

MEMORANDUM

TO: MARY SMITH

FROM: JULIE MIKUTA

RE: WORKPLACE CRIME

DATE: JULY 16, 1997

SUMMARY

This memo summarizes studies that have been done on workplace violence. The Occupational Safety and Health Administration (OSHA) published draft guidelines for preventing workplace violence for retail establishments in March, 1996. Other organizations have created similar guidelines, but they will not pursue recognized stamps of approval due to the fear of lawsuits from employers who follow programs but are still victims of violent crime. The DOJ is only just starting to fund or study programs that focus on a place (i.e. the workplace). Two bills are pending before Congress on this issue. Attached are two charts describing job-related homicides.

STATISTICS ON VIOLENCE IN THE WORKPLACE [From the OSHA Workplace Guidelines Draft (most statistics are from the Bureau of Labor Statistics)]

General information

- Homicide is the second leading cause of death to American workers (behind automotive accidents), and the leading way in which women are killed in the workplace. In 1994, 1,071 workers were homicide victims (16% of the total fatal work injuries in the U.S, and down from 1,074 in 1993). Half were involved with robberies of small retail establishments (including grocery or convenience stores, restaurants and bars, liquor stores, fast-food restaurants and gas stations).
- Shootings account for 80% of fatal workplace assaults.
- Robbery is the motive in 75% of homicides.
- In 1993, about 21,300 workers were injured in nonfatal assaults in the workplace.
- A Bureau of Justice Statistics report (1994) found that about 500,000 victims of violent crime in the workplace lose an estimated 1.8 million workdays each year and over \$55 million in lost wages, not including days covered by sick and annual leave.
- A poll taken by the Society of Human Resource Management of human relations personnel (Dec, 1993), found that 28% of companies have a formal plan aimed at preventing violence or dealing with its aftermath; 22% have plans to introduce such a strategy.

The victims

- Men account for 82% of all homicide victims in the workplace.
- Women account for 53% of homicides reported in the retail trades.
- African Americans, Asian Americans, and other minority races comprise an eighth of the work force, but constitute a fourth of all workplace homicide victims.

Killings by Co-Workers

A growing number of workers are killed by their colleagues or former colleagues who have some sort of grievance. In 1995, 88 employees were killed by co-workers; the numbers for 1993 and 1994 are 59 and 49 respectively, according to the Bureau of Labor Statistics. [WP 7/13/97]

STUDIES OF WORKPLACE CRIME

DOJ Study: Preventing Crime (Feb, 1997)

Chapter 7 of the study focuses on “place” crime. It summarizes the relevant studies, very few of which have been funded by an OJP-related agency. These are the key findings regarding workplace crime:

- Several studies conclude that most of crime is clustered in a few places. The concentration of crimes at a few places is relatively stable over time (7-1).
- Studies done by the National Association of Convenience Stores (1991) found that closed circuit television or video monitors decrease robberies, although their methods are somewhat questionable. (7-20)
- A 1975 study found that implementing various types of prevention devices reduced robberies by 30% in convenience stores that had had at least 2 previous robberies (considered important because of the concentration of crime mentioned above).

Other Studies

- In 1993, the National Institute of Occupational Safety and Health (NIOSH) identified 6 factors that increase the risks of homicide in the workplace. These are: exchange of money with the public; working alone or in small numbers; working late at night or early morning; working in high crime areas; guarding valuable property or possessions; and, working in community settings.
- A study of convenience store robberies done for Southland Corporation (owner of 7-Eleven), found that robberies are not randomly distributed, but robbers are selective in their targets. Prime targets: have large amounts of cash on hand, an obstructed view of counters with

inattentive clerks, poor outdoor lightning, and easy escape routes.

- Studies conducted by the State of Florida's Attorney General's office and the State of Virginia's Crime Commission found that the five most deterrent features of a store are: many customers, heavy traffic in store front, two clerks (the primary deterrent), a visible back room where another clerk might be, and a male clerk. An ordinance was introduced in Gainesville requiring two clerks to be on duty. Robbery was reduced by 92% between the hours of 8:00 pm and 4:00 am.
- The Institute for Public Policy and Management (Univ of Washington) is currently processing data collected from 5000 employers in Washington State. The purpose of the study is to find out to what extent violence is a problem, and what employers are doing about it.

