



SAN JOAQUIN COUNTY

Workplace Violence Prevention For Managers/Supervisors Investigations for Workplace Violence

County Policy
Adopted June 1, 2005
Effective August 1, 2005

Course Objectives



- Injury Illness Prevention Program/Department Safety & Health Representative
- Defining workplace violence
- Inappropriate behavior
- How to diffuse a potentially hostile situation
- Recognizing warning signs
- How to report incidents
- Recognizing instances of workplace violence
- Active Shooter Response
- Describing management's responsibilities
- Conducting the investigation
- Anthem—Employee Assistance Program

Workplace Violence?...



Workplace Violence?...



The Law

- Under the General Duty Clause, Section 5(a)(1) of the Occupational Safety and Health Act (OSHA) of 1970, employers are required to provide their employees with a place of employment that "is free from recognizable hazards that are causing or likely to cause death or serious harm to employees".



Workplace Violence Incident Report Form

<https://www.sjgov.org/department/hr/default> (Human Resources Website)

<https://www.sjgov.org/department/hr/risk/forms> (Workplace Violence Incident Report Form)

<https://www.sjgov.org/department/hr/risk/policies> (SJ County Workplace Violence Policy)

Types of Workplace Violence



- **Type I:** Criminal Intent
- **Type II:** Customers/Client/Patients
- **Type III:** Co-worker
- **Type IV:** Personal

Workplace Violence

- Includes violent acts or the threat of violence.
- Harassment, intimidation, or other threatening, disruptive behavior.
- Can occur at or outside the workplace.
- Ranges from threats and verbal abuse to physical assaults and homicide.



Statistics

According to the Bureau of Labor Statistics, 392 U.S. workers were workplace homicide victims in 2020.

- Of those victims who died from homicide:
- 81% were men
- 44% were aged 25 to 44
- 28% were Black and 18% were Hispanic

There were also 37,060 nonfatal injuries in the workplace resulting from an intentional injury by another person.

<https://www.cdc.gov/niosh/topics/violence/factsheets.html>

An annual average of 1.3 million nonfatal workplace violent victimizations occurred during the combined five years from 2015 to 2019 (based on data from Bureau of Justice Statistics (BJS) National Crime Victimization Survey).

Statistics

California Department of Industrial Relations

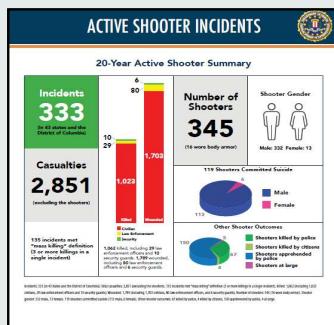
Workplace Violence Incidents at Hospitals

10/01/2020-9/20/2021 (including 311 facilities)

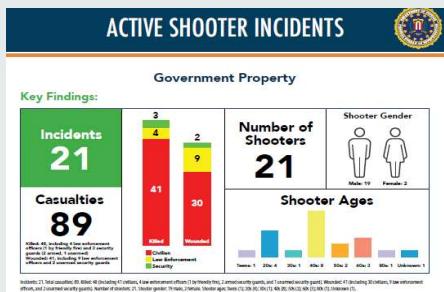
Total Incidents reported: 10,005

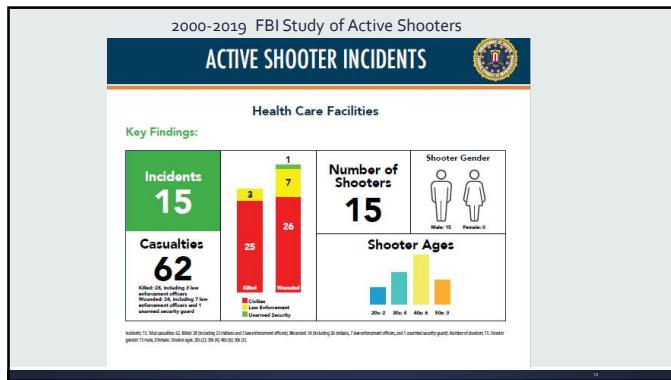
<https://www.dir.ca.gov/dosh/Reports/Annual-Report-WPV-Incidents-2020-2021.pdf>

