Workplace Violence: Practical Planning and Response Protocols

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First Things First

• Establish policy and protocols addressing workplace violence, including domestic violence
• Establish a reporting process and track incidents
• Establish training for employees.
• Establish a Threat Response or Threat Management Team
• Change your culture
Establishing Policy

• Work with HR and legal
• Identify elements needed in policy
  • Policy statement
  • Exceptions if any (e.g. consumers)
  • Reporting
  • Investigation
  • Domestic Violence
  • Threats of harm to self
  • Warning Signs
  • Work Rules
  • Disciplinary Action
  • EAP
Establish Reporting Process

- Security Incident Report Form
- Determine procedures and process flow
- Determine repository
- Trend analysis
- Improve mitigation measures
- Train employees
Employee Training

- Establish curriculum
- Determine best method to reach employees:
  - Computer Based
  - Face to Face
- Reinforce policy
- Reinforce reporting
- Change culture
- Establish threat/Incident management teams
Establish Threat Response/Management Teams (TRT/TMT)

• Primary objective – Assess and manage threats of violence in the workplace
What is a TRT/TMT?

• Multi-disciplinary team within the entity.
• Familiar with HR and workplace violence policies.
• Members should have sufficient authority to manage threatening situations.
• Primary objective is to assess and manage threats of violence.
Who should be on the TRT/TMT?

• Persons with decision-making authority
  – Example: operations director, facilities director or equivalent, security/police, mental health, business manager, legal, risk management, HR director

• May vary depending on situation (may need specific expertise such as mental health)

• Optimum size is five persons (more or less)
Threatening Behavior

• Define threatening behavior: (examples)
  – Any conduct or statement that is sufficiently severe, offensive or intimidating to create a reasonable fear for one’s own safety, or the safety of co-workers, family, friends or property.
  – Any statement or action that either directly or indirectly implies a future act of violence against self, clients, employees, visitors, customers, guests or other individuals.
  – Can include current or former employees, current or former partners, visitors and customers.
Three Best Indicators of Violence

• Threat (direct or implied)

• History of violence – best indicator of future violence

• Gut level feeling (instinct we are all possess)
Five Elements of Violence (all forms)

- Victim (control)
- Perpetrator (power)
- Environment (involvement, where both interact)
- Conflicts between the perpetrator and victim
- Threats – direct/implied, verbal/physical
Assessment: Signs of Seriousness of Threat

- Description of “How”
- States specific injury or death
- Names potential victim or victims (list)
- Access to potential victim or victims
- Stated commitment
- Access to weapons (and has indicated such)
- Justification
- Willingness to suffer consequences
Protective and Restraining Orders

• Indicate in policy to comply with Order of Protection (Protective Order, Temporary Restraining Order, Criminal Trespass Order, Magistrates Order)

• Provide Protective Order kits to employees who self-declare
Protective and Restraining Orders

• Sample policy language: The (entity name) will comply with all Temporary Restraining Orders, Protective Orders, Criminal Trespass Orders, and any other legally binding document granted by the court that is enforceable under state and federal laws to protect the health and safety of the victim of domestic violence and the employees of the (entity name).
Texas Legal Options

- Protective Orders: Title IV, Texas Family Code.
- Stalking: Sec. 42.072, Texas Penal Code
Potential Sources of Threats in the Workplace

• There are five common sources of threats on the job:
  – strangers;
  – current or past clients;
  – current and former employees;
  – current or former partners of employees; and
  – those who stalk or are infatuated with an employee.
Managing Threats of Violence Process

• Immediate response
• TRT/TMT Initial meeting
• Information gathering
• Action planning and implementation
• Resolution and disengagement
The Immediate Response

- Gather available information.
- Determine security needs.
- Follow “need to know” call tree list.
- Document your initial decisions/actions.
What do I do now?
Internal/External Threat

• Determine if law enforcement should be contacted.
• Review security needs
• Evaluate “duty to warn” measures (who can I tell? (DV)/who do I tell?)
• Determine what additional information is needed
• Determine facility/employee/client/consumer safety measures
• Document decisions and actions - WHY and WHY NOT
Information You Might Need (1 of 2)

• Threatening individual’s history
  • Previous altercations
  • domestic violence
  • fights
  • aggravated assault
  • verbal abuse

• Any previous threatening or inappropriate behaviors?
• What appears to be provoking the individual?
• What are the stressors the threatening individual appears to be experiencing?
Information You Might Need (2 of 2)

• Marked personality changes recently?
• Demonstrated paranoid or delusional behavior or statements (confused thinking, delusions, hallucinations, increased withdrawal, seclusion from others, manifesto).
• An obsession with weapons, or sympathizes with perpetrators of workplace violence? (understands why they did what they did)
Potential Information Sources (employee)