PREVENTING WORKPLACE CRIME

The OSHA draft guidelines

GUIDELINES BY THE OCCUPATIONAL SAFETY AND HEALTH ADMINISTRATION (OHSA)

In March of 1996, OHSA released draft guidelines of steps night retail companies can take to safeguard. They name four main components to any effective program for preventing workplace violence:

1. Management commitment and employee involvement and feedback, including a written program;
2. Worksite analysis to find existing or potential hazards for workplace violence;
3. Hazard prevention and control, including physical changes to the workplace (e.g. video surveillance cameras, bullet proof enclosures), and development of comprehensive work procedures and appropriate training to make the way jobs are performed safer (e.g. keeping cash levels low, maintaining alarm and lighting systems).
4. Training and education.

The OHSA offers a free consultation service for employers interested in implementing a workplace violence prevention program. The service is targeted at smaller companies. The draft guidelines also include a 13-item checklist to guide companies in the creation of a violence prevention program.

Although the guidelines are voluntary and don't have the clout of workplace standards, OHSA notes that employers have some responsibility to implement them. Section 5(a) of the Occupational Safety and Health (OSH) Act of 1970, "General Duty Clause" is the basis for the OHSA enforcing its behavior in this area. Employers can be cited for violating this clause if there is a recognized hazard of workplace violence in their establishments and they do nothing to prevent or abate it. The OSH Act is careful to avoid infringing on the ability of employees to make claims under workmen's compensations law.

The OSHA published guidelines for health care and social service workers prior to these publishing these draft guidelines (more assaults occur in the health care and social service industries than in any other).

The threat of lawsuits if a company doesn't have a violence prevention program may encourage employers to implement such a policy, but other lawsuits may occur if there is no system to implement the policy.

The National Retail Foundation is very concerned these guidelines, although voluntary, will increase litigation, OSHA intrusion, and penalties, yet be ineffective in making the workplace safer.

The National Association of Convenience Stores

The National Association of Convenience Stores (NACS) adopted a program in 1987 for use nationwide based on the results of the Southland study mentioned above. The goal is to make the target less attractive ("target-hardening") by improving visibility and lighting; maintaining low cash in the cash register; posting signs about low cash; altering escape routes and training employees in not resisting. NACS has a membership of 94,000 stores nationwide and has worked for the past 10 years to promote the program through education sessions and publications of security issues.

EXAMPLES OF BUSINESSES THAT HAVE REDUCED CRIME

Southland Corp (owner of 7-Eleven) cut its rate of store robberies in half in the past two decades by using techniques described above. [WP 7/17/97]

Hardee's "zero tolerance violence program: in 1992, the 3,500-restaurant chain instituted a program that includes an anonymous, toll-free tip line and employee training. As a result, robbery-related violence has decreased an estimated 83% through this year, said Francis D'Addario, loss prevention director. The company spends nearly \$3 million a year on prevention and security, and its program includes training on personal safety outside the workplace.

DuPont began a personal-protection program in 1986 that has won several awards. It comprises a training program and a Corporate Threat Management Team. The company also provides an 8-hour rape prevention program.

Kraft General Foods Company uses a three-pronged pre-screening process for potential employees, which comprises behavior-based interviewing, thorough reference checks and attitude tests. Use of an outside firm has helped to increase the information it can obtain about employees. Kraft also uses a video training program. (Personnel Journal, Oct 1994)

The U.S. Postal Service has developed a six-part strategy for prevention that's being enlisted nationally, and uses an outside firm with access to databases to check such applicant records as criminal, driving and credit histories. The Postal Service has two 24-hour toll-free numbers; one has counseling available.

Several fast-food restaurants, including KFC and McDonald's have installed special booths where police can write reports. The goal is that the presence of the officers will decrease crime.

Many companies rely on analysis using demographic, crime and Census data to predict rates of violent crime in store areas, and then design security programs.

DOJ PROGRAMS AND MONEY FOR THEM

There is no single program within the DOJ that funds place-focused prevention. These are some of the programs that could address violence in the workplace.

The Byrne Formula Grant Program: about 8% (\$151.8 million) of all Byrne Funds for fiscal years 1989-94 went toward domestic drug control, community crime prevention, property crime prevention, law enforcement effectiveness, and public housing purpose areas. Workplace crime prevention falls under these areas.

The Local Law Enforcement Block Grant Program (for 1996-97) has \$50 million allocated to security measures and crime prevention (about 14% of the program's total).

