ASIS INTERNATIONAL

Workplace Violence Prevention and Intervention

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STANDARD

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an American National Standard

WORKPLACE VIOLENCE
PREVENTION AND INTERVENTION

Approved September 2, 2011

American National Standards Institute, Inc.

ASIS International and the Society for Human Resource Management

Abstract

This Standard provides an overview of policies, processes, and protocols that organizations can adopt to help identify and prevent threatening behavior and violence affecting the workplace, and to better address and resolve threats and violence that have actually occurred. This Standard describes the personnel within organizations who typically become involved in prevention and intervention efforts; outlines a proactive organizational approach to workplace violence focused on prevention and early intervention; and proposes ways in which an organization can better detect, investigate, manage, and – whenever possible – resolve behavior that has generated concerns for workplace safety from violence. The Standard also describes the implementation of a Workplace Violence Prevention and Intervention Program, and protocols for effective incident management and resolution.

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ASIS International and the Society for Human Resource Management collaborated in the development of the *Workplace Violence Prevention and Intervention* Standard.

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Workplace Violence Prevention and Intervention

1 SCOPE OF THE STANDARD

This Standard provides an overview of policies, processes, and protocols that organizations can adopt to help identify and prevent threatening behavior and violence affecting the workplace, and to better address and resolve threats and violence that have actually occurred. This Standard describes the personnel within organizations who typically become involved in prevention and intervention efforts; outlines a proactive organizational approach to workplace violence focused on prevention and early intervention; and proposes ways in which an organization can better detect, investigate, manage, and -- whenever possible -- resolve behavior that has generated concerns for workplace safety from violence. In particular, the Standard discusses the implementation of a Workplace Violence Prevention and Intervention Program, and protocols for effective incident management and resolution.

This Standard is meant to serve as a tool and resource that organizations of any size can use to evaluate, develop, and implement policies, structures, and practices related to workplace violence. The requirements and recommendations remain at a generic level, with the expectation that organizations undertaking to implement prevention and intervention strategies will integrate specificity and detail as appropriate for their organization.

The Standard reflects a majority consensus among professionals from disparate disciplines (including security, human resources, mental health, law enforcement, and legal arenas) regarding practices viewed as effective, recommended, and – in some cases – essential through work in this field. In many ways, this Standard will help organizations to discharge important legal responsibilities related to their need to maintain a safe workplace; it is not intended, though, to set or define new legal obligations.

This Standard is applicable to any organization that chooses to establish, implement, maintain, and improve upon:

    (1) A Workplace Violence Prevention and Intervention Program.

    (2) A Threat Management protocol.

    (3) Practices that can assist the organization in effectively managing post-incident issues.

2 NORMATIVE REFERENCES

The following documents contain information which, through reference in this text, constitutes foundational knowledge for the use of this American National Standard. At the time of publication, the editions indicated were valid. All material is subject to revision, and parties are encouraged to investigate the possibility of applying the most recent editions of the material indicated below.

ASIS International. (2005). *Workplace Violence Prevention and Response Guideline*

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3 DEFINITIONS

The following words or terms are defined below as they will be used throughout this Standard:

3.1 Can/may/should/shall: "Shall" denotes *requirements of the document*; it is used to indicate requirements strictly to be followed in order to conform to the document. "Should" denotes *recommendations*; it is used to indicate that among several possibilities, one is recommended as particularly suitable, without mentioning or excluding others, or that a certain course of action is preferred but not necessarily required, or that (in the negative form) a certain possibility or course of action is deprecated but not prohibited. "May" denotes *permission*; it is used to indicate a course of action permissible within the limits of the document. "Can" denotes *possibility and capability*; it is used for statements of possibility and capability, whether material, physical, or causal.

3.2 Case Management: See *Incident Management*.

3.3 Case Management Team: See *Threat Management Team*.

3.4 Employee Assistance Program (EAP): An employee benefit involving mental health counseling offered by some employers, typically in conjunction with a health insurance plan. EAPs are intended to help employees deal with personal problems that might adversely affect their work performance, health, and well-being. EAPs generally provide short-term counseling and referral services for employees and their household members. As a general matter, communications are confidential as between the employee and EAP, with two exceptions: (i) mental health providers have a "duty to warn" if the employee poses a credible risk of violence; or (ii) the employee authorizes the release of clinical information.

3.5 Fitness for Duty Examination: Distinct from a *Violence Risk Assessment* (see definition for *Violence Risk Assessment*). A process at times imposed by an employer when an employee exhibits behavior that does *not* generate a concern for safety from violence but that impedes job functioning and could be related to a physical, mental, or emotional disorder. The process is conducted by a licensed mental health professional specifically trained and qualified to evaluate the impact of clinical conditions on job-related functioning and to assess whether the employee is fit to perform the essential functions of his or her job, with or without a reasonable accommodation by the employer.

3.6 Incident Management: Synonymous with *Case Management* and *Threat Management.* The process and practice of responding to reports, made to or coming to the attention of management, regarding problematic behavior that has generated concerns under the organization's workplace violence prevention policy.

3.7 Incident Management Team: See *Threat Management Team*.

3.8 Intimate Partner Violence: Synonymous with *domestic violence*, *domestic abuse, spousal abuse,* and *family violence.* Can be broadly defined as a pattern of abusive behaviors in an intimate relationship

(whether heterosexual or homosexual), including marriage, cohabitation, dating, family, or friendship. Intimate partner violence can consist of physical aggression, threats, stalking, sexual abuse, psychological abuse, neglect, economic deprivation, and any form of threatening, injurious, and violent acts.

3.9   Risk Assessment: See *Violence Risk Assessment*.

3.10   Threat: Any verbal or physical conduct that conveys an intent or is reasonably perceived to convey an intent to cause physical harm or to place someone in fear of physical harm.

3.11   Threat Assessment: See *Violence Risk Assessment*.

3.12   Threat Management: See *Incident Management*.

3.13   Threat Management Team: Synonymous with *Incident Management Team* and *Case Management Team*. A multi-disciplinary group of personnel selected by an organization to receive, respond to, and resolve reports of problematic behavior made under the organization's workplace violence prevention policy.   For clarity and consistency, this Standard will employ the term "Threat Management Team," even though it is acknowledged that the Team will assemble to address some reports made under an organization's workplace violence prevention policy that do not ultimately involve an actual threat.

3.14   Violence Risk Assessment: Also termed a *Threat Assessment* and *Risk Assessment*. A Violence Risk Assessment refers to the investigative and analytical process followed by a professional qualified by education, training, or experience to determine the nature and level of risk of violence presented by a person and the steps that could be taken to respond to, manage, and mitigate the risk. A violence risk assessment remains distinct from a *fitness for duty examination* (above) and a *violence risk screening* (below).

3.15   Violence Risk Screening: A Violence Risk Screening refers to the investigative and analytic process followed by a Threat Management Team to make a gross and general determination of whether particular behavior should be viewed as generating a concern for possible violence and thereby should be treated under an organization's Threat Management protocols. A violence risk screening remains distinct from a *violence risk assessment* (above) which requires specifically-trained and qualified personnel.

3.16   Workplace Violence: A spectrum of behaviors – including overt acts of violence, threats, and other conduct – that generates a reasonable concern for safety from violence, where a nexus exists between the behavior and the physical safety of employees and others (such as customers, clients, and business associates) on-site, or off-site when related to the organization.

3.17 Workplace Violence Prevention Policy: A written policy adopted by an organization that strictly prohibits violence and threats affecting the workplace, as well as other behavior deemed inappropriate by the organization from a violence-prevention standpoint.

3.18   Workplace Violence Prevention and Intervention Program: Synonymous with *Workplace Violence Program.* A coordinated collection of policies, procedures, and practices adopted by an

organization to help prevent workplace violence and to assist the organization in effectively responding to reports of problematic behavior made under the organization's workplace violence prevention policy.

3.19 Workplace Violence Program: See *Workplace Violence Prevention and Intervention Program.*

3.20 Workplace Violence Typology: A classification system developed by the US Occupational Safety and Health Administration (OSHA) that categorizes incidents of workplace violence according to the relationship of the perpetrator to the victim or target and the workplace.

4   DEFINING THE REACH OF PREVENTION AND INTERVENTION EFFORTS

4.1 A Working Definition of "Workplace Violence"

An organization that chooses to develop and implement workplace violence prevention and intervention efforts must begin by considering the scope of these efforts. An organization should, to the best of its ability, engage in efforts designed to prevent the most extreme forms of violence, such as deadly shootings. At the same time, those events remain statistically uncommon. Instead, organizations more often will find themselves needing to manage an array of problematic behavior that falls short of homicide or even simple assault. The spectrum of concerning conduct that an organization can face is broad and includes (among other behavior) not only assaults but direct or veiled threats of violence, stalking, threats to or at the workplace made by the violent or abusive partner of an employee, and erratic and aggressive behavior by an employee.

The context in which problematic behavior can occur is diverse: it can happen on-site; during work-related travel; at a work-sponsored event; or during other work-related activities, such as a sales event or client meeting. The perpetrators themselves also add a complicating dimension, for violence and threats can occur at the hands of a current or former employee, independent contractor, or temporary worker; a past, current, or prospective client or customer; a family member or partner of an employee; a vendor or someone providing professional services to an organization; or even a person with no connection with the organization whatsoever but who has developed an inappropriate fixation on it.

Given those complexities, a working definition of workplace violence for purposes of establishing the scope of an organization's prevention and intervention efforts should capture a spectrum of behaviors implicating workplace safety while also avoiding over-reaching. *A working definition should encompass all conduct implicating physical violence that an organization will be called on to intervene in, and that it is legally required to intervene in.* Namely:

(i) A working definition should include physical violence towards a person, as well as threats of violence, whether direct or indirect (or "veiled"). This category of behavior includes all forms of physical violence (irrespective of how harmful or severe), and all stated threats of violence, whether direct ("I'm going to kill you!"), indirect ("I'm going to make sure you get what you deserve!"), or conditional ("If he fires me, I will kill him!")

(ii) Beyond acts of violence and stated threats, the definition should include behavior that has generated a concern for safety from violence due to its nature and severity. This category includes a variety of conduct that might act as "warning signs" or precursors to possible violence; it includes behavior that, from the perspective of a reasonable person, has generated a concern that someone might act out violently (whether or not the person intends to or does). Examples include (but certainly are not limited to) stalking; erratic and bizarre behavior caused, for instance, by mental illness or substance abuse; overt physical intimidation and aggression; and suicidal statements from an employee who appears despondent. The definition should include this behavior for several important reasons: (1) the behavior is disruptive in and of itself, whether or not it progresses to actual violence; (2) the behavior offers a chance at intervention, before it can progress to violence; and (3) the conduct can be seen as putting an organization "on notice" of possible violence, triggering important legal obligations for the organization to act.

(iii) For purposes of this Standard, Workplace Violence *excludes* behavior that can be severely disruptive and psychologically damaging, but is not of the nature or severity to raise concerns for *physical* safety. By way of example, Workplace Violence excludes abusive management and "bullying," unless it rises to the level of conduct described in item (ii) above.

(iv) As an important aspect, the definition must limit itself to behavior relevant to workplace safety; it must have a "nexus" to the workplace, even if it does not occur strictly *at* the workplace. Tracking the reach of an organization's legal liability, the definition must contemplate behavior occurring on-site, off-site during work-related activities (such as business meetings), and occurring anywhere at all but with an impact or reasonably foreseeable impact on safety at the workplace or during work-related activities (such as a threat made off-site that someone has threatened to carry out on-site).

(v) Next, the definition must contemplate that the *perpetrator* can be anyone at all, so long as, again, the behavior has a "nexus" to the workplace. Reflective of this broad "relational" component, the US Occupational Safety and Health Administration and its state counterparts approach workplace violence from the vantage point of "typologies" that address a number of different relationships between the perpetrator and the organization, and victim or target. These typologies are discussed in more detail in Section 6.1.2.

(vi) Along those same lines, the definition must contemplate that the *victim or target* can be anyone, so long as, again, a "nexus" exists to the workplace. So, for instance, the victim or target can be not only an employee, but a visitor to the workplace or to an organization-sponsored event (such as a vendor, client, and so forth).

Synthesizing the above broad principles, an organization, in determining the scope of its prevention and intervention efforts, should view Workplace Violence as:

A spectrum of behaviors, including overt acts of violence, threats, and other conduct that generates a reasonable concern for safety from violence, where a nexus exists between the behavior and the physical safety of employees and others (such as customers, clients, and business associates), on-site, or off-site when related to the organization.

4.2 *Legal, Regulatory, and Contractual Requirements*

An organization that chooses to adopt workplace violence prevention and intervention efforts shall identify and assess legal, regulatory, and contractual requirements that influence the scope of those efforts and the manner in which they should be carried out. The organization shall consider, among other requirements and recommendations:

a) Applicable requirements and guidelines promulgated by the U.S. Department of Labor Occupational Safety and Health Administration (Fed-OSHA) related to workplace violence prevention. In particular, it should examine: (i) its duties under the "general duty" clause of the federal Occupational Safety and Health Act; and (ii) specific guidelines pertinent to health care and social service workers, and late-night retail establishments.

b) Applicable requirements and guidelines established by state Occupational Safety and Health agencies related to workplace violence prevention. In particular, it should examine: (i) duties under applicable state "general duty" clauses; and (ii) specific industry guidelines and requirements promulgated by state agencies.

c) Common law principles, and local laws and ordinances, that define required prevention efforts, such as (i) premises liability; (ii) respondent superior, (iii) negligence theories, and (iv) discrimination and harassment laws, where threats and violence are motivated by a protected characteristic.

d) Any obligations under an applicable collective bargaining agreement.

