

Avoiding Workplace Violence

An Organizational Effort

Workplace violence is an issue that every industry faces. In the social services industry, the risks are two-fold. High stress levels of employees, coupled with the possibility of consumer violence, perpetuate the human service field as a leader in workplace violence claims. This article suggests guidelines for the development of an effective workplace violence prevention program. These guidelines are advisory in nature, informational in content, and intended for use by employers seeking to provide a safe and healthful workplace through effective workplace violence prevention.

The Occupational Safety and Health Act of 1970 (OSH Act) mandates that, in addition to compliance with hazard-specific standards, all employers have a general duty to provide their employees with a workplace free from recognized hazards likely to cause death or serious physical harm. OSHA will rely on Section 5(a) of the OSH Act, the "General Duty Clause," for enforcement authority. Employers can be cited for violating the General Duty Clause if there is a recognized hazard of workplace violence in their establishments and they do nothing to prevent or abate it.

Workers' Compensation Insurance

Workers' Compensation systems provide state specific remedies for job-related injuries and illnesses. Issues on what constitutes a compensable claim and what the rate of compensation should be are determined by the individual state and corresponding courts. Maintaining appropriate Workers' Compensation coverage is essential to your organization and employees. Workers' Compensation policies will typically provide basic coverage for accident and illness, as well as coverage for legal fees for lawsuits filed by employees for job-related injuries. Some states also mandate a death benefit and financial support to dependents.

The National Council on Compensation Insurance (NCCI) sets the standards for Workers' Compensation insurance premiums and uses hundreds of numbered codes, each corresponding to a specific job description, to help figure those premiums. The process of compiling information from your agent, the insurance company, the NCCI, and your records is arduous. State-by-state regulations further complicate the formula; so it's not that unusual to overpay for workers compensation insurance, considering the many factors that go into the formula. Check with your state's labor department for its definition of an "employee." It can include a full-time, 40-hour-per-week person, as well as someone who works three hours a week, every week.

Work Related Assaults

Health care and social service workers face an increased risk of work-related assaults stemming from several factors. One significant factor is the increasing number of individuals with mental illness being released from hospitals without follow-up care. Limited availability of supported housing and other psychiatric rehabilitation programs within the community, can result in a population that is more symptomatic once finally receiving appropriate services. Low staffing levels and inadequate training can increase the possibility of violent acts towards employees.

An Effective Safety & Health Program

There are four main components to any effective safety and health program. These components also apply to preventing workplace violence and are as follows:

1. Management commitment and employee involvement
2. Worksite analysis
3. Hazard prevention and control
4. Safety and health training

Commitment & Involvement of Management & Employees

Management and front-line employees must work together, either through a team or committee approach in an effort to prevent instances of workplace violence. Employee involvement and feedback enable workers to develop and express their own commitment to safety and health while providing useful information to design, implement and evaluate the program. Clear goals and objectives are necessary to prevent workplace violence. These guidelines should be suitable for the size and complexity of the workplace operation and adaptable to specific situations in each establishment. Larger organizations will require a more complex program due to the number of employees, individuals served and number of physical locations.

Workplace violence prevention programs should, at a minimum, do the following:

- Create and disseminate a clear policy of zero- tolerance for workplace violence. All employees must be advised of this policy.
- Ensure no reprisals are taken against an employee who reports or experiences workplace violence.
- Create a process so incidents are reported promptly.

Worksite Analysis

Worksite analysis is a crucial process in the development of the program and involves a step-by-step, common-sense look at the workplace to find existing or potential hazards for workplace violence. If using a committee approach, the committee may assess the vulnerability to workplace violence and determine the appropriate preventive actions to be taken. The team should include representatives from senior management, operations, employee assistance, security, occupational safety and health, legal, and human resources staff.

This activity should include reviewing of consumer, safety, workers' compensation, and insurance records. The team or coordinator should periodically (at a minimum of quarterly) inspect the workplace and evaluate employee tasks to identify hazards, conditions, operations and situations that could lead to violence. This process should also take place when preparing for implementation of any new program.

Hazard Prevention & Control

After hazards of violence are identified through the systematic worksite analysis, the next step is to design measures to prevent or control these hazards. There are several measures that can effectively prevent or control workplace hazards. The selection of any measure, of course, should be based upon the hazards identified in the workplace security analysis of each facility. These prevention methods will vary based on several factors. It is imperative that the committee conduct an environmental scan so that prevention methods recommended are in line with the organizations mission and culture. Once these recommendations have been evaluated, selected and approved; periodic and consistent training is the next step in maintaining your program.

Safety & Health Training

The training program should involve all employees, including supervisors and managers. The risk of a program failing significantly increases if all levels of management support are not present. New and reassigned employees should receive an initial orientation prior to being assigned their job duties. Part-Time, per-diem and volunteer staff should receive the same training as permanent staff. Effective training programs should involve role playing, simulations and drills.

Questions

For more information or for assistance in implementing your workplace violence prevention program, contact our Risk Management Division at riskmanagement@siegelagency.com

For information regarding Worker's Compensation coverage, contact our Underwriting Department at 1.800.622.8272