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## Workplace Violence

By: Carl Habekost, Esq., COSS, COSM, Bugbee + Conkle, LLP



Nearly two million American workers are victims of workplace violence every year. Workplace violence is one of the leading causes of homicide in the country. For women, a relative or domestic partner is the most frequent type of assailant in work related homicides. Robbers are the most common type of work related homicide assailant for men and the second most common for women. Given the increasing concern about workplace violence, OSHA recently solicited public comment on a range of questions relative to preventing workplace violence specific to the healthcare and social service industries. The public comment period closed effective April 6, 2017. OSHA is now reviewing the

situation to determine whether a new regulation is necessary to protect healthcare and social assistance workers from workplace violence.

On January 10, 2017, OSHA published a new workplace violence enforcement procedure titled "OSHA Directive CPL 02-01-058". The Directive updates previous enforcement guidelines and provides instruction to OSHA field offices when conducting inspections related to workplace violence. The Directive clarifies and expands OSHA recognized high-risk industries to include not only healthcare settings and social assistance agencies, but also taxi driving services, late night retail stores, industries located in high crime areas, and business involved with frequent money exchanges.

So what is "workplace violence"? It has been defined as any act or threat of physical violence, harassment, intimidation, or other threatening disruptive behavior that occurs at the work site. It ranges from threats and verbal abuse to physical assault and homicide. Workplace violence affects not only employees, but also clients, customers and visitors. However it manifests itself, workplace violence is a major concern for everyone.

OSHA has made workplace violence a priority. Employers should already be aware that the Occupational Safety and Health Act requires employers to identify workplace hazards and protect employees from recognized harm. Under the general duty clause found in Section 5(A)(1) of the Occupational Safety and Health Act, each employer is required to "furnish each of his employees employment and a place of employment which are free from recognized hazards that are causing or likely to cause death or serious physical harm to his employees..."

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Therefore, companies must be aware of hazards which pose a risk of workplace violence, and create a method, if feasible, of correcting the hazard. OSHA has identified situations involving a high risk for workplace violence such as businesses with locations in high crime rate areas, late night retail operations, delivery drivers, healthcare professionals, social service settings, law enforcement personnel, taxi drivers, and other similar scenarios. If the employer failed to keep employees free of exposure to a foreseeable, hazardous workplace violence condition, then OSHA may issue a citation for violation of the General Duty Clause.



By assessing worksites for hazards, employers can identify risk factors for workplace violence. The risk of assault can be prevented or at least minimized with certain precautions. One of the best protections against workplace violence is a zero tolerance policy for violence, aggression, bullying, and harassment. Companies of all sizes should take the time to develop an effective workplace violence prevention program. A workplace violence program should include five main components: management commitment and employee involvement, worksite analysis, hazard prevention and control, training, and recordkeeping/program evaluation. First, management, supervisors, laborers and workers, must understand the importance of the workplace violence program, and must work together. Responsibility for the various aspects of the program should be assigned clearly so that managers, supervisors and employees understand their obligations. Also, potential hazards should be identified and analyzed. For example, by reviewing injury and illness records, a possible pattern of assaults by patients or customers might be identified, and procedures could be implemented to reduce or eliminate the hazard. Further, by asking questions about security cameras and alarms, isolated working conditions, and secured entrance procedures, safety issues can be identified and prevented. After a thorough analysis of the risk of hazards, an appropriate workplace program can be created. The policy might include procedures such as background investigations, crisis management, and a system to anonymously report suspicious behavior. All employees should be regularly and thoroughly trained on the program, and the effectiveness of the workplace violence prevention program should be evaluated periodically to determine its overall effectiveness.



## Strategic Talent Management Requires Company-Wide Commitment

By: Amy Schabacker Dufrane, Ed.D., SPHR, CAE, CEO of HRCI

### Strategic Talent Management Requires Company-Wide Commitment

Business leaders are demanding more business-driven human resource management strategies, but less than one in three organizations have adopted even a single strategic HR initiative. Company-wide commitment is a major hurdle,

finds new research from HR Certification Institute® (HRCI®).

The HRCI study, [Strategic HR Emerges as a Company-Wide Strategy](#), also finds that only 13 percent of HR leaders would classify their companies as "very" or "extremely" committed to strategic HR.

### Strategic HR: Hurdles and Successes

Reasons for the lack of commitment vary, but the most common hurdles cited are a lack of C-suite support and constant reaction to crisis management challenges. At organizations without strategic HR, only 54 percent of C-suite and line managers say they will support the adoption of strategic HR and only 36 percent say they are "extremely" or very "committed" to the idea.

(Strategic Talent Management continued on page 4)