURES

## 9. Discipline and Discharge

- Discharge is the single biggest trigger or rampage-type attacks
  - Discharge at the beginning or end of a shift
  - State facts; do not debate the decision
  - Manage employee's return to work area
  - Anticipate security needs
  - Plan for contingencies
  - Consider outplacement

# PREVENTIVE MEASURES

10. Review your problem-solving procedures and consider ADR
  - Solve problems before they grow out of control.
  - The Supreme Court has approved of binding, private, mandatory arbitration of employment law claims in the non-union sector

# RESPONDING TO THREATS AND VIOLENCE

1. Workplace Violence / Crisis Management Team
  - Examine employment processes
  - Establish responsibilities
  - Supervise investigations
  - Train personnel
  - Evaluate security measures
  - Execute crisis management plan

# RESPONDING TO THREATS AND VIOLENCE

2. Crisis Management plan
  - 911 and contingencies
  - Phone tree
  - Trauma counseling
  - Notification of families
  - Transportation
  - Media point person
  - Continuing threat
  - Clean up

# RESPONDING TO THREATS AND VIOLENCE

3. Telephone threats
  - Stay calm, keep talking
  - Do not hang up
  - Signal for help
  - Ask caller to repeat message
  - Ask questions/get specifics
  - Listen for background noises
  - Complete checklist
  - Notify supervisor immediately

# RESPONDING TO THREATS AND VIOLENCE

4. In-person threats
  - Stay calm
  - Quietly try to signal for help
  - Maintain eye contact
  - Stall for time
  - Keep talking but follow instructions
  - Don't grab the weapon
  - Try to escape safely

# RESPONDING TO DOMESTIC VIOLENCE

- If it comes to work, it is no longer personal
- Assist victim of domestic violence by providing information and access to outside help
- Restraining Order where perpetrator of domestic violence comes to worksite

# POST-INCIDENT RESPONSE & RECOVERY

1. Handling Accident/Incident is top priority
  - Initial response/evacuation
  - Take control/account for all employees
  - Isolate accident/incident area
  - Prevent further injury or damages
  - Provide prompt care for injured



# POST-INCIDENT RESPONSE & RECOVERY

1. Handling Accident/Incident is top priority
  - Implement accident scene safety procedure, including evidence preservation
  - Restore normal operations (if necessary, shut down operations)
  - Identify accident/incident area hazards and take interim measures
  - Prevent recurrence of accident/incident

# POST-INCIDENT RESPONSE & RECOVERY

2. Notification Of Corporate Office And Appropriate Legal Counsel
  - Provide initial details of accident/incident and status report
  - Request needed resources
  - Contact OSHA counsel and obtain directions for asserting legal privilege, response to investigations, and coordination with other counsel and insurers

# POST-INCIDENT RESPONSE & RECOVERY

## 3. Response To Employee Concerns

- Assigning duties during accident/incident response
- Scheduling of work, leave
- Activate employee assistance program
- Address safety concerns
- Initial communications about investigation
- Union coordination

# POST-INCIDENT RESPONSE & RECOVERY

## 4. Response To The Needs Of Families

# POST-INCIDENT RESPONSE & RECOVERY

## 5. Successfully Dealing With News Media

- Designate Company's spokesperson
- Respond quickly and proactively
- Unified message
- Never say "No comment"
- Stick to minimum uncontroverted facts – keep it brief
- Company extends condolences, is fully cooperating with investigations and is conducting its own investigation

# POST-INCIDENT RESPONSE & RECOVERY

## 5. Successfully Dealing With News Media

- Limit written communications
- Continue to develop and disseminate pro-active message to public, customers and vendors

# POST-INCIDENT RESPONSE & RECOVERY

## 6. Notification of appropriate governmental agencies

- Fire, Police and EMT
- OSHA – 8 hour rule
- MSHA – “one call” procedure
- State emergency management officials
- EPA, DOT, etc.
- Notify only government agencies who are required to be notified

# POST-INCIDENT RESPONSE & RECOVERY

## 7. Notification of Insurance Carriers

- Provide initial details of accident/incident
- Ascertain insurance carrier's response
- Ask for counsel
- Preparation for on-site investigation by insurance carrier personnel and experts
- Coordinate workers' compensation, GL, and other counsel
- Cooperate with but manage non-attorney investigators



# POST-INCIDENT RESPONSE & RECOVERY

## 8. Handling Requests From Third Parties

- Equipment manufacturers
- Contractors, property owners
- Attorneys representing injured or deceased employees
- Vendors

# POST-INCIDENT RESPONSE & RECOVERY

## 9. Institution of Accident/Incident Investigation

- Internal investigation
- Initial investigation
- First report of injury filing
- Follow company procedures
- Consider legal implications
- Avoid snap conclusions

# POST-INCIDENT RESPONSE & RECOVERY

## 9. Institution of Accident/Incident Investigation

- External investigation
- Consider role of counsel
- Identification of witnesses
- Identification of evidence
- Avoid spoliation, obstruction of evidence
- Special considerations when declared “a crime scene”

# POST-INCIDENT RESPONSE & RECOVERY

## 10. Document Control

- Collection of documents
- Creation of documents
- Distribution of documents
- Privilege and other protections
- Document “holds”
- Electronic communications
- Criminal considerations

# Questions?



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CURRENT OR PAST ADMINISTRATIONS.**

# Be Safe!



REMEMBER:

Bad decisions make good stories and usually the evening news.

# Thank You

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