The organization shall consider these requirements, and review them periodically to ensure currency with evolving laws, regulations, and contractual requirements.

5 ESTABLISHING MULTIDISCIPLINARY INVOLVEMENT

Due to the complex and multi-dimensional nature of workplace violence, effective prevention and intervention strategies require a multidisciplinary approach involving the participation of multiple stakeholders within an organization. Workplace violence is not exclusively a security, human resources, employment law, management, employee health or behavioral problem, but implicates each of these disciplines. Accordingly, effective prevention and intervention efforts will draw on the knowledge, skills, and participation of several stakeholders – particularly those in the areas of human resources, security, law, and mental health.

An organization that desires to develop and implement prevention and intervention efforts should begin by considering who within the organization will hold responsibility for: (i) developing and implementing the Workplace Violence Prevention and Intervention Program; (ii) conducting ongoing Threat Management; and (iii) periodically assessing the effectiveness of the Program.

The organization shall consider the involvement of the following personnel listed in the subsections below.

5.1   Top Management

Effective workplace violence prevention and intervention efforts require a clear "top-down" commitment to ensure that the right resources are allocated to develop a workplace violence prevention and intervention program; to effectively carry out incident management; and to secure training, outside consulting, physical security measures, and other items essential to successful prevention and intervention efforts.

An organization that chooses to implement effective prevention and intervention strategies should obtain the participation of executive or top-level management in accomplishing some or all of the following tasks:

a)   Establishing the Workplace Violence Prevention and Intervention Program as an organizational priority and thereby helping to set the right "tone at the top."

b)   Reviewing and approving a workplace violence prevention policy.

c)   Appointing appropriate personnel to develop, implement, and monitor the Workplace Violence Prevention and Intervention Program.

d)   Providing sufficient resources and authorizations to establish, implement, operate, monitor, and maintain the Program, including through employee training and education.

e)   Providing sufficient resources and authorizations as required during Incident Management.

5.2   Other Key Stakeholders and Participants

An organization should strive to engage *all* employees in the process of creating a safe and secure work environment. However, depending on the size, resources, preferences, and internal workings of an organization, the major responsibility for establishing a Workplace Violence Prevention and Intervention Program – and conducting Incident Management – will largely fall on human resources, security, and legal personnel. A number of other sectors may also become involved in helping the organization to develop and implement prevention strategies and/or to respond to threats and violent incidents.

An organization that chooses to implement effective prevention and intervention strategies should begin by considering the productive involvement of the following personnel in its various efforts as detailed in the subsections below.

5.2.1   Human Resources

Human Resources personnel commonly play a central role in establishing and implementing an organization's violence prevention and intervention strategies, typically as part of broader responsibilities in the area of employee relations management. In many organizations, Human Resources will occupy a leadership role in:

a)   Developing the Workplace Violence Prevention and Intervention Program, and relevant policies, procedures, and practices;

b)   Organizing and conducting training;

c) Participating in incident management; and

d) Enforcing workplace violence policies through appropriate corrective action.

In addition, employees often will direct their concerns or complaints about threats or violence to Human Resources. After receiving a report, Human Resources often will contribute key skills to incident management, including – but not limited to – escalating the report to appropriate personnel, conducting or assisting with the investigatory process, communicating with affected or involved employees, and providing input as the organization attempts to address and resolve a report through the imposition of disciplinary action or other remedial or preventive measures.

In workplaces where employees are represented by a union, Human Resources also may become involved in negotiating with labor representatives regarding policies and procedures established under the organization's workplace violence prevention and intervention program, including disciplinary measures to be taken following policy breaches.

5.2.2 Security

Workplace violence prevention typically will find core support and involvement among security personnel already oriented around questions of workplace safety.

Depending on their training and experience, security personnel can contribute practical expertise on a range of topics related both to prevention and intervention – such as on-site physical security, employee background screening and other background investigations, incident management techniques, coordination with other critical incident management practices in place in the organization, and law enforcement intervention and coordination.

In addition, like Human Resources, security personnel often will be the first contacted about a threat or violent incident and will assist in providing an appropriate initial response and escalating the incident as needed. During an incident, security personnel may become involved in controlling and securing the worksite and assisting law enforcement responders. Frequently, security personnel will have established a relationship with local police agencies, which can help expedite police response to an incident.

5.2.3 Legal Counsel

Legal counsel is tasked with helping an organization to understand and comply with legal obligations related to workplace violence prevention and intervention. Legal counsel – whether from an organization's own legal department or from an outside law firm – should involve itself in ensuring that the organization has met legal requirements related to violence prevention, and that it properly navigates the numerous legal issues that arise during incident management.

Before an incident, counsel (in particular, an attorney with employment law expertise) can serve a crucial role in helping management to develop appropriate and legally-compliant policies, procedures, and practices related to violence prevention and intervention. During an incident, counsel should work in close coordination with Human Resources, Security, and other involved management to advise the organization regarding such matters as:

a) Legal issues that commonly arise during incident management, including – but not limited to – employee rights to privacy, compliance with the organization's established policies and procedures, legal obligations under the American with Disabilities Act and other applicable anti-discrimination laws, due process requirements, obligations under the federal Fair Credit Reporting Act and related state statutes, evidence preservation, and disciplinary protocols under any applicable collective bargaining agreement.

b) Effective and sufficient investigatory or fact-finding techniques.

c) Appropriate employee disciplinary or other remedial steps.

d) Potential legal risks and liabilities raised by courses of action the organization might have under consideration, and weighing legal exposure against any countervailing security concerns.

e) In appropriate circumstances, legal counsel may also lead efforts to obtain corporate restraining orders or engage in other legal process.

Ultimately, legal counsel brings critical expertise to its role within an interdisciplinary team.

5.2.4 Occupational Safety and Health Personnel

Ideally, workplace violence prevention, intervention, and response should be viewed as an integral part of an organization's comprehensive occupational injury and illness prevention program. Like other hazards in the workplace, the risk for violence can be minimized through workplace design, employee training, and workplace policies and procedures or practices. Towards that end, occupational safety and health personnel can play an important role in keeping employers and employees aware of developments in OSHA requirements or recommended guidelines bearing on violence prevention, and in assisting the organization with compliance. In addition, should an incident occur, occupational health and safety personnel often will assist the organization in executing OSHA record-keeping and reporting requirements.

5.2.5 Union Leaders

In organizations that have collective bargaining agreements, unions are legally empowered to represent the work force and bargain with employers regarding the terms and conditions of employment, including disciplinary policies and procedures and employee rights that apply during efforts to prevent violence or manage an incident. In the area of workplace violence, unions and management need not find themselves in an adversarial relationship, even where disciplinary issues are involved, because the union also has a responsibility to protect its members' safety. The obligation to protect other members against a potentially violent individual in the bargaining unit can often lead union representatives to align with an employer in acting against a violent or threatening employee, in order to avoid liability for failure to protect other workers from actual or potential harm. In high-risk industries such as health care, education, and social services, unions have played key roles in developing and implementing successful workplace violence prevention, intervention, and response programs. Indeed, where feasible, establishing labor involvement in the development of workplace

violence policies and procedures can help promote an informed workforce and a collaborative relationship with respect to safety issues that impact everyone.

5.2.6 Employee Assistance Programs (EAP)

EAP personnel may become involved in prevention and intervention efforts in several ways:

a) As part of efforts to resolve an incident, an employee who has been found to have engaged in concerning behavior may be referred to EAP for counseling, as part of a remedial or corrective plan.

b) EAP may be engaged to provide psychological counseling to employees or workgroups affected by a threat or violent incident.

c) While normally bound by obligations of confidentiality, EAP personnel involved in counseling an employee may receive information that triggers an obligation to warn the employer of a threat posed by the employee.

Depending on EAP's relationship with and role within the organization, EAP personnel who have received specialized training in violence risk assessment may be called upon to conduct an initial violence risk screening, unless prohibited from doing so by obligations of confidentiality or other legal or ethical restrictions.

5.2.7 Crisis Management Personnel

Crisis management personnel can play a helpful role in ensuring that the organization's workplace violence prevention and intervention program includes means to address and recover from emergency situations caused by a violent incident or threat. Crisis management personnel can contribute their expertise in developing a crisis management process that includes a consideration of possible violent incidents or threats and that is fully integrated into the organization's broader crisis management plans.

5.2.8 Risk Management Personnel

Risk management personnel help to ensure that workers' compensation and other liability insurance policies are maintained at appropriate levels of coverage, so that the organization is adequately insured against any losses from a violent workplace incident. Such personnel, in their risk management role, can also support efforts by the organization to implement a workplace violence prevention and intervention program as part of the organization's overall risk management practices.

5.2.9 Public Relations/Corporate Communications

Specialists in the area of public relations and corporate communications can help the organization manage the media and other outside parties if a newsworthy incident should take place. In addition, corporate communications can play an instrumental role in helping to develop internal

communications that inform employees of the organization's workplace violence prevention and intervention program, and related policies and procedures.

6 PLANNING A WORKPLACE VIOLENCE PREVENTION AND INTERVENTION PROGRAM

6.1 Conducting a Needs Assessment

An organization that plans to implement a workplace violence prevention and intervention program should conduct a needs assessment designed to evaluate the presence of any specific risks of violence affecting the workplace (whether from internal or external sources), and the organization's readiness to respond to threats and violent incidents. This assessment will help ensure that the organization understands its safety and security needs and effectively focuses its workplace violence initiatives.

6.1.1 General Approach

The ASIS *General Security Risk Assessment Guideline* describes a security assessment process that can be adapted to any organization for violence prevention purposes. The needs assessment process commonly follows a progression in which the organization: i) identifies assets; ii) specifies events resulting in a loss of assets; iii) predicts the frequency of such events; iv) estimates their impact; v) identifies options to mitigate loss resulting from each event; vi) evaluates the feasibility of each option; vii) completes a cost-benefit analysis; and viii) decides on options to implement. The security assessment is a dynamic and experiential process that includes an initial assessment as well as reassessments at defined intervals or in response to specific events.

Prior to designing a workplace violence program, an organization should evaluate a number of factors related to possible "loss events" resulting from violence; their impact on employee welfare and the organization itself; and the organization's policies, practices, and structures as they relate to the organization's current ability to prevent violence and properly intervene when threats and violent incidents occur. In particular, the organization should consider the following factors.

6.1.2 Assessing the Organization's General Vulnerability to Violence

In conducting a needs assessment, an organization should begin by examining its general vulnerability to violence from external and internal sources based on the nature of the organization, including the type of industry to which it belongs and other general factors.

In doing so, the organization can consider the OSHA workplace typology, which classifies workplace violence incidents according to the relationship of the perpetrator to the victim or target and to the organization. This typology incorporates four categories or types of workplace violence:

a) "Type I" denotes incidents in which no relationship exists between the perpetrator, the victim or target, and the organization. These incidents generally consist of serious crimes, such as robberies and acts of terrorism. Type I incidents account for the majority of workplace

homicides. Businesses that most commonly face Type I incidents include convenience stores, other retail establishments, and taxi services.

b) "Type II" denotes incidents in which a legitimate business relationship existed or currently exists between the perpetrator and the organization. Perpetrators include customers, clients, patients, students, inmates, and other recipients of services from an organization. Healthcare providers, prisons, and schools most commonly face Type II incidents.

c) "Type III" denotes incidents in which the perpetrator had or currently has some form of employment relationship with the organization. Perpetrators include employees, former employees, independent contractors, and temporary agency workers. All industries and organizations can face Type III incidents.

d) "Type IV" denotes incidents in which the perpetrator is a current or former intimate partner of an employee. Perpetrators can include current and former spouses, current or former domestic partners, family members, and those who currently are or have been involved in a dating relationship with an employee. All industries and organizations can face Type IV incidents.

In addition to considering the nature of the organization and industry type, an organization should consider additional factors that can affect exposure to possible violence. These factors include but are not limited to:

a) Do employees work at night?

b) Do employees work alone?

c) Is the workplace located in an area at high risk for crime?

d) Do employees handle cash? Or are other valuable goods on hand?

e) Do employees deal with members of the public? Is your business or institution open to the public?

f) Is alcohol served as part of the business?

g) Do employees serve patients, social service clients, or those being held against their will?

h) Has the organization experienced a history of violence? If so, of what nature and under what circumstances?

i) Have any elements of the organizational culture (such as a tolerance for inappropriate or threatening behavior; entrenched management-employee conflicts, or special stressor affecting the organization – such as an impending layoff) contributed to unusual tensions, stresses, or conflicts affecting employees?