2000-2019 FBI Study of Active Shooters



2000-2019 FBI Study of Active Shooters





Approaches to Violence Prevention - Preparation

- Assess the situation
 - Physical environment
 - Personal
 - Attempt to gain control of the situation
 - Listen
 - Solution
 - Develop a plan ahead of time
 - Develop engineering control systems (alarm, video screening, metal detection)
 - Know department codes
 - Take care of your own stress

Recognizing Warning Signs

- Invading personal space
 - Flushed face, twitching face or lips, and shallow breathing
 - Escalating loudness, often with profanity
 - Using overly aggressive actions and language, possibly due to intoxication or drug abuse
 - Making statements about losing control (veiled threats)
 - Opening and closing of the hands and/or using the index finger to point
 - Darting or jerking eye movements, rapid looking around



Diffuse/De-escalation Techniques in Managing Negative Behavior

- Stand at an angle to the disturbed person, which is less threatening than directly facing him or her.
- Do not invade personal space; stay at least four feet from the individual.
- Do not maintain a rigid stance or cause the individual to feel cornered.
- Do not touch the individual, unless it is necessary to manage extreme behavior.
- Break eye contact with the individual to reduce the suggestion of aggression or control
- Ask the individual, "Why are you so angry?"
- Show that you are listening to the individual and respect his or her feelings.

Workplace Violence?...



Diffuse/De-escalation Techniques in Managing Negative Behavior

- Indicate that you want to help resolve the situation and do not make any promises you cannot keep.
- Display sincerity, do not make threats, and do not set limits that you cannot enforce.
- Clarify communication and ask for specific responses.
- Ignore challenges and comment only on the person's behavior.
- Move and speak slowly, quietly, and confidently.

Constructive Anger Management

- Awareness
 - Pay attention to body language
 - Watch and listen for anger "triggers"
- Assertion
 - Avoid threats or manipulation
 - Use "I" messages
- Limits
- Expectations
- Contact
 - Listen actively and carefully
 - Be genuine, don't play a "role"

Things to Avoid

- Arguing
 - Confronting
 - Defending
- Put-downs
 - Criticizing, blaming, labeling
 - Sarcasm, teasing



Never Say

- Calm down
- It's your fault
- I told you ...
- Is that the best you can do
- We have no control over that
- You should/shouldn't have
- No
- I can't



These are "hot-button" words that **set off** angry or upset people.

Imminent Danger

Remove yourself from the situation.

- Ask uninvolved parties to leave the area to summon help if this can be done safely. Set up a pre-arranged code word that signals the need to call for help.

Above all, **trust your instincts**. Situations of immediate danger dial **9-911** (if someone is brandishing a firearm).



RUN, HIDE or FIGHT



RUN, HIDE or FIGHT



Run

Have an escape route and plan in mind

- Evacuate regardless of whether others agree to follow
- Leave your belongings behind
- Help others escape, if possible
- Stop individuals from entering the active shooter area
- Keep your hands visible and do not run to police officers
- Follow the instructions of any police officers
- Do not attempt to move wounded people
- Call 911 when you are safe



Hide Out

If evacuation is not possible, find a hiding place and ensure the following:

- Be out of the active shooter's view
- Provide protection if shots are fired in your direction (i.e., an office with a closed and locked door)

Do not trap yourself or restrict your options for movement to prevent an active shooter from entering your hiding place:

- Lock the door
- Block the door with heavy furniture



Hide Out - Continued

- Lock the door
- Silence your cell phone and/or pager
- Turn off any source of noise (i.e., radios, televisions)
- Hide behind large items (i.e., cabinets, desks)
- Remain quiet



If evacuation and hiding out are not possible

- Remain calm
- Dial 911, if possible, to alert police to the active shooter's location
- If you cannot speak, leave the line open and allow the dispatcher to listen



Fight

As a last resort, and only when your life is in imminent danger, attempt to disrupt and/or incapacitate the active shooter by:

- Acting as aggressively as possible against him/her
- Throwing items and improvising weapons
- Yelling
- Committing to your actions



Incident Reporting

- Incidents are to be reported to the supervisor or manager
- Supervisor or manager will complete and file the report with Human Resources
- NO VICTIM is to complete the report



Investigation

- Complaint triggers a Report
 - Report triggers an investigation
 - Purpose of investigation: To determine violation of policy



Where

- Interview locations should be carefully selected
 - Done in person, generally one on one. Sometimes it is strongly advised to have a witness
 - All parties should be firmly directed to keep the investigation confidential



Who should conduct investigation

- Full understanding of the purpose of and issues involved
 - Impartiality and ability to maintain objectivity; no conflict of interest
 - A high level of personal integrity
 - Good interpersonal and interviewing skills

Who will you interview?