BILLS PENDING IN CONGRESS

H.R. 185: (Rep Hastings, A.; 1/7/97): To establish a Presidential Commission to study employment and economic insecurity in the workforce of the U.S. The study would investigate the relationship between the psychological stress caused by economic and employment insecurity and the increased violence by employees and former employees. (0 co-sponsors)

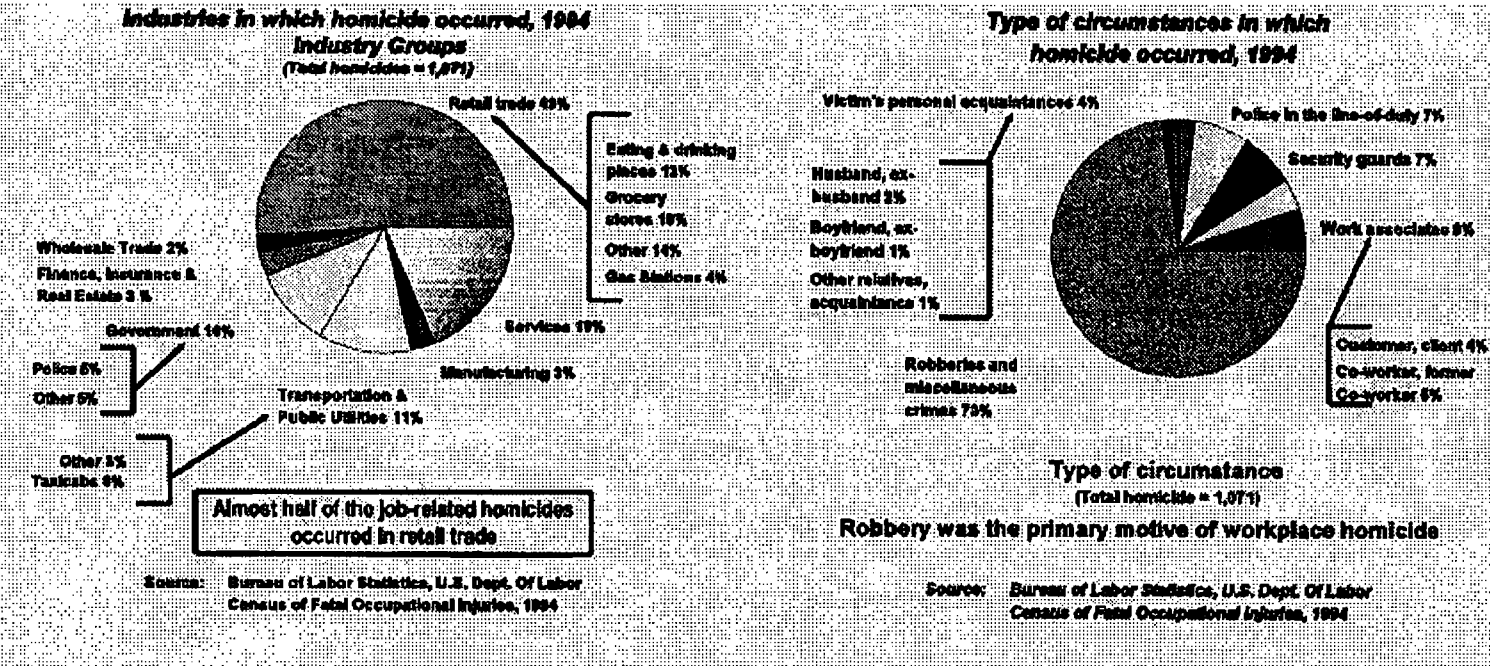
H.R. 1444 (Rep Kennedy, J.; 4/24/97): To establish a grant program to install safety devices and improve safety at convenience stores. The grants would be made to states which, in turn, would establish a loan program for convenience store owners. (12 co-sponsors)

CONTACT INFORMATION

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cri . In terms of just lost wages, the estimated annual total was more than \$55 million. When lost productivity, legal expenses, property damage, diminished public image, increased security and other factors are included, total losses from workplace violence probably can be measured in the **billions of dollars**.

FOOTNOTE (5) Bachman, Ronet. National Crime Victimization Survey: Violence and Theft in the Workplace. Washington, D.C.: Bureau of Justice Statistics, U.S. Department of Justice, July 1994.