6.1.3 Evaluating Current Prevention and Intervention Practices

In performing a needs assessment, the organization should also conduct a detailed evaluation of its current violence prevention and intervention practices. In doing so, the organization shall – as a general matter – evaluate how current policies and practices compare to those required or recommended in this Standard and (by doing so) identify "gaps."

In that evaluative process, the organization can ask, among others, a variety of questions:

a) Does the organization have any violence prevention policies or program in place, either as "stand alone" policies or procedures, or integrated in other broader policies or procedures?

b) Is management supportive of violence prevention efforts? Is there a "top-down" commitment to violence prevention?

c) Does the organization as a general matter enforce standards of professionalism and respect through appropriate discipline and identify clear lines of appropriate workplace behavior?

d) Does the workplace, as a cultural matter, care about safety and encourage employees to report circumstances of concern?

e) Has the organization conducted violence prevention training?

f) Are employees aware of the organization's policies or programs related to workplace violence, and procedures for reporting incidents?

g) Are managers trained in workplace violence prevention strategies?

h) Does the organization have an established practice for managing reports of behavior that raise safety concerns, and a centralized way to record and track reports over time? If so, how effective are current practices?

i) How are incidents occurring in remote locations managed?

j) Has the organization established trusted relationships with violence risk assessment professionals and legal counsel who can assist during incident management?

k) Does the organization conduct employee background screening? Engage in safe termination practices?

l) Does the organization have protocols in place for managing workplace emergencies?

m) And, again, how do current policies, practices, and procedures compare to those required or recommended in this Standard?

6.1.4 Evaluating Physical Security

As part of its needs assessment, the organization should also examine elements affecting physical security, including but not limited to such factors as:

a) Are entrances and exits controlled to prevent unauthorized entry?

b) Are visitors signed in and accompanied by employees while onsite?

c) Is lighting adequate?

d) Are floor plans posted to show specific escape routes in case of emergency?

e) Is there a designated safe area that employees can go to in an emergency situation?

f) Is parking onsite? If so, is it secure?

g) Are emergency buttons or other alarm procedures in place and assessed for effectiveness? Are there cameras at various locations around the property?

h) Is shrubbery pruned around entrances and parking lots?

i) Is the office furniture laid out, planned or designed to prevent employees from being trapped?

j) Can doors to offices be locked?

k) Is inter-building communication (paging) available?

6.2 Elements of a Formal Workplace Violence Prevention and Intervention Program

Establishing a program that outlines policies, procedures, and practices for workplace violence prevention and intervention will help ensure that an organization will be adequately prepared to recognize and effectively respond to behavior and circumstances that pose a threat of violence.

Organizations retain wide latitude in developing a program of violence prevention and intervention, depending on the organization's size, resources, and needs. Whatever the specifics of the workplace violence program the organization implements; it should include the following general components as detailed in the subsections below.

6.2.1 Workplace Violence Prevention Policy

A workplace violence prevention and intervention program shall include a "No Threats, No Violence" policy that is clearly communicated to employees at the time of hire and during the course of employment. The policy shall state the employer's commitment to providing a safe workplace and should set forth a code of conduct that prohibits all violence, threats, and behavior that reasonably could be interpreted as an intent to cause physical harm, either on-site or off-site during work-related activities. The policy should:

a) Clearly define unacceptable behavior prohibited by the policy, consistent with the definition provided in Section 4 above.

b) Regulate or prohibit weapons on-site and during work-related activities, to the extent permitted by applicable laws.

c) Require the prompt reporting of suspected violations of the policy and of any circumstances that raise a concern for safety from violence.

d) Provide multiple avenues for reporting – including human resources, security personnel, and members of the organization's Threat Management Team.

e) Assure employees that reports made under the policy will be treated with the highest degree of discretion and will promptly be investigated by the employer.

f) Include a commitment to non-retaliation toward employees who make a good faith report under the policy.

g) Impose discipline for policy violations, as appropriate, up to and including termination.

h) As discussed in Section 10 below, the policy should require or encourage employees to inform clearly-identified personnel of any protective or restraining order that they have obtained that lists the workplace as a protected area.

The workplace violence prevention policy should be bolstered and supported by additional policies that, together with the workplace violence prevention policy, set clear expectations for appropriate workplace behavior and facilitate Incident Management. These policies include:

a) Anti-harassment and discrimination policies.

b) Substance abuse policy.

c) Code of business conduct/ethics policy.

d) Electronic communications/computer use policy.

e) Inspections policy that establishes the employer's right to access an employee's workplace computer, desk, locker, and other items and premises as may be necessary and appropriate during an investigation.

6.2.2 Interdisciplinary Threat Management Team

A workplace violence program further should include an interdisciplinary team created and trained to respond to violent incidents or reports of troubling behavior made under the workplace violence prevention policy. Depending on preference, organizations commonly will name these teams a "Threat Management Team," "Incident Management Team," or "Case Management Team." (For clarity and consistency, this Standard will employ the term "Threat Management Team" throughout, even though it is acknowledged that the Team will assemble to address some reports made under an organization's workplace violence prevention policy that turn out not to involve an actual threat.)

Creating and training a Threat Management Team helps to ensure that lines of authority and communication, and a general incident management process is established before a threat or violent incident occurs, and that personnel will know how to respond to reports made under the organization's workplace violence prevention policy. Typically, a Threat Management Team will include Human Resources, Security, and Legal personnel; in addition, other personnel (as described in Section 5 above) may be called upon to participate on the Team.

An organization should select personnel for the Team who possess the requisite experience, training, judgment, authority, temperament, and credibility within the organization to carry out the often difficult duties involved in Incident Management effectively and collaboratively.

The designation of a Threat Management Team should be accompanied by the identification of qualified external resources that the Team can call upon as needed to assist with incident management, where the organization lacks the expertise in-house. In particular, organizations faced with threatening or concerning behavior commonly will engage a violence risk assessment expert who can provide advice to assist the organization in fashioning an appropriate response to the behavior and, when necessary, conduct a formal violence risk assessment. Further, organizations often will need to consult with an outside employment law attorney who can provide advice regarding the many legal issues that

commonly arise during incident management. At times, organizations may need to consult attorneys in other relevant specialties, such as criminal law.

6.2.2.1 The Team Environment and the Use of External Experts

An important maxim that applies to both prevention and incident management is the notion that no one "goes it alone." Instead, as emphasized throughout this Standard, effective prevention and management requires a team approach. Ideally, an organization at the early stages of its program development will conduct a candid assessment of the internal resources it can bring to bear on violence prevention and management efforts. Does the organization employ personnel with the requisite experience, training, authority, and temperament to work effectively as Threat Management Team members and/or members of a program implementation team?

Often, an organization will supplement its internal expertise with outside experts, particularly in the areas of violence risk assessment, law, and security. Organizations that successfully engage the help of external experts will – in the program development stages – identify, evaluate, and select professionals with documented expertise and experience specific to workplace violence prevention and management. Those qualified professionals can lend significant help in both the planning and implementation stages of a prevention program, as well as during any later incident management.

6.2.3   Incident Management Process

A workplace violence prevention and intervention program should include a pre-determined general process by which the Threat Management Team will investigate, manage, and resolve reports made under the organization's workplace violence prevention policy. The process may address:

a) The personnel who will receive reports made under the workplace violence prevention policy, and to whom those reports will be escalated.

b) The personnel who will conduct an initial data gathering.

c) Circumstances in which reports will be escalated and handled exclusively by the Threat Management Team, as opposed to the organization's human resources or employee relations organization under non-workplace violence protocols.

d) The initial actions that the Threat Management Team will consider taking upon receiving a report.

e) Protocols for coordinating reports made under the workplace violence prevention policy with related policies or processes within the organization (such as complaints coming through an ethics hotline).

f) Circumstances in which additional investigatory steps will be taken, the investigatory steps that will be considered, and the personnel who will conduct the investigation.

g) The circumstances in which the Threat Management Team will engage outside experts, including legal counsel and violence risk assessment experts, to assist with incident management.

h) The circumstances in which the Threat Management Team will engage outside law enforcement.

i) The protocols the Threat Management Team will generally follow in addressing a workplace threat, including threats arising from incident intimate partner violence.

j) The options the Threat Management Team will generally consider in addressing and resolving an incident made under the workplace violence prevention policy.

k) The steps the Threat Management Team will take to monitor an incident it has addressed and resolved.

l) The steps the Threat Management Team will take to adequately document a report or incident and its resolution.

The general outline of a typical Incident Management Process is discussed in Section 8. The specifics of the incident management process will vary from organization to organization, and at times from incident to incident. Commonly, organizations will refine their incident management process during training exercises and over time as they identify effective approaches through day-to-day case management.

6.2.4 Protocols to Address Emergencies and Incidents That Generate Heightened Concern

The workplace violence and intervention program should also include protocols for addressing incidents and reports that generate an immediate emergency or a heightened concern for impending violence. These critical or emergency measures and protocols are addressed in Sections 8.10 and 11 below.

6.2.5 Training

A workplace violence prevention and intervention program shall include initial and periodic training for the Threat Management Team. In addition, it should include training of HR and security personnel, supervisors/managers, and employees-at-large.

The content of training will vary depending on the participants in question. Typically, irrespective of the audience, training will cover the following foundational topics:

a) The basic facts about workplace violence, including a general overview of the behavioral or psychological aspects of workplace violence, and risk factors that a particular workplace could face.

b) The specific terms of the organization's workplace violence prevention policy, and related policies, and employees' rights and obligations under those policies, such as reporting responsibilities and venues.

c) Identifying problem behavior that should be reported.

d) Basic facts about intimate partner violence and its potential impact on workplace safety.

e) Responding to emergency situations.

In addition, training should include information to be emphasized with specific audiences:

a) Training for members of the Threat Management Team, human resources personnel, legal advisers, and security personnel should cover the broad range of workplace violence issues discussed in this Standard. Members of the Threat Management Team should receive the most detailed and comprehensive training regarding the behavioral or psychological aspects of workplace violence, violence risk screening, investigatory and intervention techniques, incident resolution, and multi-disciplinary case management strategies. Commonly, this training will be conducted or assisted by outside specialists with proven expertise in workplace violence prevention and intervention.

b) Training for supervisors should emphasize information that will enable them to better detect behaviors of concern, and to properly escalate a report made under the workplace violence prevention policy.

c) Training for employees-at-large should serve to acquaint them with the organization's workplace violence and intervention program, the company's commitment to providing a safe workplace, their own obligations to observe the workplace violence prevention policy and related policies, and to report problematic behavior to management. Employees-at-large in particular should be clearly informed of reporting venues or procedures. Training can further include a discussion of internal and external resources available to employees to help them address troubling or stressful personal circumstances, and to manage their own behavior.

d) As noted in Section 6.2.6 below, training conducted in retail establishments, health care settings, and other "high-risk" workplaces should address topics of specific relevance, such as appropriate employee responses during robberies, how to manage aggressive or assaultive patients, and other topics of relevance in the particular industry.

6.2.6 Specific Strategies for High-Risk Workplaces

In developing and implementing their workplace violence program, organizations in industries that face a high incidence of workplace violence shall consider policies and training to address the particular risk of violence faced by their employees.

Organizations in high-risk industries – including health care (especially mental health facilities), taxi service, and all-night retail – can consult guidelines published by Fed-OSHA and its state counterparts, as well as National Institute for Occupational Safety and Health (NIOSH), for suggested security measures and other elements of a violence prevention program. (See Annex A.)

Organizations in the public sector, education, and security likewise face special risks and should take specific steps to identify those risks, and to implement appropriate prevention and intervention practices as part of its workplace violence program.

6.2.7 Centralized Record Keeping

The workplace violence prevention and intervention program should include a system of centralized record keeping, making sure that all reports made under the workplace violence prevention policy are recorded and tracked. A system of centralized record keeping becomes especially important in large organizations, where offenders can at times move to various positions within the organization. Record keeping will also allow for ongoing monitoring of incidents to identify high-risk areas within the workplace, or customers, clients, or patients who repeatedly demonstrate problematic behavior.

All information in such reports should be handled with the highest degree of confidentiality and shared on a strict "need-to-know" basis for the purposes of Incident Management and follow-up monitoring by current and future management. This information, if contained in physical files, should be kept secured; likewise, strict security measures should be applied to all data stored electronically. In addition, organizations should consider its document retention practices to ensure that records of reports made under its workplace violence policy are kept for a sufficient period of time.

6.2.8 Additional Prevention and Intervention Strategies and Protocols

As part of its workplace violence prevention and intervention program implementation, an organization should broadly evaluate the benefit of adopting additional security, employment, or management practices that can advance the goal of violence prevention. By way of example, these practices can include:

a) Physical security measures, such as access control and visitor management, intrusion detection and alarm monitoring, closed circuit television and other surveillance systems as permitted by law, safer design of office or work spaces, and panic alarm devices.

b) Effective employment screening techniques, including rigorous interviewing and the use of background checks, legally conducted, for both employees and contractors where appropriate to the position in question. Background checks can include, as legal and appropriate, credit history, criminal history, and drug testing.

c) Policies and practices that help establish a work culture that expects professionalism and respect among employees; between employees and managers; and between employees and customers, clients, vendors, and others who interact with the workplace. In particular, the organization should consider implementing management and disciplinary practices that enforce behavioral standards at all levels of the organization and that encourage early intervention with all behaviors of concern. These include efforts to curb harassment of all kinds, "bullying," and other similar conduct.

d) A conflict resolution or mediation process to assist an organization in addressing normal, work-related interpersonal tensions and conflicts that might arise among co-workers.

e) A broad program to inform employees involved in an abusive relationship of assistance available through the organization's EAP program and outside agencies concerned with intimate partner violence. (See Section 10 below.)