- Criminal history check
- Supervisor interview
- Co-workers
- Personnel file
- Previous employers
- Reference on employment application
- Talk with threatening individual
Information from Personnel File

• Garnishments
• Grievances
• Altercations
• EEO Complaints
• Disciplinary actions
• Performance reviews
Information from Supervisor and Former Supervisors

- Do they have an “unofficial” employee file separate from personnel file?
- Work history, including performance, working with others, combative, disgruntled, etc.
Interviewing the Threatening Employee

• Prepare in advance
  • Opening statement designed to help put the individual at ease.
  • The questions you need to ask during interview.
  • Easy questions first, more direct and difficult at the end.
  • Explanation of seriousness of investigation and interview.
  • Convey strong and exact expectations (follow existing policy to the letter).
Interviewing Co-Workers

• During Interview

  • Seek first-hand information, not speculation or hearsay.
  • Provide reassurances (anticipate questions such as, “Will I be fired?, What will happen to me?”).
Domestic Violence

Overview and Guidance
Domestic Violence

• Define in your policy – (example)
  – Domestic Violence - a pattern of coercive behavior that is used by one person to gain power over their current or former partner which may include physical violence, sexual, emotional and psychological intimidation, verbal abuse, stalking, and economic control.
Most likely victims?

• Domestic violence occurs between people of all racial, economic, educational and religious backgrounds; in heterosexual and same sex relationships, living together or separately, married or unmarried, in short term or long term relationships. DV has no socio-economic boundaries.
DV is a Pattern of Behavior

- Domestic Violence is NOT an isolated event, but a PATTERN of behaviors used against a victim—a variety of abuses occurring throughout the relationship. One form of abuse builds on past behaviors and sets the stage for future episodes.
Forms of Domestic Violence (1 of 2)

- **Physical abuse** - includes assault, rape, broken bones, bruises and all forms of external and internal physical injury.
- **Psychological abuse** - include threats of violence and harm (workplace), attacks against pets or property, stalking, discrediting victim’s reputation and damaging her relationship with others. Includes the following:
Forms of Domestic Violence (2 of 2)

- Emotional Abuse - wide variety of verbal attacks and humiliations, often emphasizing the victim’s vulnerabilities. (family, friends or strangers). Used to maintain POWER and CONTROL.

- Isolation - cuts off victim from support networks (family, friends, etc.) with claims of interfering. Prevents discovery of abuse.

- Economic Control - controls victim’s access to family resources: transportation, food, clothing, shelter, insurance and money. Does not matter who the primary provider is, the perpetrator controls the finances.
Domestic Violence

• Leading cause of injury to a woman, more than any other cause of injuries...combined.
• Annually in the U.S., over 500,000 women are stalked by an intimate partner.
• Causes 1 out of 4 workplace homicides.
• In 2000, intimate partner homicides accounted for 33.5% of the murders of women and 4% of the murders of men.
The Perpetrator (1 of 2)

• Thunderstorms wanting to be hurricanes.
• Intent is to CONTROL the victim.
• Need to know where their victim is for at least 8-10 hours per day (OUR REALITY).
• Minimize their abuse.
• Justify their abuse.
• Sounds like victim.
The Perpetrator  (2 of 2)

• Usually are previous victims.
• As anger increases - ability to think clearly decreases.
• When batterers start feeling badly about themselves they will batter or conduct psychological abuse.
• Avoid taking responsibility for their behavior.
DV is NOT Caused by:

- Victim’s behavior
- Illness
- Genetics
- Alcohol or other drugs
- Gender
- Anger
- Stress
- Relationship problems
Beliefs and Fears of a Victim

• I believe his threats about what will happen to me if I leave.
• I know if he just stops drinking (or using drugs), he wouldn’t be violent.
• He has convinced me that what he says about me is true.
• He has convinced me that our children believe him, and will want to live with him if I leave. He will get custody and prove I am an unfit mother.
• If I can just hang in there and manage the situation, it will get better.
• I haven’t been able to have close friends for years. No one knows what is happening and probably wouldn’t believe me. He is very loving to me whenever we are with people. People like to be around him. Co-workers know and like him.
Barriers to Leaving

• Fear of violence (most dangerous time).
• Immobilization caused by psychological and/or physical abuse.
• Being told by abuser, family, friends or co-workers that the abuse is her fault.
• Dependence on abuser for insurance and finances.
• Belief the abuser will commit suicide, get sick or die, if victim leaves.
• Threat of “outing” a gay or lesbian partner if the victim leaves.
DV Victims at Work

• Cannot be identified by a “profile”. Their behavior is learned.