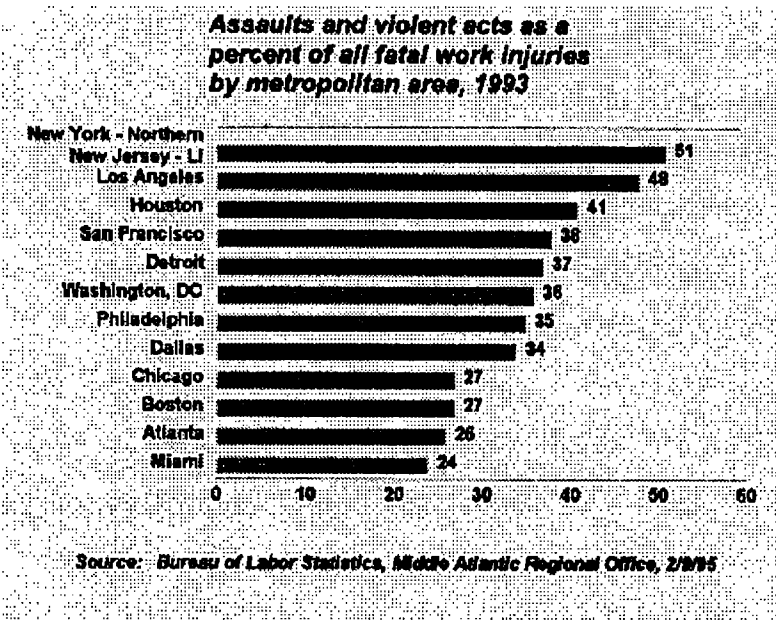


Another cost borne by employers is liability for the injuries suffered by victims of workplace violence and/or liability claims in negligent or wrongful deaths occurring on the job. Third parties assaulted and/or seriously injured in the workplace have won significant awards in suits against businesses or others with responsibility in the workplace who were found to be negligent in this area. And while workers' compensation insurance is generally the employee's only remedy for on-the-job injuries from assaults, in certain states, employees have successfully sued their employers in civil court.

THE DEFINITIONS

According to the National Institute for Occupational Safety and Health (NIOSH): **WORKPLACE VIOLENCE** is any physical assault, threatening behavior or verbal abuse occurring in the work setting. It includes but is not limited to beatings, stabbing, suicides, shootings, rapes, near suicides, psychological traumas such as threats, obscene phone calls, an intimidating presence, and harassment of any nature such as

to the 51 percent rate for this area. Nationally, 21 percent of occupational or workplace deaths resulted from violence. Of the 364 fat occupational injuries in the New York Area, 186 resulted from assaults a violent acts.



The 1993 Census of Fatal Occupational Injuries, part of the redesigned BLS safety and health statistics program, provides the most complete count of fatal work injuries available because it uses multiple state and federal data sources. The data for the New York -Northern New Jersey-Long Island area presented in this report are a product of cooperative programs conducted with the participation of the New Jersey Department of Health, the New York State Department of Health, the New York City Department of Health, the Connecticut Department of Labor and the Pennsylvania Department of Health. Data for the other metropolitan areas were gathered from similar programs in health and labor department in the states involved.

The New York, Northern New Jersey, Long Island, NY - NJ - CT - PA Consolidated Metropolitan Statistical Area is comprised of 14 counties i New Jersey, 12 Counties in New York, four counties in Connecticut and on county in Pennsylvania.(4)

FOOTNOTE(4) Middle Atlantic Regional Office - Bureau of Labor Statistic data released 2/9/95.

In addition to the human cost, businesses suffer economic losses wh they are the victims of workplace violence. According to the U. S. Department of Justice survey(5), assaults at work cost 500,000 employees 1,751,100 lost days of work each year, which averages out to 3.5 days pe crime. In terms of just lost wages, the estimated annual total was more

FOCUS - 4 OF 13 STORIES

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WWD

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HEADLINE: Police tactics vs. retail tact: stores mull security options.

BYLINE: Emert, Carol

BODY:

WASHINGTON -- It's a retail dilemma of the Nineties.

As the fear of violent crime rises across the country, many retailers feel compelled to hire off-duty police officers to guard stores in high-risk neighborhoods. But recent allegations of abuse by moonlighting cops point to another problem: Police officers do not always take the service-oriented approach to potential shoplifters/hat retailers would prefer.

"The problem is that there is a different philosophy as to the way police officers operate and retail security operates, and that's where retailers have gotten into trouble," said Bruce Van Kleeck, vice president of member services for the National Retail Federation and a former director of operations for Hecht & Co. department stores.