7   IMPLEMENTING THE PROGRAM

An organization should carefully consider how it can successfully implement a collaborative violence prevention and intervention program that involves all stakeholders. The nature and sequence of steps an organization takes to design and implement a workplace violence program will depend on a variety of factors, including the size, characteristics, culture, and resources of the organization. Implementation can best be thought of as a series of steps taken over time that help ensure full commitment to and an understanding of violence prevention practices.

The implementation of a workplace violence prevention and intervention program typically will include the following steps, some of which can be taken simultaneously.

7.1   Designate a Group to Design and Implement the Program

The organization should designate a small group who will hold primary responsibility for developing and implementing the workplace violence prevention and intervention program. Typically, this group will include human resources and security personnel, legal counsel, and other key stakeholders. Often, some members of this planning and implementation group will be assigned to the organization's Threat Management Team.

Because a successful program requires a top-down commitment, this planning and implementation group may become engaged in efforts to educate executive or senior management regarding the need for a workplace violence program and soliciting their commitment to the program. Ultimately, it is important to ensure that the planning and implementation group has the full support of executive or senior management for the time and resources that will be required to develop and implement the program.

7.2   Design the Program and Establish a Plan for Its Implementation

The organization's planning and implementation group should draft an outline of a prevention and intervention program that fits the organization's resources, needs, and culture. Further, the group should set realistic deadlines for the systematic development and implementation of the program.

In designing the workplace violence program, the group should consider:

  a) The requirements and recommendations contained in this Standard.

  b) Legal, regulatory, and contractual requirements. (See Section 4.2 and Annex A.)

  c) Relevant information available from government agencies, professional and trade groups, and other sources. (See Annex B.)

In addition, the group can benefit from: i) guidance received from similarly-situated companies that have successfully implemented a workplace violence program; ii) advice from outside experts in the areas of security, human resources, law, and psychology who possess substantial expertise regarding topics addressed in this Standard; and iii) legal counsel regarding aspects of the program that warrant legal review.

7.3 Establish Elements Essential to Incident Management

The organization should establish key elements essential to Incident Management:

a) Designate a Threat Management Team who will be given responsibility for receiving, investigating, and resolving reports made under the workplace violence prevention policy. (See Section 6.2.2.)

b) Develop an Incident Management protocol. (See Section 6.2.3.)

c) Conduct comprehensive training for members of the Threat Management Team. (See Section 6.2.4.)

7.4 Develop and Disseminate the Workplace Violence Prevention Policy

With the Threat Management Team and Incident Management protocol in place, the organization can implement its workplace violence prevention policy.

The organization should secure the review and approval of the workplace violence prevention policy from senior management and legal counsel. In addition, it should consider various means to effectively disseminate the policy to employees-at-large, including temporary workers and independent contractors:

a) Through workplace postings, mailings, or e-mail communications announcing the policy.

b) As part of employee orientation and training.

c) During company, department, or workgroup meetings.

d) As part of the process used by the organization to contract for temporary workers and independent contractors.

e) With employees who lack facility in English, through communications conducted in the prevailing language spoken by employees.

7.5 Conduct Training Throughout the Organization

In conjunction with or following training of the Threat Management Team, the organization should conduct broader training consistent with Section 6.2.4 above. Training can be conducted singularly, or in conjunction with other training, such as periodic harassment prevention training and new employee orientation.

Whatever form the training takes, it should serve the basic goal of effectively communicating the organization's workplace violence prevention policy, the employees' rights and obligations under the policy, and other information (such as the behavioral aspects of workplace violence) needed to enable employees to effectively participate in violence prevention practices consistent with the employees' roles and responsibilities within the organization.

7.6   Implement Additional Prevention and Intervention Strategies and Protocols

When it becomes feasible and appropriate, the organization should implement the additional prevention and intervention strategies and protocols it has decided upon, consistent with Section 6.2.8 above.

7.7   Monitor and Evaluate

Once the organization has fully implemented its workplace violence program, it should periodically assess the effectiveness of the program and revise policies, procedures, and training as necessary. In evaluating the workplace violence program, the organization should examine, among other issues:

a) Any challenges or successes faced in addressing or resolving individual reports or incidents made under the workplace violence prevention policy, which might suggest changes needed in Incident Management protocols.

b) The workings of the Threat Management Team, including but not limited to the appropriateness of personnel designated for the Team and of outside experts consulted by the Team, the effectiveness of training received by the Team, and the ability of Team members to devote sufficient time to Team responsibilities given competing work obligations.

c) The number and nature of reports made under the workplace violence prevention policy – information that can assist the organization in directing resources to areas of needed attention.

d) Any evolving legal, regulatory, or contractual requirements that might demand a revision of the workplace violence program or specific Incident Management practices.

e) Any challenges or successes faced in integrating workplace violence prevention into the organization's overall training and work culture.

f) Any additional training or prevention practices that the organization is now able to undertake.

8   THREAT RESPONSE AND INCIDENT MANAGEMENT

8.1   Warning Signs and Their Significance to Incident Management

Inappropriate behaviors and communications by a perpetrator usually will precede a violent incident. Conduct by a perpetrator that falls short of actual violence often creates disruption and fear in an organization and drains scarce resources, prompting a need for formal intervention for those reasons alone. In addition, some behaviors emerge as "warning signs" of potential violence, offering a key opportunity for the organization to prevent a progression to more serious misconduct and violence.

Because certain problematic conduct often precedes violence, an organization through appropriate training should prepare itself to detect "warnings signs" of potential violence as an important prevention and intervention tool

While certain behaviors raise flags and serve as a warning, no "profile" exists to identify likely perpetrators of workplace violence. No single act or one type of conduct can predict whether someone will commit violence. Instead, the discipline of violence risk assessment involves examining a full range of factors and circumstances, including an individual's personal history, felt grievances, motives,

justifications, intentions, and actions. Most organizations faced with obvious problematic behavior should rely on a qualified professional to conduct a formal violence risk assessment and to judge the level of risk posed by a person, and strategies that could avert or mitigate that risk. However, even if an organization is not equipped to formally assess risk without outside help (and most are not), it should nonetheless train members of its Threat Management Team members, supervisors and managers, Human Resources, Security personnel, and others to identify problematic conduct that should prompt reporting and intervention under the organization's workplace violence prevention policy.

In particular, organizations should remain alert to:

- A history of threats or violent acts, including threats or violence occurring during employment and a criminal history suggestive of a propensity to use violence to project power and to control others, or as a response to stress or conflict.

- Threats, bullying, or other threatening behavior, aggressive outbursts or comments, or excessive displays of anger.

- Verbal abuse or harassment by any means or medium.

- Harboring grudges, an inability to handle criticism, habitually making excuses, and blaming others.

- Chronic, unsubstantiated complaints about persecution or injustice; a victim mindset.

- Obsessive intrusion upon others or persistent unwanted romantic pursuit.

- Erratic, impulsive, or bizarre behavior that has generated fear among co-workers.

- Homicidal or suicidal thoughts or ideas.

- A high degree of emotional distress.

- Apparent impulsivity and/or low tolerance of frustration.

- A fascination with weapons, a preoccupation with violent themes of revenge, and an unusual interest in recently-publicized violent events, if communicated in a manner that creates discomfort for co-workers.

- Any behavior or collection of behaviors that instill fear or generate a concern that a person might act out violently.

Problematic behavior may emerge as particularly concerning if it is newly-acquired or is accompanied by sudden behavioral changes, such as decreased productivity, increased absenteeism, or an abrupt withdrawal from normal social circles at work. The context in which problematic behavior occurs likewise can heighten a concern for violence. Namely, the potential for violence may increase when the person in question suffers from an emotional, financial, or other significant stressor, such as the possible or actual loss of employment, financial hardship, divorce, a death in the family, legal challenges, and substance abuse.

The organization should remain mindful that a person can exhibit one or more warning signs and never resort to violence. However, the existence of problematic conduct and warning signs prompts a

need for careful examination and at times formal intervention through the organization's Incident Management protocols.

8.2   Encouraging the Reporting of Problematic Behavior

History is replete with instances in which ample problematic behavior – including clear "warning signs" – had preceded a lethal incident, but information about that conduct was never channeled to persons with the expertise, ability, or authority to intervene.   As an essential prevention and intervention tool, an organization should adopt practices designed to maximize the reporting of conduct or circumstances that raise a concern for possible violence, so that the organization can take appropriate action.

These practices can include:

a) Implementing a workplace violence prevention policy and other complementary policies (such as an anti-harassment policy) that require and encourage employees to report inappropriate and threatening behavior without fear of retribution. (*See* Section 6.2.1 above.)

b) Establishing multiple (but delineated) avenues for reporting problematic behavior, such as to members of the Threat Management Team, supervisors along the employee's chain of command, and other designated personnel, such as Human Resources and Security.   In addition, designated personnel should receive training regarding how to handle a report they receive, and required escalation protocols.

c) Establishing means by which employees can anonymously report problematic behavior, such as through a hotline, a tip-line, or other electronic means. Careful consideration should be given to how anonymous reports will be received to ensure that adequate information is reported to enable a meaningful response by the organization.

d) As discussed above, training employees to recognize problematic behavior and to report the behavior to members of the Threat Management Team and other designated personnel.

e) Fostering a work culture and environment that supports the reporting of inappropriate conduct and that prohibits retaliation and adverse consequences to those who make reports or assist in any ensuing investigation.

In contemplating the above strategies, the organization should remain mindful that it seeks information that is accurate, complete, and timely. The more quickly and accurately a threat or concern with possible violence is reported, the greater the opportunity for successful intervention. The best prevention is early intervention.

8.3   Overview of the Incident Management Process

Although circumstances, fact patterns, and other factors will drive the specific actions an organization takes in response to a report made under its workplace violence prevention policy, it should establish an Incident Management Process to serve as a guide. (See Figure 1, pg. 26.)

8.3.1 The Incident Management Process in Non-Urgent or Non-Emergency Situations

If a reported situation does not appear to present an immediate threat to physical safety, the Incident Management process should include the following components:

a) Conduct an initial gathering of information from readily-available sources;

b) Perform a preliminary violence risk screening, based on information known at the time;

c) Develop a plan for early actions based on the initial risk screening;

d) Conduct a deeper, continued investigation and re-evaluate risk based on new information learned;

e) Implement further needed Incident Management actions, such as a formal violence risk assessment and other needed interventions;

f) Develop recommendations for appropriate responses to resolve an incident and assist relevant management with implementation;

g) Perform continued monitoring and follow-up actions as appropriate; and

h) Debrief to evaluate the effectiveness of Incident Management and identify required process improvement.

1. Initial Notification of Incident of Concern
From various sources: internal or external to company
Possible recipients: HR, security, legal, safety personnel, line managers

Case information forwarded to designated Threat Management Team member

2. Initial Data Gathering and Risk Screening by Threat Management Team

Concern Unwarranted   Concern Exists   Concern Urgent

or

Team not required

3. Initial Actions by Threat Management Team
- Further data collection
- Further risk level screening
- Conferring with other team members
- Professional risk assessment consultation

Emergency Options

Immediate Crisis Resolved

4. Additional Actions by Threat Management Team
- Continuing data collection
- Security measures/law enforcement
- Background investigations
- Professional risk assessment
- Defusing and treatment interventions
- Legal guidance and actions
- Employment status actions
- Workgroup and victim interventions

Escalation of Warning Signs

Non-Risk Related Follow Up

5. Safe Resolution

Monitoring

Source: Adapted from Stephen G. White, Ph. D., and Work Trauma Services, Inc. (2010)

Figure 1: Overview of the Incident Management Process in Non-Emergency Situations

8.3.2   The Incident Management Process in Urgent or Emergency Situations

When a reported situation involves an immediate threat to physical safety, local law enforcement and emergency response personnel should be notified and the organization's emergency response implemented. (See Section 8.10 below.)

As a situation is brought under control, or the risk is abated, the organization may engage in Incident Management actions consistent with Section 8.3.1 above.

8.4   Initial Data Gathering and Violence Risk Screening by the Threat Management Team

Upon receiving a report made under the organization's workplace violence prevention policy, the Threat Management Team (in non-emergency situations) should gather readily-available information and conduct a preliminary screening to judge the general level of risk seemingly posed by the behavior or circumstances in question.

8.4.1   Objectives of the Initial Data Gathering and Risk Screening

Distinct from a formal violence risk assessment (which denotes a more elaborate process performed by specifically qualified personnel), an initial "risk screening" aims solely to assist the Team in determining the general urgency of a situation and appropriate initial actions to take. The Team will engage in preliminary fact-gathering to determine, to the extent possible with readily-available information, the "who, what, where, when, and why" of an incident.