• At work a victim may:
  • Show obvious injuries
  • Have excessive absenteeism or tardiness
  • Isolate herself from others
  • Have work errors and/or inconsistent work
  • Deny being in an abusive relationship (fear)
Beliefs of a Perpetrator

• Someone has to be in charge. If I don’t control her, she’ll control me.

• Sometimes you have to be rough to make your point.

• When I get angry, I have to let off steam. She knows better than to stand in my way.

• I have a right to approve of what she does, like working or going to school or who her friends are, after all, everything she does effects the kids and me.

• She knows what buttons to push on me, and she deserves it.


**DV Perpetrators at Work**

- Cannot be identified by a “profile”. Behavior is learned.

- At work a perpetrator may:
  - Blame others, especially the victim,
  - Use the system to his advantage to look like the victim.
  - Show defensive marks.
  - Gain sympathy by sharing convincing stories about his difficult partner, how miserable he is, etc.

• 186,868 Family violence incidents (increased 4,781 compared to 2004 statistics)
• 120 women killed by their current or former partner (increased 5 compared to 2004 statistics)
• 12,356 adults received shelter from abusive relationship (increase of 373 compared to 2004 statistics)
• 17,619 children received shelter (down 651 compared to 2004 statistics)
DV on the National Scale

• 30% of all murders of women.
• 5% of all murders of men.
• $5.8 Billion in health care costs per year.
  – $4.1 billion direct medical and MH
  – $1.8 billion indirect (lost productivity or wages)
• 503,485 women are stalked by an intimate partner annually.
• Approximately 75% of female homicide victims were stalked prior to their death.
• On average, 3 women are killed every day.
Steps to Support a DV Victim

- Discuss at a safe time and place.
- Listen and support victim - build trust.
- Provide practical assistance: child care, transportation, financial assistance.
- Acknowledge the potential danger.
- Validate victim’s experiences, feelings and fears.
- Discuss options and plans for safety.
- Explore the available resources.
- Respect victim’s process, timetable and decisions.
Policy Guidance

Recommendations
Risk Assessment Model

• Develop a Workplace Violence policy; add Domestic Violence as part of the policy.
• Develop protocols for reporting incidents.
• Address all issues of threatening behavior.
• Develop safety plans for employees who self-declare.
• Enforce Protective Orders, Criminal Trespass, etc. at work.
• Apply policy consistently and fairly.
• Have an awareness program (CBT, posters, training).
Developing Protocols

- Address the safety of your employees
- Provide options for leave, if possible
- Enforce Protective Orders, Restraining Orders, Criminal Trespass, etc.
- Security procedures
Safety Planning

• Meet with the employee
• Empower, do not tell her what to do
• Things to consider
  – security protocol
  – parking
  – controlled access
  – workplace safety
  – alternate work site
Resources

• National Domestic Violence Hotline -
  • 800-799-SAFE (7233); TTY: 800-787-3224

• Texas Council on Family Violence www.tcfv.org

• Local law enforcement domestic violence unit

• Regan Rychetsky, Director, HHS Enterprise Risk Management & Safety (512) 706-7288
1. Does our action protect known or anticipated “targets”?
2. Are we preserving the dignity of the threatening individual?
3. Have contingencies been evaluated?
4. Are reasonable contingency plans in place?
5. Is there an alternative courses of action?
6. Has appropriate legal considerations been satisfied?
7. Is the action based on substantiated facts?
8. Does the action follow your HR policy?
9. Does the action provide for or allow continued contact or monitoring of the individual, as needed?
10. Do you feel comfortable with your decision(s) if the actions taken end up in the media?
Threatening Person (External)
What can we do?

• Communication by telephone
• Consider Criminal Trespass Warning
• Consider No Trespass letter
• Review security measures, needs and resources
• Consider involving law enforcement
• Inform all on “need to know” staff
What is a Criminal Trespass Warning?

• Verbal notification to the individual stating that the individual is banned from the office(s) and/or property (check compliance with your statutes).

• Should be given verbally in the presence of law enforcement, when individual is in the office, then follow up in writing. (Check with local law enforcement on proper protocol.)
What is a No Trespass Letter?

