

WORKPLACE VIOLENCE

A Primer for Violence Prevention Focusing on Youth Detention

Workplace violence is the most serious hazard faced by many workers, especially those in the public service. Unfortunately, workplace violence is becoming increasingly common and many employers are not meeting their obligations to address the issue. Incidents of violence are not only on the rise in sectors where the possibility of assault is foreseeable, such as youth and adult corrections, law enforcement, social services and mental health, but violence in the workplace is becoming increasingly common in almost every occupation that deals with the public.

Injuries and deaths related to workplace violence are not inevitable. Most incidents are predictable, and many are preventable. Like any other workplace hazard, it is the responsibility of the employer to take reasonable measures to minimize the likelihood of workplace violence. In this regard, the “general duty” clause of the Occupational Safety and Health Act (OSHA) (Section 5(a)(1)), has been interpreted by the courts to mean that an employer has a legal obligation to provide a workplace free of conditions or activities that either the employer or industry recognizes as hazardous and that cause, or are likely to cause, death or serious physical harm to employees when there is a feasible method to abate the hazard. OSHA, the Occupational Safety and Health Review Commission and the courts have found that workplace violence is covered by the general duty clause when the above criteria have been met.

One step that employers should take to address workplace violence is to adopt a comprehensive prevention program that includes the following elements:

- Management commitment and employee involvement;
- Worksite analysis and hazard identification;
- Hazard prevention and control;
- Health and safety training;
- Personal Protective Equipment; and
- Recordkeeping and program evaluation.

Unions have an opportunity to advocate for the adoption of such programs through a petition or complaint to their respective state Occupational Safety and Health Administration, through state legislation or during collective bargaining, safety committee meetings or other labor-management processes.

Management Commitment and Employee Involvement

A commitment to the safety and health of workers and patients/clients is a critical aspect to a workplace violence prevention program. Employers can demonstrate commitment to a violence-free workplace by:

- Ensuring that appropriate authority and resources have been allocated to addressing and preventing violence in the workplace. Resource needs go beyond direct financial costs and include access to information, personnel, time, training, tools and equipment.
- Ensuring proper training on their workplace violence prevention program and the systems to mitigate violence when it occurs. Managers and supervisors must be assigned specific responsibilities for the program so they are fully engaged and understand their obligations.
- Maintaining a system of accountability for managers, supervisors and workers.
- Working with employees and their unions through safety and health committees that review reports of violent incidents or security problems, conduct facility inspections and respond to recommendations for corrective strategies.
- Establishing a comprehensive program of medical and psychological counseling and debriefing for workers who have experienced or witnessed assaults and other violent incidents and ensuring that trauma-informed care and Critical Incident Stress Debriefing is available.
- Establishing policies that ensure the reporting, recording and monitoring of not only incidents but also “near misses” can be done without fear of reprisal.
- Participating, with workers and their unions, in the development, implementation, evaluation and modification of the workplace violence prevention program.
- Seeking input from workers and their unions on the design or redesign of facilities.
- Working collaboratively with workers to identify the daily activities that employees believe put them most at risk for workplace violence.
- Having regular discussions and performing assessments with workers and their unions to improve policies and procedures, including complaint and suggestion programs, designed to improve safety and security.

Worksite Analysis and Hazard Identification

A worksite analysis is an assessment of the workplace to identify existing or potential hazards that may lead to incidents of workplace violence. This analysis should include vehicles and the process used to transport clients. Assessments should be used to create hazard prevention and control measures to reduce or eliminate the possibility of workplace violence occurring, including appropriate training.

Follow-up worksite assessments should be done periodically to measure progress towards the goals set by the initial inspection. It can be helpful to invite independent reviewers such as safety and health professionals, law enforcement or security specialists and insurance safety auditors to review and strengthen programs. These experts often provide a different perspective that serves to improve a program.

Hazard Prevention and Control

Because workplace violence cannot be eliminated, engineering and administrative controls should be utilized to mitigate the risk. Engineering controls including physical barriers, such as enclosures or guards, or door locks can help to reduce worker exposure to the hazard. Other effective engineering controls include:

- Metal detectors;
- Curved mirrors around blind corners;
- Bright lighting—both indoors and outdoors;
- Personal alarm devices or paging system;
- 24-hour closed circuit video monitoring,
- Panic buttons and alarm systems; and
- Securing furniture and other items that could be used as weapons.

We should also consider administrative controls as a means to limit the risk of violent incidents at work. Adequate staffing is one of the most effective administrative controls to address and mitigate the risk of workplace violence. While having enough staff is critical, ensuring that you have the right staff, who are properly trained, is just as important. For example, ensure security guards or officers are available to prevent and immediately respond to workplace violence incidents. Security personnel should not be given other assignments that may prevent them from immediately responding to an alarm or other notification of a violent incident. Other administrative controls include using a “buddy system” to ensure employees’ are not alone with patients/clients that might threaten their safety, restricting movement of the public in secure facilities and establishing areas for patients/clients to de-escalate. Communication among staff, especially among staff assigned to different shifts, is essential to creating the awareness necessary to prevent violent incidents.