Especially at this early stage, the Team should focus on the most readily available information, which it can gather quickly and discreetly. Potential sources of initial information can include:

a) Employees who have reported the problematic conduct in question or who have emerged as the seeming targets of the behavior.

b) Where an employee is the potential perpetrator: i) current and former supervisors or managers of the employee; ii) the most closely-situated human resources manager; iii) the employee's personnel file; iv) where relevant, the employee's workplace computer and e-mail communications; and v) all communications by the employee that have generated concern.

c) Where a third party is the potential perpetrator: i) all communications by the person, made by whatever means; and ii) if appropriate, a background check, where enough information is known about the person to permit a meaningful search.

d) Where the suspected or confirmed abusive partner of an employee is the potential perpetrator: i) inquiries consistent with those described in Section 10 below; and ii) if appropriate, a background check.

e) Additional information publicly available, such as through the internet.

In situations where the potential perpetrator is an employee, the Threat Management Team will typically conduct its work at this early stage without notifying the employee that he or she is the subject of a report made under the organization's workplace violence prevention policy.

8.4.2   Information Relevant to Violence Risk Screening

As noted above and cautioned throughout this Standard, a formal violence risk assessment shall be conducted solely by specifically qualified and credentialed personnel or outside consultants. That said, an organization in conducting its initial "risk screening," should endeavor to gather information relevant to violence risk assessments, so that it can consider pertinent (rather than irrelevant, incomplete, or extraneous) information in conducting its work.

Questions pertinent to violence risk assessment (and initial risk screening) fall into two general categories: (1) information regarding factors that establish a risk of violence; and (2) information regarding factors that lower or mitigate the risk of violence.

Key questions aimed at identifying risk factors include:

- What is motivating the individual to make the statements or take the actions that led to concerns about the safety of the workplace and its employees?

- What has the individual communicated concerning his or her intentions, whether by words or other disclosures or actions?

- What interest has the individual shown in violence or its justification, violent perpetrators, weapons, or extremist groups?

- Has the individual engaged in planning and preparation for violence, such as approaching a target or site; breaching security; or monitoring, harassing, or stalking a target?

- Does the individual have a known or suspected current or past history of a mental disorder or substance abuse? Has the individual exhibited symptoms of paranoia, delusional ideas, hallucinations, extreme agitation, despondency, or suicidal tendencies (especially with any violent content)? Has he or she ever acted on such beliefs?

- What evidence exists of serious oppositional or counterproductive attitudes or behavior in the workplace? For example, does the individual blame others or exhibit a strong sense of entitlement, defensiveness, self-centeredness, or intolerance of others' rights?

- How does the individual manifest his or her anger and how focused is this anger on other individuals in the workplace?

- Has the individual experienced (or is he or she likely to in the near future) any serious personal or financial stressors, such as divorce, custody disputes, job or status losses, or deaths in the family? Does he or she show poor coping skills in reaction to such events?

- What is the individual's known history of serious interpersonal conflict, violence, or other criminal conduct (in domestic or other settings)?

- Is there evidence of any organizational, supervisor, or work group problems that have contributed to, provoked, or exacerbated the situation, and how do those problems influence the individual's perception of his or her circumstances?

Key questions aimed at disclosing factors that may lower or mitigate the risk of violence include the following:

- Does the individual have valued, family, or other positive personal attachments (i.e., critical emotional anchors)?

- Has the individual expressed genuine remorse for making threats or engaging in the behavior that has generated a concern for safety?

- Has the individual responded positively to defusing or limit-setting efforts by others?

- Has the individual engaged in appropriate problem-solving or sought professional treatment or legal recourse as a way to manage the situation or problems at issue?

- What services have been offered to the individual, and which have been accessed?

Of course, answers to many of these questions may not initially be available and in a given case may be particularly difficult to ascertain. The Threat Management Team should exercise caution and good judgment, and seek legal counsel (as necessary) in order to pursue information in a manner that does

not complicate the Incident Management process, properly balances the need for thoroughness with the need for promptness, and complies with applicable laws. The Team should further exercise care in conducting data gathering in a way that does not unwittingly increase the risk of violence.

8.4.3 Evaluating Information for the Initial Risk Screening

Once it gathers initial information, the Threat Management Team should conduct a preliminary risk screening with a view towards ascertaining, in a gross or general manner, the urgency presented by the situation in question. The team should consider all information it has gathered consistent with Section 8.4.1 and 8.4.2 above that indicates or mitigates a risk of violence and then assess, from a lay person's perspective:

a) Is a concern for violence unwarranted, so that the incident can be handled (when involving an employee) within normal human resources, disciplinary, or employee relations protocols, as opposed to by the Threat Management Team?

b) Is some concern for violence warranted but not significant or urgent, so that the Team can continue with additional fact-gathering and its Incident Management process?

c) Is a concern for violence urgent, so that emergency or urgent action should be taken, such as immediate consultation with a violence risk assessment professional or law enforcement?

8.5 Early Actions by the Threat Management Team

When an initial risk screening indicates that a concern for violence is unwarranted, the Threat Management Team (when the incident involves an employee) may direct the incident to be handled by Human Resources or other management within normal human resources, disciplinary, or employee relations protocols.

When an initial risk screening indicates a concern for violence that is not urgent, the Threat Management Team may proceed with early Incident Management steps, including:

a) Continuing or expanding its information collection efforts.

b) Consulting with an internal or external threat assessment professional to obtain a more formal or comprehensive assessment of violence risk, and steps that can be taken to mitigate the risk. Immediate or early consultation with a qualified violence risk assessment professional is particularly advised when the Team feels uncertain in its ability to accurately evaluate risk, even in a general or gross fashion.

c) Consulting with other resources, such as executive protection specialists and legal counsel.

d) Assessing the need for additional security.

e) Initiating, where necessary, coordination with local law enforcement.

f) Conferring as a Team to determine next steps.

When an initial risk screening reveals an urgent concern for violence, the Team should immediately undertake emergency or urgent action, such as (but not limited to) immediate consultation with a violence risk assessment professional, implementation of heightened security measures, or notification of law enforcement.

8.6 Threat Response Actions by the Threat Management Team

As the Threat Management Team continues its work, it should implement and coordinate measures to monitor violence risk, to manage and mitigate the risk, and to successfully resolve an incident. In doing so, the Team should consider several components that can influence the risk of workplace violence and/or drive a resolution.

These components include the actions listed in the following subsections.

8.6.1 Actions Directly Involving the Person of Concern

The Threat Management Team should consider the following actions directly involving the person who has generated the concern for workplace violence, including but not limited to:

a) Conducting a deeper investigation, potentially including searches of workplace computers or networks, public records, databases, social media, and other sources legitimately available to the organization, for information pertinent to expressed hostilities, violent ideation, and a history of harassment, aggression, or violence.

b) Engaging a qualified internal and/or external threat assessment professional to conduct a formal violence risk assessment and to counsel the organization on steps it can take to address and mitigate the behavior of concern, including specific defusing and treatment interventions.

c) When the person of concern is an employee, considering appropriate and safely-conducted employment actions, including discipline, suspension, or termination. Appropriate actions may further include a referral to EAP, transfer, administrative leave, and other possible actions.

d) When the person of concern is an employee who appears to suffer from a mental disorder, consulting legal counsel to determine employer obligations under the Americans with Disabilities Act and related state laws.

e) When the person of concern is a third party (rendering information about the person's activities less accessible), the organization may consider professional surveillance efforts. In doing so, the organization should seek assistance by a qualified professional in assessing the legality and weighing the relative costs, anticipated benefits, and potential risks associated with surveillance efforts.

f) Considering necessary or appropriate legal action, such as seeking a restraining or protective order, if after careful evaluation it is determined that doing so would further and not diminish overall threat management efforts.

8.6.1.1 Managing an Employee with a Known or Suspected Mental Disorder

On occasion, an employer will possess information that, as a legal and practical matter, places it "on notice" that an employee of concern suffers from a mental disorder. At times, the employee has engaged in behavior so bizarre, inappropriate, and inexplicable that the employer (without engaging in speculation or inexpert assessments of mental status) must reasonably conclude that a psychiatric problem might exist. Sometimes, an employee will self-disclose a mental disorder. In those instances, the organization should consult with legal counsel to determine employer obligations under the Americans with Disabilities Act and related state laws, which offer employment protections to employees who suffer from certain defined mental disabilities.

As a rule, the existence of a mental disorder does not excuse breaches of company policy or offer immunity when an employee engages in threats, violence, and other inappropriate workplace behavior. Indeed, the ADA and related state laws do not offer protections to mentally-disordered employees who present a "direct threat" of violence to the organization, as legally defined. However, the existence of a known or suspected mental disorder typically will affect Incident Management, causing the employer to consider actions it would not otherwise undertake. These actions can include:

a) Securing the advice of a qualified threat assessment professional in the early stages of Incident Management.

b) Encouraging the employee to seek medical attention, including the placement of the employee on medical leave.

c) When it is deemed after careful consideration as an appropriate step that would be useful and not in breach of the employee's right to privacy, securing the help of family members or close friends in encouraging or enabling the employee to seek medical help.

d) When the employee exhibits behavior indicating that the employee might harm him or herself or others, engaging law enforcement to secure the employee's commission to a psychiatric facility, consistent with applicable laws.

e) In instances where a violence risk assessment concludes that the employee does not present a violence risk, conditioning a return to work on the successful completion of a *fitness for duty examination*. Distinct from a violence risk assessment, a fitness for duty examination is a process conducted by a licensed mental health professional specifically trained and qualified to evaluate the impact of clinical conditions on job-related functioning and to assess whether the employee is fit to perform the essential functions of his or her job, with or without a reasonable accommodation by the employer.

8.6.1.2 Ensuring a Safe Termination of Employment

When an organization chooses to terminate an employee of concern, it should engage in strategies designed to ensure a thoughtful, respectful, and safe termination. These strategies can include:

a) Obtaining the advice of a qualified threat assessment professional in designing a termination plan, including advice regarding how a termination meeting should be conducted.

b) Offering a "face-saving" outcome for the employee, including a termination package that permits the employee to move forward in life with his or her dignity and self-respect intact.

The organization should consider a separation package, in the interest of safety, even if not typically offered by the organization during terminations for cause.

c) Conducting the employment termination consistent with the organization's established practices, policies, and procedures in cases involving a concern for violence, and obtaining legal advice as necessary to ensure compliance with applicable employment laws.

d) Implementing security measures, when appropriate, for the termination meeting.

e) Considering any ongoing security measures that should be taken following the termination, as well as efforts to preclude or monitor contacts by the former employee with the organization or its employees.

f) Considering the nature and form of information that will be provided in the future in response to queries about the former employee by prospective employers.

8.6.2 Actions Involving the Potential Victim or Target

Within the context of a comprehensive interdisciplinary evaluation and understanding of an incident, the Threat Management Team should also consider actions involving the victim or target of the threatening behavior, including but not limited to:

a) Referring the employee to professionals who can provide emotional counseling and safety training, such as EAP and community-based programs – e.g., public safety agencies, advocacy groups, shelters, or other private services.

b) Discussing with the employee employment actions, such as a relocation or transfer within the organization, administrative leave, or other reasonable accommodation.

c) Instructing the employee about steps he or she should take to inform the Threat Management Team of any future contacts by the person of concern, and how to respond to communications or contacts made by that person.

d) Keeping the employee informed in a general fashion of actions the Threat Management Team is taking to address the incident or behavior in question. Of course, the employee should not be provided detailed information, but enough information to elicit confidence that the employer is responding appropriately.

8.6.3 Additional Actions

The Threat Management Team may consider additional actions, including but not limited to:

a) Reporting criminal activity to law enforcement. This may also include consulting with police agencies or otherwise engaging law enforcement resources and assistance in addressing an incident, and cooperating with any ensuing criminal investigation.

b) Adopting security measures covering the workplace generally or the specific targets. These measures can include steps to alter access to workspaces, networks, and equipment.

c) Developing strategies to address fear and disruption affecting employees and work groups.

d) When the organization permits the person of concern to continue in his or her employment following an incident, coaching relevant managers and supervisors to: i) enforce standards of appropriate workplace behavior; ii) closely monitor the workplace conduct of the employee in question; and iii) immediately report any future concerns to the Threat Management Team.

8.7   The Importance of Setting Appropriate Limits to Internal Violence Risk Assessment

Many organizations' Threat Management Teams, through training and accumulated experience, will be adept at screening cases for potential risk and at developing risk mitigation strategies. However, when the Team lacks that training and experience, or when a formal violence risk assessment is warranted, the organization should engage an external threat assessment professional to assist with Incident Management. The Team should acknowledge the limits of its expertise and experience, and obtain external assistance when needed.

Outsourcing a violence risk assessment to a qualified threat assessment professional can enhance the quality of Incident Management; in addition, it can help to mitigate the organization's liability by ensuring that the organization has allowed a qualified person, not the organization's own employees, to assess violence risk.

In selecting an external threat assessment professional, the organization should consider such factors as the person's:

- Education, training, and experience in violence risk assessment, especially in the workplace context;

- Licensing, credentialing, and insurance;

- Reputation;

- Experience in the industry;

- Availability, flexibility;

- Style, approach, and sophistication; and

- General familiarity with relevant criminal, civil, and employment law.