• A letter to the individual stating that they are not allowed on property, and if they have business with the entity it should be conducted via telephone or mail (electronic, USPS, etc.).
Establish Reasons for Criminal Trespass Warning/No Trespass Letter (1 of 2)

- Threats of violence
- Direct or implied threats of terrorism
- Protective or Restraining Orders
- Destruction or theft of property
- Inappropriate sexual behavior
Establish Reasons for Criminal Trespass Warning
(2 of 2)

- Physical violence
- Use or possession of alcohol, inhalants, or controlled substance on property
- Continuous and/or pervasive behavior that disrupt business operations
Safety Plan Exercise

- Develop a safety plan for the employee who has self-declared to you, that she is physically and verbally abused at home. *(Scenario will be handed out)*
HHS Cases

- Attempted murder/suicide – perceived relationship
- Caseworker abducted from home/murdered – Media linked to work
- Two employee abducted from parking lot at lunch, employee is POI
- Employee killed during armed robbery attempt as she was leaving for the day
- Arson kills two employees in Houston office building
- DV cases
Workplace Violence Incident Response Guidance

(1 of 6)

• IMMEDIATE ACTION STEPS
  – Assess if the incident presents continuing danger
  – Physical description of perpetrator
  – Have someone remain online with 911
  – Notify call tree
  – Search for employees who may be hiding (after danger has passed)
  – Coordinate media statements with PIO
Workplace Violence Incident Response Guidance
(2 of 6)

• Receiving Initial Notification
  – What happened?
  – How bad is it?
  – What is being done?
  – Escalation potential?
  – Media considerations?
Workplace Violence Incident Response Guidance
(3 of 6)

• Four Primary Concerns
  – PEOPLE
  – Continuity of Operations
    • Client services
    • Alternative site
    • IT
  – Reputation
  – Emergency Procurement
Workplace Violence Incident Response Guidance
(4 of 6)

• Immediate Action Items
  – Continuing danger?
  – Emergency vehicles and first responders
  – Assessment and verification
  – Security
  – Families
  – Notifications
  – Escalation
  – Communications (PIO for media)
  – Legal and regulatory issues
  – Specialists (mental health, medical, ERM)
Workplace Violence Incident Response Guidance (5 of 6)

• Notification Plan
  – Review key contacts list to determine who should be notified relevant to your crisis.
  – Notification of proper authorities and other external agencies.
  – Establish next-of-kin notification procedures.
    – Who will make notifications?
    – Training and guidance for those who serve in this capacity.
Workplace Violence Incident Response Guidance

(6 of 6)

• Notify executive staff, ISD superintendents, elected officials, etc., and your immediate call list and communicate the answers to these basic questions.
  – What happened?
  – How bad is it?
  – What is being done?
  – What is the potential for escalation?
Workplace Incident: TMT Meeting

- Prioritize actions, not just information, to speed up the initial crisis and humanitarian needs.
- Focus your communication on action items; if no action needed, move on to the next item.
- Stay in control of phone calls; short and concise.
- Avoid getting bogged down in details that others can handle. Delegate as much as is appropriate so the team can stay focused on the incident at hand.
De-escalation Meeting

• Provide current, appropriate information to staff following the incident
• Stabilize and calm employees
• Educate staff regarding stress reactions and symptoms
• Collect information
• Dispel rumors
• Inform staff of work schedule
De-escalation Meeting Content

- Acknowledge the significance of the crisis.
- Discuss expected reactions.
- Advise staff not to talk to the media.
- Discuss work schedule for next day, let everyone know how they will be notified.
- Ask if any questions, give truthful responses.
- Establish a buddy system to maintain contact with affected staff.
- Arrange transportation for distraught employees.
- Advise supervisors and managers to come early the next day to be briefed prior to staff arriving.
- Remain afterward to speak with anyone who still have questions.
Establishing Order: Post Incident Guidance  
(1 of 2)

1. Know where you want to go before taking action.
2. Communication to and from affected audiences if vital.
3. Management needs to be visible.
4. Identify and enact solutions as soon as possible.
5. Secure the incident site and establish sense of safety.
6. Protect staff from external influences (media, etc).
Establishing Order: Post Incident Guidance  (2 of 2)

7. Give direction to staff for short term.
8. Utilize available internal/external resources (EAP, CISM).
9. Anticipate what could escalate and take actions to mitigate.
10. Identify true nature of crisis; develop answers.
11. **Tell the truth.**
12. Establish recovery system that involves **all** impacted employees.
TRT/TMT Response Plan Guidance (1 of 3)

• The TRT plan should include:
  • Accounting for everyone.
  • Enlisting all internal and external resources for help.
  • Making contact with victims and assisting them with immediate needs.
  • Sharing all appropriate available information.
  • Preparing for the arrival of family members.
TRT Response Plan Guidance (2 of 3)

- Making special arrangements to greet and address victims’ families.
- Protecting staff and family members from media.
- Gathering impacted staff in a comfortable, non-threatening space.
- Arranging to reunite family members with loved ones as soon as possible.
- Assisting employees following their statements to law enforcement.
TRT Response Plan Guidance (3 of 3)

• Employee de-escalation meetings that:
  – Stabilize those traumatized.
  – Establish accurate information.
  – Inform people about plans for tomorrow.

• Review guidance for establishing order post incident.
Questions??????

THANK YOU!!!
Contact Information

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