Health and Safety Training

Effective training programs raise the overall safety and health knowledge across the workforce, provide employees with the tools to identify workplace safety and security hazards and address potential problems before they arise. This will ultimately reduce the likelihood of workers being assaulted.

To be most effective, training programs should involve all workers, including contract workers, supervisors and managers. Workers who may face safety and security hazards should receive formal instruction on specific and potential hazards associated with their job and the facility. Such training may include information on the types of injuries or problems identified in the facility and the methods to control the specific hazards. It should also include instruction on

when, and how, staff may physically intervene. In youth detention centers, defensive tactics, physical intervention and restraint training should be provided to all staff whose positions may require physical intervention. Other staff who may encounter clients should be provided with appropriate self-defense training.

Protective Equipment

Personal protective equipment (PPE) should be authorized in youth detention facilities and other facilities where violence is foreseeable. Such equipment should include gloves and protective eyewear that staff can access if the situation permits. For room removal teams and other planned physical interventions, helmets, body pads and coveralls should be provided.

The use of physical restraints or control devices on clients, especially youth, is discouraged. However, certain situations may require control devices and/or restraints and all staff should be properly trained on both facility policy and the application of these devices and restraints. Specific restraints, conditions for their use and training for staff should be a topic of labor-management discussion.

Physical restraints such as handcuffs, leg irons, belly chains and transport belts are often authorized. Control shields, that are used to pin a combative person and control blankets that are used when escorting a non-compliant or combative youth may also be deployed. However, such devices are typically only authorized when a client is exhibiting aggressive and/or assaultive behavior. Specific restraints, such as spit socks or shields may be used for youth who have a history or are engaged in spiting or biting.

The most extreme intervention is typically a restraint chair. These chairs are designed to fasten a person's four limbs to the chair. A number of lawsuits have been filed concerning the use of such chairs and many agencies prohibit their use. However, the chairs may be necessary in situations where a youth is otherwise uncontrollable and presents a danger to himself or others. Whether such devices are appropriate in a facility, and their conditions for use, should be carefully considered. Ideally, adequate staffing and programs, combined with other less aggressive intervention, would obviate the need for the use of such devices. If used, the chairs should be deployed for the least amount of time necessary and the restrained individual should be under constant supervision and segregated from other clients.

Recordkeeping and Program Evaluation

Accurate recordkeeping of injuries, illnesses, incidents, assaults, hazards, corrective actions, patient histories and training help employers and the union determine the severity of the problem. Recordkeeping can also help in identifying developing trends or patterns in particular locations, jobs or departments as well as identifying training needs and program improvements. Records can be especially useful to large organizations and for members of a trade association that pools data.

The OSHA Log of Work-Related Injuries and Illnesses (OSHA Form 300) is a key component of recordkeeping. Covered employers are required to prepare and maintain records of serious occupational injuries and illnesses, using the OSHA 300 Log. Injuries caused by assaults must be entered on the log if they meet the recording criteria. Medical reports of work injury, workers'

compensation reports and supervisors' reports for each assault should also be maintained but some of these records may be subject to HIPAA. However, de-identified data in these records may be disclosable. Records of incidents of abuse, reports prepared by security personnel, verbal attacks or aggressive behavior that may be threatening, such as pushing or shouting and acts of aggression toward staff or other clients should also be maintained. These may be kept as part of an assault related incident report. Ensure that the affected department and safety and health committees evaluate these records routinely. Information on patients or clients with a history of past violence, drug abuse or criminal activity recorded on the patient's chart should also be maintained. Anyone who cares for a potentially aggressive, abusive or a violent client should be aware of the person's background and history, including triggers and de-escalation responses. Log the admission of violent patients to help determine potential risks and log violent events on patients' charts. In custodial or residential facilities, communication among staff, especially from shift to shift, is essential to mitigating the risk of violence in the workplace.

A uniform reporting system and regular review of the reports is essential to identifying, addressing and evaluating the response to workplace violence. These reviews can lead to opportunities to analyze trends in illnesses, injuries or fatalities caused by violence. Evaluations should include:

- Reviewing reports and minutes from staff meetings on safety and security issues;
- Measuring improvement based on decreased frequency and severity of workplace violence;
- Keeping up-to-date records of administrative and work practice changes to prevent workplace violence;
- Surveying workers before and after making job or worksite changes to determine their effectiveness;
- Tracking recommendations through completion; and
- Keeping abreast of new strategies to prevent and respond to violence in the healthcare and social service fields as they develop.

Engineering and Administrative Controls

A comprehensive list of engineering and administrative controls to address workplace violence in healthcare and social service facilities have been developed by OSHA ([OSHA 3148](#)).

<https://www.osha.gov/Publications/osha3148.pdf>

The OSHA Instruction on [Enforcement Procedures for Occupational Exposure to Workplace Violence](#) is another valuable resource. https://www.osha.gov/OshDoc/Directive_pdf/CPL_02-01-058.pdf

June 2018