8.8 The Importance of Legal Oversight

As referenced elsewhere in this Standard, workplace violence prevention and intervention is a multi-disciplinary endeavor. Among the more important disciplines is that of legal counsel, who can play a vital role during Incident Management.

Whether in-house or from an outside law firm, legal counsel with expertise in employment law and relevant experience in managing workplace violence incidents should be consulted at various junctures during the Incident Management process, including with respect to:

- Legal issues that commonly arise during Incident Management. These include but are not limited to rights to privacy, compliance with the organization's established policies and procedures, legal obligations under the American with Disabilities Act and other applicable

anti-discrimination laws, due process requirements, obligations under the federal Fair Credit Reporting Act and related state statutes, evidence preservation, and requirements under any applicable collective bargaining agreement.

- Among other important legal issues, counsel can provide advice so that an organization does not overlook – or overstate – rights to privacy and their impact on Incident Management.

- Effective and legally-sufficient investigatory or fact-finding techniques.

- Proper process for engaging in a violence risk assessment of an employee, including guiding the organization in providing adequate disclosures and security required consent.

- Appropriate employee disciplinary or other remedial steps, including termination.

- The composition and conditions of a separation package and related releases.

- The nature and form of information that will be provided in the future in response to queries about the terminated employee by prospective employers.

- Potential legal risks and liabilities raised by courses of action the organization might have under consideration.

- In appropriate circumstances, legal counsel may also lead efforts to obtain corporate restraining orders or engage in other legal process.

- Notification and involvement of law enforcement.

- Obligations to warn potential targets of possible violence, and to provide security protection.

In engaging legal counsel, an organization will especially benefit from an experienced attorney with a fluency in weighing relative potential liabilities presented by different contemplated courses of action, given the legal complexities frequently involved in Incident Management.

8.9   After an Incident Has Been Resolved

After the Threat Management Team has concluded an incident by implementing remedial steps and resolving safety concerns, it typically will engage in the following additional actions:

a) The Team should ensure appropriate recordkeeping of the incident, including all actions taken by the Team.

b) When the organization permits the person of concern to continue in his or her employment following an incident, it should instruct relevant managers and supervisors to: i) enforce standards of appropriate workplace behavior; ii) closely monitor the workplace conduct of the employee in question; and iii) immediately report any future concerns to the Threat Management Team.   Relevant management should remain alert to any new information indicating a need for additional action, either with respect to the specific situation at issue or the workplace in general.

c) The Team should undertake a careful review of the incident in question, examining both the precipitating event and the organization's and the Team's response to it. The purpose of the review is to determine any needed or desired changes in workplace conditions, policies, or procedures that could help avoid similar incidents in the future or help the organization to manage them more effectively if they occur.

8.10   Responding to a Violent Workplace Incident

Despite the best prevention and deterrence efforts, workplace violence can still occur, resulting in injuries and death. For that reason, an organization's Threat Management protocols should consider the organization's response should violence erupt.

8.10.1   General Considerations in Pre-Planning

Pre-planning, training, and table-top exercises are critical to helping an organization establish an effective response to a violent incident. Response plans should consider:

a) The core types of incidents that the organization can face, including aggressive posturing without physical contact; injurious aggression, such as slapping, pushing, shoving, punching, kicking, and wrestling; the use of various weapons, conventional or improvised, and of incendiaries or explosives; and active shooter scenarios.

b) The possibility of single or multiple offenders.

c) Expectations regarding employee involvement in responding to violence.

d) Policies that establish how the organization intends to mitigate or stabilize an immediate threat to personnel who are in direct contact with an assailant and to prevent casualties.

e) Pre-planning involving law enforcement, such as ensuring that local law enforcement has access to floor plans and can set up command stations onsite, should violence erupt.

f) Training to the Threat Management Team and other employees regarding information that should be transmitted to law enforcement should violence erupt, including but not limited to the physical characteristics and clothing of the assailant, the assailant's location, and the number of assailants.

g) Other strategies and policies discussed in Sections 8.10.3 and 11 below.

8.10.2   Public Emergency Numbers (9-1-1)

When violence erupts, immediately calling 9-1-1 is critical; however, it is not a panacea. Mobilizing emergency responders takes time. Studies show that once violence begins, actions with the greatest impact on the outcome will be taken by persons already at the scene, before law enforcement arrives. For that reason, emergency responders should be considered as merely one element of a broader violence response plan.

8.10.3 Immediate Response Imperatives

In a potentially life-threatening situation, immediate response procedures for onsite responders should address ten imperatives:

1) Avoid the danger zone by moving to a safer location in the facility or away from the facility itself as indicated by the situation.

2) Report the incident to public emergency responders (9-1-1) first and local security/safety resources second, as soon as one has exited the area of immediate danger.

3) Provide emergency responders with necessary building floor plans and access. Use available technology (e.g., CCTV systems) to monitor unresolved situations and communicate real-time updates to affected personnel and emergency responders, to help them make appropriate decisions.

4) Deny an attacker access to additional victims by notifying those within the potential danger zone to either escape or seek shelter. Whenever possible, take action to prevent an attacker's movement into other areas, or effectively barricade portals to areas where personnel have taken temporary refuge.

5) Defend with lawful use of force against the attacker to stop the attack if escape is not possible, or if victims who cannot protect themselves are in immediate danger and intervention can be accomplished without unreasonable risk to the defender's own safety.

6) Provide first aid to injured persons when and where this can be done without placing either victims or rescuers in further danger.

7) Close off access to any areas affected by the incident as soon as possible to prevent contamination or alteration of evidence.

8) Comply with public emergency responders during their response to an incident, and avoid any action which could be viewed as aggressive or threatening.

9) Account for all personnel and determine their status and location in order to identify those who are missing and may still need help, and to be able to respond accurately to concerned parties.

10) If applicable and if possible, utilize building paging system to alert people of a potential incident.

The organization should identify appropriate personnel to receive specialized training on each of the specific imperatives according to their roles and assignments. For additional information on the topics relevant to business continuity and preparedness, see Section 11 below.

9   THE ROLE OF LAW ENFORCEMENT

While not every workplace incident will reach the level of criminal conduct, cases that involve physical assault or significant destruction of property or serious threats (especially with a weapon) will as a general rule require intervention by law enforcement and possibly other public safety agencies as well.

Law enforcement's role as an emergency responder is highly familiar. If a situation arises in a workplace that puts life, personal safety, or property in immediate danger, any business owner or manager will know that a 9-1-1 call will quickly bring police and other emergency personnel, to the scene. Once there, law enforcement officers have the responsibility for controlling the situation and ending the threat, and – in many cases – for arresting the offender and gathering evidence for criminal prosecution.

However, emergency response is not the law enforcement community's only role in workplace violence. Employers should be aware that establishing contact and exchanging information with local police or sheriff's departments before a violent act occurs are vital in developing and administering an organization's workplace violence program. An existing relationship and communication channel between an organization and local law enforcement may also make the response more effective if an emergency arises.

Law enforcement agencies in different jurisdictions (i.e., local, state, and federal) have different laws, policies, budgets, manpower, and competencies, and may have different priorities and different attitudes on cooperating with employers in workplace violence prevention and response efforts. In developing workplace violence plans, employers should contact police command staff for their area and meet to discuss police response and investigation procedures to ensure an effective collaboration to respond to crimes in progress, and other emergency calls. Employers should find out how their local police departments would answer questions such as:

- What is their standard response to a report of a suspicious person on our property or in our building? How will they respond to a report of an unauthorized person on the property or in the building with a firearm?

- Do they have a policy of investigating threats before any injury occurs? What is their position on responding to conduct that creates fear --, such as threatening, bullying, and intimidation -- but that may not be characterized as criminal?

- What is the procedure following a report of a duress alarm or crime in progress at our facility?

- How long do they estimate it will take them to reach the scene after an emergency call?

- Do they have a dedicated domestic violence officer or unit which provides preventive services to victims?

In establishing a channel of communication with a law enforcement agency, it is preferable for an organization to designate one person and an alternate as its permanent liaison officer with the police. It is even better if the police department also provides a single point of contact. Many police agencies have assigned personnel to work in the area of crime prevention, and an organization's initial call should be directed to the person overseeing crime prevention efforts, if such a position exists. In some instances, it could be a member of the Special Weapons and Tactics Team (SWAT), an officer who is

assigned to homeland security issues, or a detective in the violent crimes unit. Ultimately, personnel assigned would be determined by the police command staff.

Once the communication channel has been established, the organization's representative can use it to:

- Make sure the police have correct information about the organization in their record system (often a computerized database). Data such as address, telephone number(s), and the physical layout of the site – including main power and water locations – should be on file, along with the name and 24-hour contact information for the appropriate contact person(s).

- Ask what additional information might be put on file to help police respond more effectively in an emergency (for example, fire and evacuation plans to include where employees will meet after an evacuation, or locations of hazardous materials or high value goods). Consider providing local law enforcement detailed and current floor plans of the facilities, and key cards to access secured areas. These will facilitate local emergency services responses especially in cases of barricaded suspects or hostage situations.

- Find out if the department offers any crime prevention outreach programs that could be useful to company executives or employees.

- Ascertain the police agency's policy on responding to non-criminal yet threatening behavior, and determine what information the organization will share with police in such incidents.

- Get advice on planning and possible assistance or support from law enforcement when a situation or event may create a heightened risk of violence. Possible examples include announcements of layoffs, an adversarial termination, or knowledge that an employee is in an abusive personal relationship.

- In building a relationship with local law enforcement and better preparing for the possibility of a serious violent event in the workplace, a business may wish to consider partnering with law enforcement on on-site training, drills, and exercises.

A cooperative relationship with local police can also benefit an organization by providing a channel to resources that can only be accessed through law enforcement agencies. For example, if an organization is concerned about a potentially dangerous employee, and this cooperative relationship with law enforcement has been established, the local police could contact the FBI's National Center for the Analysis of Violent Crime (NCAVC) at Quantico, Virginia. At a police agency's request, NCAVC may agree to conduct a violence risk assessment and advise on possible intervention strategies, if the employee is assessed as presenting a serious risk of violence.

While it is imperative for an organization to reach out to its law enforcement partners to determine exactly what they will or will not do in a given situation, it is just as important for law enforcement to understand the organization will respond to a given situation. This mutual exchange of information permits a seamless plan for intervention and assistance. This partnership, based upon the knowledge of each other's capabilities and enhanced communication, will strengthen an organization's overall violence prevention efforts.

9.1 The Question of Law Enforcement Intervention

While actual criminal violations should be reported to the appropriate law enforcement agency, the Threat Management Team should carefully consider the potential risks and benefits of requesting law enforcement intervention in a situation that does not rise to the level of a criminal act. The Threat Management Team, in advance of any particular incident, would benefit from developing an understanding regarding the ability of its local law enforcement agency to appropriately intervene during incident management, and the nature and limits of its prospective role during incident management. Of course, as emphasized throughout this Standard, the question of law enforcement intervention should be considered within the context of a Threat Management Team's overall incident management strategies.

10 INTEGRATING THE ISSUE OF INTIMATE PARTNER VIOLENCE INTO WORKPLACE VIOLENCE PREVENTION STRATEGIES

While traditionally seen solely as a "private" problem, intimate partner violence (or "domestic violence") can significantly impact workplace safety and productivity. When an employee is in an abusive relationship, the abuser not uncommonly will seek out the abused employee at work, where he or she can readily be found. When these threats from "private" or "intimate" violence intrude on the workplace, they endanger not only the abused partner, but co-workers as well. In addition, the abuser will at times use his or her own resources at work (such as work time, computers, telephones) to harass or threaten the abused partner.

Due to its significant potential impact on workplace safety, an organization's Workplace Violence Prevention and Intervention Program, and its overall prevention and intervention strategies, should address intimate partner violence. When incorporating intimate partner violence issues into a workplace violence prevention and intervention program, an employer should consider the following strategies.

10.1 Include Intimate Partner Violence in the Policy Statement

An employer's workplace violence prevention policy should address intimate partner violence in several ways:

a) The policy should require or strongly encourage employees to report to designated personnel any restraining or stay-away orders covering the workplace. The policy should encourage employees to report safety concerns related to intimate partner violence without fear of retaliation or negative job consequences.

b) The policy should reflect a commitment to support victims of intimate partner violence by providing referrals to appropriate community or EAP resources, and providing time-off for reasons related to intimate partner violence as required by law or company policy.

c) The policy should address abusive partners by making it a violation to stalk, threaten, or harass anyone (in the same workplace or elsewhere) while on-the-job or with the use of the organization's resources, including computers, telephones, fax machines, or vehicles.

d) The policy should communicate that the organization treats threats coming from an abusive personal relationship as it does all other forms of violence.

10.2   Implement Prevention Strategies Specific to Intimate Partner Violence

An organization should incorporate prevention strategies specific to intimate partner violence. These can include:

a) Training that addresses intimate partner violence. Minimally, the organization shall supply training to members of the Threat Management Team; in addition, the organization should consider broader training, especially of supervisory personnel, and of employees-at-large.