"A police officer can stop someone for probable cause and ask for their ID, but a store representative wouldn't stop someone unless they've actually seen them lift something," Van Kleeck said.

Van Kleeck said he has observed an increasing number of retailers using police as security downtown Washington. And retailers with thin margins are more likely to rely on such part-time help to avoid paying employee benefits to full-time security staff.

Many department store managers, he said do not use police because it's difficult to control them, according to Van Kleeck. Most department stores have the advantages of higher margins and safer, suburban mall locations.

Retailers are stuck between two competing security interests, said Daniel J. Doyle, divisional vice president of loss **prevention** for Beall's Department Stores, Bradenton, Fla. "The employees are afraid they will be hurt and they want protection , but the customers don't want to be bothered by it. It's real difficult to protect employees, customers and merchandise, and not offend anybody."

Several security experts said police officers are hard to control in a



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retail setting, partly because stores have little leverage.

"When you have an employee who doesn't follow the rules, they lose their job," Doyle said. "If you fire these guys off-duty police, they still have a job."

Van Kleeck said he generally avoided using law enforcement officers when he worked for Hecht's, but one policeman he hired for a part-time job refused to remove his gun until told several times to do so.

"I don't want to be too negative about police; they do a very good job in many cases," he added. "It's just that their role is different from the role of a security guard."

So sometimes, are their uniforms. In some Jurisdictions, off-duty cops moonlighting as security guards are required to wear their police uniforms, according to Beth Weaver, communications director for the National Police Officers Association of America. In other venues, they may wear their uniforms only when on official police business. And in some, it's up to them.

The issue of police as security guards moved to the front burner last November in a highly charged incident involving the Seattle-based Eddie Bauer chain.

Bauer came under fire after two policemen moonlighting as security guards at a warehouse sale allegedly detained two teenage shoppers and made one of them leave his Eddie Bauer-brand shirt at the store while he went home to look for the receipt. According to court documents, the shopper had purchased the shirt from the same facility the day before the incident.

Eddie-Bauer is still trying to reach a settlement with the young man and a friend who accompanied him to the store in Fort Washington, Md., a suburb of Washington. The youths, who are African-American, claim they were stopped by the guards because they are black. The guards are white.

Last month, a Baltimore-area couple filed suit against Victoria's Secret, claiming that two police officers moonlighting as guards in the Towson Town Center Mall in Towson, Md., last December accused the couple of stealing a G-string.

According to the lawsuit, the guards strip searched the man and insisted that a female guard, not a police officer, perform a strip search and a cavity search of the woman. No merchandise was found.

The couple did not accuse the guards of civil rights violations, although the guards are white and the shoppers are black. The guard who allegedly searched the woman also is black.

Victoria's Secret's parent, The Limited Inc. would not comment on the matter. But David Hiatt, divisional vice president for internal controls and public affairs at Eddie Bauer, said the incident at his company's store has been a call to action.

Since November, Bauer has instituted policy changes to minimize contact



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between guards and customers. Hiatt also is lobbying the NRF to take a leading role in dealing with improper behavior by guards, particularly when their actions appear racially motivated.

"We live in a country in which various people hold stereotypes about African-Americans for the wrong reasons," Hiatt said. "As retailers, we need to recognize that and deal with it head up."

Bauer still uses police as guards at about six of its highest risk stores and at warehouse sales, which are held about five times a year and generate large amounts of cash, Hiatt said.

However, Bauer has stopped using police to check receipts of departing patrons at warehouse sales, and police no longer roam the sales floor in search of shoplifters. Instead, those duties fall to store management. Police are posted in highly visible spots to deter theft, Hiatt said.

"We're trying to remove determining whether someone has shoplifted from guards' scope of responsibility," Hiatt said.

The Fort Washington incident, said Hiatt, is a perfect example of police acting like police, rather than like retail employees.

"These law enforcement officers could have a very reasonable cause to believe these people were attempting to steal something," he said. "Asking questions is very much within the law, but it's not how a retailer wants to treat a customer."

Hiatt has asked the NRF to "speak out loudly" on the issue. He has recommended the NRF develop training materials for members, and set standards of training and customer service and ask members to abide by them.

Van Kleeck said the issue would be addressed by NRF's loss **prevention** committee at its annual meeting in June, although it is not clear whether the organization will take any action.

