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## Operations: Review Workplace Violence Procedures, For Safety's Sake

[IndustryWeek](#)

Preventive actions now can reduce costly consequences.

[Jill Jusko](#)

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The U.S. Department of Homeland Security last month released a video that provides instruction on potential actions to take if confronted with an active shooter situation. The presentation's release comes on the heels of the Newton, Conn., shootings at Sandy Hook Elementary School and nearly simultaneous with a shooting incident in an Arizona office building that injured two and killed a third.

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And manufacturers aren't immune to violence in the workplace, as a November shooting at a California processing plant illustrates.

According to the most recent data from the Occupational Safety and Health Administration, violence caused 780 fatalities in 2011, 458 of them homicides.

"Every employer should be thinking about the potential for workplace violence and what steps they might take to prevent or address it," says Meagan Newman, a Chicago-based attorney with law firm Seyfarth Shaw.

Failure to do so could be pricey. It's estimated that workplace violence costs U.S. businesses some \$36 billion a year, including medical care, counseling, increased insurance and security costs, repair and lawsuits, according to Newman. Many of the lawsuits cite "negligent hiring" or "negligent retention" claims for incidents in which an employee engages in workplace violence.

In addition to the potential for litigation, employers can face regulatory action. While Newman says there exist no specific OSHA regulation or law that addresses workplace violence, "OSHA issues citations with monetary penalties where they find a recognized workplace violence hazard that the employer has failed to address." In fact, the agency cited a Texas convenience store owner in 2012 following a robbery that resulted in the death of a worker. The company was cited for violating OSHA's "general duty" clause.

So what can employers do to create a safer workplace? OSHA provides resources on its website at [www.osha.gov/SLTC/workplaceviolence](http://www.osha.gov/SLTC/workplaceviolence). The Seyfarth Shaw lawyer also recommends the following:

- Assess your workplace, reviewing any history of workplace violence.
- Have a workplace violence policy that addresses the presence of weapons and prohibits threats or acts of violence at work or any time individuals are acting in the scope of their job duties.
- Evaluate the physical security of your workplace. Local law enforcement may be able to provide advice on how to make your factory safer.
- Train employees about how to anticipate and address workplace violence.

Pre-screening during the employment process may offer opportunities to reduce the risk of workplace violence. Newman suggests first consulting with an employment attorney to avoid violating any laws or regulations.

The attorney also advises managers be alert to the potential for workplace violence during employee terminations. "Where appropriate, have security personnel present for the termination or consider terminating the employee over the phone," Newman says.

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