Training should address:

- Warning signs that an employee may be involved in a violent relationship.

- Circumstances in which behavior seemingly tied to an abusive relationship should be reported to the Threat Management Team.

- How members of the Threat Management Team, supervisors, and other relevant personnel can approach an employee in an appropriate, effective, and compassionate manner to ask about a suspected abusive relationship.

- Community, EAP, and other outside resources that the organization can inform employees about to assist them in addressing intimate partner violence.

- As with other workplace violence training, members of the Threat Management Team should receive detailed training regarding intimate partner violence, methods of responding to reports of workplace threats stemming from an abusive relationship, and special privacy issues that arise during Incident Management. In addition, the Threat Management Team should receive training regarding employer legal obligations towards victims of intimate partner violence, including but not limited to requirements under the Family and Medical Leave Act (FMLA), state anti-discrimination laws, and state laws requiring time off for reasons related to intimate partner violence.

b) As part of the organization's training efforts, the organization can invite a speaker from a local advocacy agency, or a police officer or prosecutor, to speak to employees about intimate partner violence.

c) To maximize the chances that employees will report threats stemming from an abusive relationship, the organization should create a supportive environment and encourage or require employees to inform designated personnel of safety concerns stemming from intimate partner violence without fear of retaliation or negative job consequences.

d) As part of efforts to create a supportive environment, the organization should provide information to employees (during training or otherwise) regarding community resources available to them in addressing an abusive relationship, including legal, psychological, and financial resources.

10.3   Identifying Potential Violence Stemming From an Abusive Relationship

Unlike with most other types of violence, victims of intimate partner violence commonly will try to conceal their abuse, presenting special challenges to an organization that endeavors to prevent workplace violence. Of course, organizations do not have an unlimited right to pry into an employee's private life.   However, organizations do carry an overriding responsibility to respond to signs of intimate partner violence when that violence threatens workplace safety.   For that reason, an organization shall remain aware of signals that an employee is involved in a violent relationship.

Warnings signs of intimate partner violence, which can occur singularly but often in combination, include but are not limited to:

a) Injuries (especially repeated injuries) such as bruises, black eyes, and broken bones -- especially if the employee tries to conceal the injuries or offers unconvincing explanations for how they occurred.

b) Absenteeism or lateness, poor concentration, and work-related errors or inconsistent work quality that is uncharacteristic of the employee.

c) Requests for time off to attend court appearances.

d) Signs of emotional distress, such as unusual quietness and increased isolation from co-workers, and unusual or repeated emotional upset during and following a phone call or contact with the employee's partner.

e) Suggestions or statements by the employee that a former or current partner is engaging in unwanted contact.

f) An unusual number of phone calls or e-mails, text messages, voicemails, or faxes from a current or former partner, and reluctance by the employee to converse with the partner or to respond to messages.

g) Abrupt changes of address by the employee or a reluctance to divulge where the employee resides.

h) Unwelcome visits by the employee's partner to the workplace, particularly if the visit elicits a strong negative reaction by the employee

10.4   Assessing the Risk: Questions Specific to Intimate Partner Violence

Once an organization has identified an employee's involvement in a violent relationship, it should take steps to determine whether that intimate partner violence poses a risk to the workplace. In doing so, the organization should follow the Incident Management protocols outlined in Section 8 above.

In addition to other questions discussed in Section 8, the Threat Management Team should inquire:

a) Has the abused partner recently broken off the relationship, or is the abused partner considering doing so? (This is an important question to ask because the most dangerous moment in an abusive relationship typically occurs when the abused partner tries to separate from the abuser.) If so, how did the abuser react?

b) Has the abuser made threats? If so, how specific were they, and how credible does the abused employee believe them to be?

c) Has the abused employee petitioned for or been granted a court order of protection? If so, it is recommended that the employee provide a copy of the order to a member of the Threat Management Team.

d) Has the abuser violated a protective order in the past?

e) Does the abuser have a history of violence? Has the abuser ever been arrested for any criminal offense?

f) Does the abuser have access to weapons? Has the abuser recently acquired one?

g) Keeping in mind that stalking behaviors should be construed as potentially dangerous, particularly when the relationship has ended:

- Has the abuser engaged in stalking behaviors? Stalking behaviors include but are not limited to: (i) repeatedly phoning or contacting the abused employee by other means; (ii) monitoring the abused employee's whereabouts by such means as phone calls, e-mails, texting, social networking sites, inquiries made to friends and co-workers, and GPS; and (iii) other unwanted contacts and communications.

- Have stalking behaviors taken place at the abused employee's workplace or involved the employee's co-workers?

h) Keeping in mind the top five risk factors for homicide resulting from an abusive relationship identified by the Department of Justice:

- Has the abuser ever used or threatened to use a gun, knife, or other weapon against abused employee?

- Has the abuser ever threatened to kill or injure the abused employee?

- Has the abuser ever tried to strangle (choke) the abused employee?

- Is abuser violently or constantly jealous?

- Has abuser ever forced the abused employee to have sex?

Given the sensitivity of the above questions, their likelihood to implicate the employee's right to privacy, and the pressing concerns with workplace violence at times generated by an abusive relationship, the above questions commonly should be posed within the context of a formal violence risk assessment conducted by qualified personnel pursuant to legal disclosures and formal consent by the abused employee.

10.5 Legal Issues Specific to Intimate Partner Violence

In addition to the legal issues that arise during Incident Management as a general matter, organizations faced with workplace safety issues tied to intimate partner violence shall consider additional specific legal requirements during Incident Management. Depending on the controlling jurisdiction, applicable

laws may prohibit discrimination towards victims of intimate partner violence or require the granting of time off to permit an abused employee to seek medical attention and legal recourse.

An organization managing safety questions tied to an abusive relationship should seek legal counsel to ensure compliance with applicable laws, which may include the following:

a) The Family and Medical Leave Act (FMLA), covering employers with fifty or more employees, requires employers to provide up to twelve work weeks of unpaid leave in a variety of circumstances, including for an employee's "serious health condition" or a family member's "serious medical condition." Those provisions may apply when an employee seeks time off to attend to his or her own or a family member's injuries stemming from an abusive relationship.

b) Many states explicitly prohibit an employer from discriminating against employees involved in an abusive relationship by terminating them or imposing other negative job consequences. In particular, some states specifically require employers to grant abused employees time off for reasons related to intimate partner violence, such receiving medical attention, attending court proceedings, or receiving counseling.

c) Some states have recently enacted laws that require "reasonable accommodations" to employees involved in an abusive relationship, consistent with requirements under the Americans with Disabilities Act (ADA).

d) Certain jurisdictions mandate or recommend public employers to provide employee training regarding intimate partner violence.

10.6   Safety and Security Measures

When a violence risk assessment reveals that an employee's abusive partner (or suspected abusive partner) poses or may pose a danger to the employee, the organization should consider specific safety and security measures. Some of these measures may require the participation of the abused employee and others in the workplace. These security measures may include:

a) Steps taken to limit the abuser's (or suspected abuser's) access to the workplace, such as by distributing the abuser's photograph to security personnel and – if appropriate – members of relevant management or a specific workgroup.

b) Requiring the abused employee to inform members of the Threat Management Team or other designated personnel about behaviors of significance in line with those listed in Section 10.4 above, such as any new threats or contacts received from the abusive partner.

c) In addition, the organization may undertake additional security measures, with the employee's participation, such as providing a parking space close to building entrances, providing a security escort to the employee's car, offering flexible or variable work hours, removing the employee's name from office telephone directories, changing the employee's workplace e-mail address, and screening phone calls.

d) The organization should require or encourage the employee to inform members of the Threat Management Team or other designated personnel if the employee obtains a restraining or protective order, or other judicial order, as a result of a criminal or civil proceeding. Security personnel should be informed of orders banning the abused partner's presence on the work site.

e) In states that permit employers to obtain restraining orders covering the workplace, the organization (as part of its overall Incident Management) should evaluate the feasibility and desirability of obtaining such an order when it learns of threats from an employee's abusive partner affecting the workplace.

f) The organization should consider referring the abused employee to outside resources, such as community organizations focused on intimate partner violence, to obtain assistance in creating a personal safety plan.

10.7   Maintaining Proper Limits to Organizational Involvement

For the above reasons, an organization will necessarily involve itself in managing threats to the workplace stemming from intimate partner violence. However, the organization is discouraged from undertaking a "counseling" role with suspected or identified victims of intimate partner violence. Instead, while maintaining a compassionate stance, the Threat Management Team and other involved personnel should limit its involvement to steps necessary to safeguard workplace safety and productivity; it should encourage employees who need broader support and assistance (whether emotional, financial, or legal) to contact appropriate outside resources. These resources can include EAP, local domestic violence victim advocates and service providers, law enforcement agencies, district attorneys' offices, and judicial victim services providers.

Because employees who belong to an immigrant community often face particular cultural complications, the organization should identify local domestic/intimate partner violence organizations that serve specific immigrant populations.

As part of its workplace violence program, an organization should maintain a list of these resources, which it can provide to its employees when necessary.

10.8   When Employees Are Abusers

Organizations that are committed to mitigating threats to the workplace shall address the issue of employees who perpetrate or threaten violence against their partners, whether at the same workplace or elsewhere.

As part of its workplace violence program:

a) The organizations should make clear in its workplace violence prevention policy that it prohibits employees from using workplace time and resources to harass, threaten, or harm an abused partner, whether or not the abused partner is an employee.

b) An organization that learns of possible policy violations by an abusive partner (or suspected abusive partner) should follow standard Incident Management protocols to investigate the reported misconduct and impose appropriate disciplinary and other remedial measures.

c) Upon confirming misconduct by an abusive employee, the organization may refer the employee, if appropriate and as part of (but not a substitute for) broader disciplinary and remedial measures, to EAP to secure counseling through an accredited and standardized batterers' intervention program.

10.9 Documentation Specific to Intimate Partner Violence

In circumstances involving intimate partner violence, the organization shall maintain thorough documentation as it would with any incident, as discussed in Section 6.2.7 above. Documentation should include all information gathered during Incident Management and during ongoing monitoring, and all restraining, protective, or judicial orders relevant to the specific incident or report.

11 POST-INCIDENT MANAGEMENT

While this Standard focuses on prevention and intervention, an organization should also consider a business continuity plan for incidents of workplace violence, particularly significant incidents resulting in injury and death. For the purposes of this section, it is assumed that: i) the immediate incident is stabilized; ii) some form of resolution has been achieved; iii) a determination has been made to resume operations; and iv) a potential for renewed escalation or a new threat exists.

As a general matter, an organization can consult the ASIS/BSI *Business Continuity Management Systems: Requirements with Guidance for Use* Standard (2010) and the *Organizational Resilience: Security, Preparedness, and Continuity Management Systems-Requirements with Guidance for Use* Standard (2009) for general principles of business continuity. In addition, an organization should consider the strategies in developing a continuity plan specific to workplace violence incidents detailed in the following subsections.

11.1 General Elements of a Post-Incident Recovery Plan

The following elements should be considered when establishing a post-incident recovery plan for acts of workplace violence:

a) *Protocols for priority responses*. Immediate priorities will include:

   i. Life safety, with consideration given to the immediate needs of those directly impacted by the violent event (e.g., medical attention to injured personnel; addressing the needs and concerns of impacted stakeholders);

   ii. Evidence preservation for impending investigation, and

   iii. Asset preservation, with a view towards protecting any threatened core assets.

b) *Crisis containment*. Crisis containment may include efforts to:

   i. Gather facts regarding the incident as quickly and completely as possible;

   ii. Securing and containing affected physical areas to preserve information and the integrity of an ensuing investigation;

   iii. Quarantining witnesses; and

   iv. Anticipating and addressing other steps needed to preserve safety.

c) *Continued assessment of threats*. Following a violent incident, the organization should address the likelihood of a continuing threat, including the possibility of a "copycat" incident or a pre-planned multiple attack. Personnel should evaluate whether security or other gaps enabled the initial violent act and determine measures to promptly mitigate or eliminate those gaps.

d) *Coordination with the Threat Management Team*. The organization's Threat Management Team and any existing crisis management team should:

    i. Coordinate efforts to evaluate ongoing threats;

    ii. Protect core assets;

    iii. Fully resolve the violent incident; and

    iv. Achieve business resumption.

e) *Notifications*. Typically, a violent incident will give rise to a need for multiple notifications, including to:

    i. *Managers*. While on-site management will likely be aware of the violent incident, those in other locations may not. A pre-existing plan should be implemented to notify all management of the violent incident as soon as reasonable.

    ii. *Employees-at-large*. Employees need accurate and timely information during the lifecycle of an event. Those responsible for internal communications must be made aware of the event and level of details that can be disseminated, so that they can assist recovery efforts.

    iii. *Next of kin/intimate partner*. In the event of serious injury, death, or other circumstances, management may have a responsibility to ensure proper notification of an employee's next of kin or partner.

    iv. *Regulatory authorities*. Notification to regulatory agencies should be made promptly. Agencies may include federal, state, and local agencies, including OSHA. A list of all required agency notifications, with phone numbers, should be maintained as part of the post-incident management process.