Consequently, it may make more sense for the law enforcement community to take the next step by teaching trainees proper behavior, should they ever decide to moonlight as guards, van Kleeck said.

But Beth Weaver said it is unlikely police academies will ever consider it their duty to train officers for freelance work. She acknowledged that a conflict exists between officers' training and the duties of a security guard.

Although the two recent incidents in Maryland have focused attention on the issue, many retailers concluded long ago that it was best to steer clear of police.

Beall's Doyle said police should be used only in areas with "ridiculously high crime rates, like Miami."

"Generally," he added, "I much prefer using my own people. They have to undergo a background test and a drug test, and I know their training is good."

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Read Hayes, a senior consultant with Loss Prevention Specialists Inc., a security consulting and training firm in Winter Park Fla., said small retailers with less money to spend for full-time staff often have to rely more on freelance security.

Hayes recommended retailers that use officers as guards train them and insist that they sign agreements spelling out how they are to treat customers. He acknowledged, however, that such steps do not guarantee the desired results.

Eddie Bauer, for example, has long had such a policy.

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FOCUS - 5 OF 13 STORIES

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Crain's Detroit Business

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SECTION: News; Pg. 15

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HEADLINE: HELP WANTED TO END WORKPLACE VIOLENCE: CONFERENCES DRAW INTEREST OF BUSINESSES

BYLINE: ROBERT ANKENY

BODY:

Violence in the workplace is grabbing headlines across the country and has prompted business owners and managers in metro Detroit to seek professional help and advice to combat what some term a "burgeoning epidemic."

Four major conferences scheduled in metro Detroit this year reflect the concerns of businesses.

In January, the Troy Community Coalition sponsored a daylong session that drew nearly 300 business and law-enforcement leaders. Last Wednesday, the Downtown Detroit Security Executive Council presented a seminar on Understanding Violent Behavior. Two more anti-violence seminars are scheduled for later this month (see box on this page).

Is the concern warranted? Yes, say attorneys, human-relations experts and government officials.

1 million victims

Assaults on and injuries to workers who deal with the public have soared in recent years in Michigan and nationwide. The latest U.S. Bureau of Justice Statistics annual crime survey says nearly 1 million people are victims of violent crime on the job each year.

The problem also costs businesses millions of dollars in lost productivity and liability payouts, experts say.

Detroit attorney Karen Smith Kienbaum, who spoke at the Troy conference, said she tells clients that adopting a violence-prevention plan can be a wise step for bosses and workers.

"Zero tolerance for abusive behavior; vulgar, harassing horseplaying; (and) body bumping with a strong anti-harassment, nonthreat policy that's comprehensive can avoid a lot of potential violence," said Kienbaum, a former president of the Detroit Bar Association.

And she agrees with Michigan State University's Daniel Kruger, who said, "No one is immune."



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Watch - and have a plan

Kruger, a professor of labor and industrial relations at MSU, said the key to heading off violence in the workplace is being alert.

"You've got to have your ear to the ground and make sure you know when there is a lot of dissatisfaction, tension or trouble in the work force," said Kruger, who served 13 years as a member of the Federal Services Impasses Resolution Panel during the Reagan and Bush administrations. This seven-person panel, mandated by the Civil Service Reform Act of 1978, is empowered to resolve impasses in contract negotiations between federal agencies and their unions.

Kruger cites a report of a Mason manufacturer employing about 400 workers who recently announced a plant shutdown.

"The spokesman stood behind bulletproof glass to make the announcement," he said.

Kienbaum, whose labor- and employment-relations practice focuses on corporate-litigation defense, urges preparedness, too.

"Imagine a building without a fire or disaster plan," she said. "There aren't that many fires; but when there is one, you sure want those emergency lights, that luminous paint stripe leading to doors, sprinklers that work."

A violence-prevention plan, Kienbaum said, gives employers and employees a sense of security about this new and increasingly prevalent kind of emergency.

"Adopt a plan from entry level to exit interviews after termination" she said. "Employers have learned to deal with AIDS in the workplace, and they can use similar processes; just the questions are different," said Kienbaum, whose labor and employment-relations practice focuses on corporate litigation defense.

Kienbaum and Kruger stress employer alertness and warn that some workers give clear signs of trouble before violent outbursts.

"When an employee decides to screen off his work area with ceiling tiles so imagined X-rays won't get at him, it may be time to act," she said.