- Employees directly involved
- Other witnesses
- Always, ALWAYS interview the alleged perpetrator and the alleged victim

List the questions you will ask

- Prior to interviews you may have to educate yourself about the workplace, jobsite, event, existing policies/procedures so that you will know what questions to ask
- Add questions as appropriate, either specific to a witness, or to all future witnesses as story develops

Conduct your interviews

- Make sure you are able to interview staff in a private, quiet location
- Minimize interruptions (from other staff, cell phones etc.)
- Caution witness to maintain privacy and not discuss with others



After interviewing all involved parties

- Come to a conclusion

- Prepare your findings

- Develop and implement corrective actions

- Recommended follow-up

- If discipline is contemplated, consult with Labor Relations



Tips for a good investigation

- Be timely – start immediately when memories are fresh and evidence is still available

- Be fair – don't investigate if you are involved

- Be thorough, talk to all witnesses

- Come to a conclusion: if your findings are inconclusive – say so (don't just leave it "open-ended")

- Document EVERYTHING

Tips: "DO's"...

- Take the time to hear the whole story

- Notify HR if problem resulted from failure to follow County policy/procedures

- Be discreet – keep it confidential!

- Consult with Risk Management and/or County Counsel if "potentially compensable event" has occurred

...and “DON’Ts”

- Don’t suggest employee “asked for it”
- Don’t take it lightly; even a threat can upset staff
- Don’t agree to keep secrets
- Don’t discuss with anyone unless there is a need to know

Document everything

- Who, what, when, where, why and how
- Witnesses/interviews
- Other evidence (phone records, cards, etc.)
- History: Past problems/complaints? Similar events?
- Warning against retaliation against reporting party
- What do you plan to do? Change policy? Staff training?
- Follow-up on plans for correction to make sure changes have been made

Post Incident Response

- Comprehensive treatment
- Victim AND Witness(es)
- *Crisis counseling*
- *Psychological counseling*
- *Debriefing*
- *Support Groups*

Anthem Employee Assistance Program (EAP)

-No charge to employee **-Effective**
-Confidential **-Professional**



Employee Assistance Program (EAP)
www.anthemEAP.com Login PRISM
 Phone 833-954-1067

About Your Services **EAP Orientation** **Feedback** **Email the Expert**

Choose Language **Search** **Advanced Search**

Parenting **Aging** **Balancing** **Thriving** **Working** **Living** **International**

RESOURCE CENTER
 Your self-service area to:
 • Search for EAP counselors
 • Confirm your first appointment
 • Send messages to your EAP

FIND RESOURCES NEAR YOU
 Your self-service area to find:
 • Childcare
 • Adult Services
 • Pet Sitter
 • Babysitter
 • Use our handy search tool

FINANCIAL AND LEGAL ASSISTANCE
 • Quicken WillMaker & Trust
 • Financial management tools
 • Legal assistance

Talkspace
 Learn to Live
 Let's Talk Depression
 Domestic Violence
 Critical Event Support
 Addiction and Recovery
 Special Feature
 ID Monitoring
 Legal/Financial
 Live Tobacco Free
 Savings Center

In Conclusion

- Reviewed definition of workplace violence
- Identified instances of workplace violence
 - Imminent danger
- Described management's responsibilities
 - Tips for conducting the investigation

Questions / Comments

- Emma Bell– Safety Officer
 - (209) 953-7427
 - ebell@sigov.org
 - Vacant– Risk Management Analyst
 - County Human Resources
 - (209) 468-3370
 - www.sigov.org/hr

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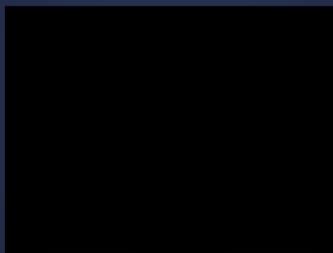
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