

Workplace Threats Pose a Challenge for Employers

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Congresswoman Gabrielle Giffords is in a Houston rehabilitation facility facing months of intense therapy following the Jan. 8 shooting in Tucson that killed six people, including a federal judge and a 9-year-old girl, and injured 13 others. While Giffords struggles to regain her life as she once knew it, the national discussion has shifted from tamping down vitriolic political discourse to how to avoid the next senseless mass killing. As the nation has learned about Jared Loughner's increasingly bizarre behavior before the shooting, the question has arisen whether Pima Community College administrators could have done anything more to prevent the Giffords tragedy. We are revisiting the national debate that took place following the 2007 tragedy at Virginia Tech University, when student Seng-Hui Cho killed 32 people in a classroom building.

The pendulum tends to swing back and forth in these discussions. In recent years, we have tended to favor protecting those with mental illness. No one wants to sanction unwarranted discrimination against workers and students who happen to suffer from mental disability. But it may be time for the pendulum to swing back toward protecting innocent persons from harm as the first priority.

Employers, school officials and others have begun to consider how to balance the safety of other students and employees against the rights of students and employees who suffer from mental illness. It's always easy to say in hindsight that more could have been done to stop a mentally ill person who explodes into violence. But the reality is much more complicated.

Ultimately, the best solution for employers and schools is to remain watchful for signs of erratic, threatening or dangerous conduct and to move quickly — but temporarily - until medical or mental health professionals can assess the risk presented by the employee or student. It is unlikely drug testing or a leave of absence would have prevented the Giffords mass shooting. But it might help to prevent the next one.

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