    v. *News media*. Notifications to the media will be necessary during the lifecycle of an event. Ongoing interaction with news media, as appropriate, will help ensure dissemination of accurate and timely information, preempting misinformation. Those responsible for external communications must be made aware of the event and the level of details that can be disseminated, particularly if and when names of victims can be released. In post-incident management, communications with the news media can help to inform interested and impacted stakeholders (e.g., victims, workers, customers, contractors, competitors). These statements will contribute to a sense of personal and public safety. Proper and honest communications with business partners and the public will assist in managing and recovering from the event.

f) *Ongoing communications*. Communication with all impacted stakeholders is the foundation for effective crisis management. Potential stakeholders may include customers, clients, employees, contractors, business partners, families, visitors, institutional investors, shareholders, insurance

representatives, suppliers, distributors, unions, community members, politicians, and internet users, dependent on the organization.

g) *Mobilization of resources*. The organization should mobilize needed resources to assist in post-incident recovery. Applicable principles are discussed in the ASIS/BSI *Business Continuity Management* Standard. Additional resources could include extra security, risk management (insurance) services, and qualified and temporary work staff.

h) *Crisis mental health response*. Crisis mental health services should be provided to those affected by the violent event.

i) *Law enforcement involvement*. If there is actual or suspected criminal activity, law enforcement will conduct investigations, and take appropriate actions to help restore a sense of safety and security. A liaison should be established to assure proper cooperation and communication between the company and law enforcement.

j) *Legal oversight*. As a critical part of crisis management, the legal team will need to promptly evaluate and address potential legal claims and minimize exposure. Legal counsel will assist in providing direction and advice in many areas of post incident operations. Advising on actions early in the post-incident period can greatly reduce downstream lawsuit and litigation activity.

k) *Family representative program*. Consideration should be given to the establishment of a family representative program to address ongoing questions and concerns of the families of those affected. Trained family representatives should include a multidisciplinary representation of the company.

l) *Protection of core assets*. The organization should address strategic issues related to the protection of core assets (e.g., reputation, brand, trust, operations, and property) following the violent incident.

m) *Business operations*. It should be recognized that a traumatic incident can have a significant impact on a business' ability to resume operations. Pre-planning is essential. Advanced thought should be given to the orderly shutdown of operations; business sustainability, continuation, or cessation; recall of products; employee management.

11.2 Post-Incident Management

Post-incident management will involve certain pre-determined steps, including:

a) Damage and impact assessment.

b) Development and implementation of a comprehensive communications plan.

c) The inspection, repair, and cleaning of affected facilities.

d) Specific efforts to restore and recover business processes consistent with an evaluation of key priorities and a determination of effective sequencing and timing.

e) Attention to actions specifically required to resume operations, including addressing the emotional needs of employees and the establishment of a "current circumstances assessment"

that gives appropriate consideration for the violent incident that has occurred, and the steps that will be taken to appropriately and sensitively restore the workplace to full productivity.

f) Ongoing monitoring of the well-being of all personnel affected by the incident.

The ASIS/BSI *Business Continuity Management Systems: Requirements with Guidance for Use* Standard (2010) contains a comprehensive discussion of all actions that organization may take to ensure an effective post-incident recovery.

12 CONCLUSION

No organization, large or small, public or private, for-profit or in the nonprofit sector, can assume that it will be immune to the wide range of disturbing, threatening, and violent conduct that falls within the broad definition of "workplace violence." All organizations ultimately carry a responsibility, both for humanitarian and legal reasons, to protect employees and others who interact with the workplace to the fullest practical extent by taking measures to detect threats at the earliest possible moment, engage in effective intervention through careful Incident Management, and mitigate consequences should violence erupt.

Education and awareness about workplace violence – its nature and scope, an employer's obligation to address this complex problem, and the practical steps that can be taken to ensure adequate prevention and management – lie at the heart of successful workplace violence prevention and response efforts. An integrated, multidisciplinary approach also forms a key to a successful workplace violence program. No one sector of an organization can successfully act alone to prevent violence, and no one profession or discipline possesses the skills or capabilities needed to design, implement, and administer a successful workplace violence prevention program.

A successful workplace violence prevention program begins at the top, with a firm commitment from executive management for a safe and respectful workplace. Responsibility for a workplace violence prevention and intervention program then falls on an interdisciplinary array of professionals within an organization, who can bring skills to bear on this complex problem. Together, different constituents within an organization (assisted by outside experts as necessary) can work to develop and implement a prevention and intervention program that brings structure, predictability, and consistency to the handling of the wide range of behaviors and circumstances that can jeopardize workplace safety.

The benefits of adopting a proactive and reasoned approach to workplace violence are many. Disturbing, threatening, and violent behavior affects more than just the person or persons directly threatened or harmed. Beyond questions of legal liability and other tangible financial costs (which can be staggering), organizations that lack effective means of detecting, managing, and preventing workplace violence will meet up with more fundamental costs in the form of disrupted productivity, low employee morale, and a public image that potentially communicates a disregard for employee safety. Alternatively, an organization that handles well the broad range of workplace violence not only can avoid costly incidents, but will also benefit from feelings of confidence, security, and safety that characterize a successful organization.

Ultimately, workplace violence – in its many forms – presents one of the most challenging problems that an organization can face. It is the intent of this Standard to provide information and practical steps that will enable any organization to develop an effective and informed approach to this important workplace issue.

ANNEX A

(informative)

A LEGAL REFERENCES AND COMMENTARY*

* NOTE: Referenced items were current when sourced but should be checked for updates. The laws, regulations, and other resources below are supplied for illustrative and informative purposes only; they are not intended as a complete or exhaustive list of all items germane to or pertinent to the topic of workplace violence prevention and intervention.

A.1 Illustrative Federal Laws and Regulations

The general OSHA statute, Occupational Safety and Health Act of 1970 is found at 29 USC §651, *et. seq.* Federal OSHA has issued Guidelines relating to workplace violence prevention for several industry groups:

- U.S. Department of Labor, Occupational Safety and Health Administration, "Guidelines for Preventing Workplace Violence for Health Care and Social Service Workers," No. OSHA 3148-01R (2004).

- U.S. Department of Labor, Occupational Safety and Health Administration, "Recommendations for Workplace Violence Prevention Programs in Late-Night Retail Establishments," No. OSHA 3153-12R (2009).

- U.S. Department of Labor, Occupational Safety and Health Administration, "Fact Sheet: Preventing Violence against Taxi and For-Hire Drivers" (2010).

A.2 Illustrative State Laws and Regulations

A.2.1 State Published Guides

Cal/OSHA, "Guidelines for workplace security "(1995). Retrieved April 1, 2011, from < http://www.dir.ca.gov/dosh/dosh_publications/worksecurity.html >.

Cal/OSHA, "Guidelines for security and safety of health care and community service workers" (1998). Retrieved April 1, 2011, from < http://www.dir.ca.gov/dosh/dosh_publications/hcworker.html >.

Colorado Department of Human Services, Division of Youth Corrections, "Preventing violence in the workplace: Model plan" (n.d.). Retrieved April 1, 2011, from < http://www.colorado.gov/cdhsdyc/P-3-28_A.pdf >.

The State of Connecticut, "Violence in the workplace policy and procedures manual for human resource professionals" (2007). Retrieved April 1, 2011, from < http://www.ct.gov/opm/lib/opm/olr/wpv/workplaceviolencemanualrevised060107.pdf >.

State of Iowa, "Violence-free workplace guidelines for supervisors of executive branch employees" (2006). Retrieved April 1, 2011, from < http://das.iowa.gov/hre/html_documents/ms_manual/09-75.htm >.

State of Ohio, Department of Rehabilitation and Correction. "Response to workplace violence and workplace domestic violence" (2009). Retrieved April 1, 2011, from < http://www.drc.ohio.gov/web/drc_policies/documents/31-SEM-08.pdf >.

Pennsylvania Office of Administration. "An agency guide to workplace violence prevention and response" (2002). Retrieved April 1, 2011, from > http://www.education.state.pa.us/portal/server.pt/document/573/m505_06_-_an_agency_guide_to_workplace_violence_prevention_and_response >.

Minnesota Dept. of Labor and Industry. "Workplace violence prevention: A comprehensive guide for employers and employees" (n.d.). Retrieved April 1, 2011, from < http://www.doli.state.mn.us/WSC/PDF/WorkplaceViolencePreventionGuide.pdf >.

Office of the Attorney General, State of Mississippi. "Workplace violence prevention: a guide." (2004). Retrieved April 1, 2011, from < http://www.ago.state.ms.us/images/uploads/forms/workplacebook.pdf >.

Dept. of Labor, State of New York. Workplace violence prevention program guidelines (n.d.). Retrieved April 1, 2011, from < http://www.labor.ny.gov/workerprotection/safetyhealth/PDFs/PESH/WPV%20Violence%20Prevention%20Guidelines.pdf >.

Westchester County, New York. "Workplace violence prevention program and procedures manual" (n.d.). Retrieved April 1, 2011, from < http://www.westchestergov.com/hr/adobe/WORKPLACEVIOLENCEPREVENTIONPOLICY.pdf >.

State of Utah. Office of the Governor. "Domestic violence prevention guidelines for state employees" (2006). Retrieved April 1, 2011, from < http://governor.utah.gov/violence/StateDVEmployeeHandbook.pdf >.

A.2.2 Workplace Violence Statutes

Injunction against workplace harassment; ARIZ. REV. STAT. § 12-1810

Prevention of workplace violence. ARK. CODE ANN. § 11–5–115

Injunction against workplace harassment. CAL. CIV. PROC. CODE § 527.6

Employees subject to unlawful violence or threat of violence at the workplace; temporary restraining order. CAL. CIV. PROC. CODE § 527.8

Hospitals must develop a security plan to protect against violent behavior. CAL HEALTH & SAFETY CODE § 1257.7

Program for awareness, preparedness for and prevention of workplace stress and violence (state employees). CONN. GEN. STAT. § 4a-2a

Stalking; class G felony, class F felony, class C felony. DEL. CODE ANN. tit. 11, § 1312

Convenience Business Security Act. FLA. STAT. § 812.1701

Temporary restraining order and injunction by employer to prohibit further violence at employee's workplace. GA. CODE ANN. § 34–1–7

Health Care Workplace Violence Prevention Act. 405 ILL. COMP. STAT. ANN. 90/1

Workplace Violence Restraining Orders. IND. CODE § 34-26-6-0.5, et sec.

Protection from Harassment. ME. REV. STAT. ANN. tit. 5, § 4651

Orders for Protection Against Harassment in Workplace. NEV. REV. STAT. § 33.200

Violence Prevention in Health Care Facilities Act. N. J. STAT. ANN. § 26:2H-5.18

New York State Workplace Violence Prevention Act, N.Y. LABOR LAW § 27-b

Workplace Violence Prevention. N.C. GEN. STAT. § 95-260

Safety of Health Care Employees. OR. REV. STAT. § 654.412

The Rhode Island Workplace Violence Prevention Act of 2001. R.I. GEN. LAWS § 28–52–1

Violence in the Workplace. TENN. CODE ANN. §§ 20–14–101

Civil stalking injunction. UTAH CODE ANN. § 77–3a–101

Immunity of employees for reporting threatening conduct. VA. CODE § 40.1-51.4:5.

Safety--Health Care Settings. WASH. REV. CODE § 49.19

A.2.3   Executive Orders

State of Colorado, Exec. Order No. D 023 09 (Oct. 7, 2009). Establishing a policy to address workplace violence, including domestic violence, affecting the workplace.

State of Colorado, Exec. Order No. D 0010 96 (Aug. 13, 1996). Workplace violence.

State of Connecticut, Exec. Order No. 16 (Aug. 4, 1999). Violence in the workplace prevention policy.

State of Delaware, Exec. Order No. 12 (Oct. 5, 2009) Assuring our state government creates an open and supportive workplace for victims of domestic violence.

State of Idaho, Exec. Order No. 2007-18 (Nov. 20, 2007). Establishing a domestic violence policy for all state agencies, departments, divisions and offices.

State of Indiana, Exec. Order No. 99-6. Prevention of domestic violence in the workplace (22 IND. REG. 3569).

State of Iowa, Exec. Order No. 57 (June 28, 1996). Violence-free workplace.

Commonwealth of Kentucky, Exec. Order. No. 2001-1084 (Aug. 24, 2001). Domestic violence and sexual assault in the public workplace policy.

State of Louisiana, Exec. Order No. MJF 97-15 (March 5, 1997). Violence-free workplace.

State of Maine, Exec. Order No. 25 (Oct. 7, 2004). An Order regarding the establishment of domestic violence in the workplace policies within the departments of state government.

State of Maryland, Exec. Order No. 01.01.1998.25 (Oct. 1, 1998). Domestic violence and the workplace.

Commonwealth of Massachusetts Exec. Order No. 442 (Oct. 30, 2002). Zero tolerance for workplace violence policy.

Commonwealth of Massachusetts Exec. Order No. 491 (Oct. 1, 2007). Zero tolerance for sexual assault and domestic violence.

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ANNEX B

(informative)

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ANNEX C

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