In other cases, violence follows workers onto the job, the experts warn.

"Women are particularly vulnerable at the workplace as traditional victims of domestic violence," Kienbaum said. Employers have responsibilities to protect workers from such attacks in and around job sites. Controlling access to the workplace - and even parking lots - limits such intrusions, she said.

"Even without legal obligations, most employers don't want their workers to be fearful and uncomfortable; and incidents that result in lost time or injuries damage companies' reputations and employee morale," Kienbaum said.

Federal guidelines

New anti-violence guidelines from the U.S. Occupational Safety and Health



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Administration, or OSHA, are a tool and a warning, she said.

OSHA guidelines for plans to protect against violence in health-care facilities took effect last fall. Similar regulations covering retail establishments should be out within 60 days or so, Kienbaum said.

The guidelines don't have the force of OSHA regulations, but they offer a blueprint for plans that would give employers protections for their workers and for themselves, she said.

Also, because workplace violence continues to escalate, employers are on notice about this hazard and "ignore these guidelines at their peril, especially if one is in the health-care or retail industries," Kienbaum writes in the February issue of the American Society of Employers Bulletin.

MSU's Kruger agrees that preventive steps can be taken. "It's a complicated problem that, I regret to say, I think is going to get worse," he said.

"And nobody's immune," said Kruger, who teaches in one of the largest labor- and industrial-relations master's degree programs in the nation. "It's not an easy problem, but that doesn't mean we can't do anything about it."

Some tips

Kruger offers these suggestions:

Do a better job of initial screening when hiring employees.

Train supervisors and managers to recognize and identify workers with problems that could blossom into violent confrontations.

Use the input of employee-assistance programs to detect patterns of simmering tension or discontent. This can be done based on general information without violating privacy or confidentiality. "If you do breach confidence and word gets out, the (assistance program) will die a natural death," Kruger said.

Have open communication with employees and with union leaders, urging them to alert management to anyone threatening to hurt others on the job. "It's their workplace, too," Kruger said.

"Workers can be responsible without being tattletales," he said, and can help monitor and manage situations to defuse the potential for violence.

"Good managers should make periodic diagnoses of the workplace," assessing whether tension or stress is building too high, Kruger said.

Attorney Kienbaum said she recommends what she calls "the Bic test." "That's when a personnel file gets thicker than the cap of a Bic pen (about 11/2 inches)," she said.

Often, such a troubled employee has been passed from one department to another and needs to be dealt with by a full team of experts. The employee then should be reviewed and disciplined or released before harming someone, Kienbaum said.



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Kruger, Kerry O'Connor, president of 3DR International; and M. Diane Vincent, president of Value Behavioral Health's Square Lake Division, have written a manual on recognizing and reducing stress and harassment to head off work-related violence.

3DR International and Value Behavioral Health are presenting a three-day violence-control seminar Feb. 26-28 at MSU's Management Education Center in Troy; the final session addresses street crime and gang problems.

The aftermath of a 1993 incident at a KFC fast-food chicken restaurant in Redondo Beach, Calif., points up the importance of training workers about violent and life-threatening situations, O'Connor said.

An armed robber grabbed a customer named Kathy Brown, took her wallet, then shoved his gun into her back and demanded money from the cashier.

When the cashier told the robber she needed to get a key to get to the money, the robber was infuriated and threatened to shoot Brown unless he got the cash immediately.

Brown, terrified and in fear of losing her life, screamed at the cashier, who then complied. The robber fled with the money.

Although she was released unharmed, Brown sued the fast-food chain, claiming the company's failure to train the clerk endangered her life. The California Court of Appeal last November ruled that KFC could be held liable for Brown's alleged emotional distress. That decision is expected to be ruled on this month by the California Supreme Court, The Wall Street Journal reported earlier this month.

Whatever ruling is made in this case, O'Connor said, it's a strong indicator that businesses need to prepare themselves and employees to deal with violence.

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April 3, 1995

LENGTH: 1107 words

HEADLINE: HEALTH AND SAFETY EXECUTIVE - **PREVENTING** VIOLENCE TO RETAIL STAFF

BODY:

"Violence to retail staff can cause physical and mental pain, stress and disability, and in rare cases some workers have been killed. It can lead to low staff morale, high absenteeism and staff turnover, expensive insurance premiums and possibly compensation payments. **Prevention** of violence must be a priority," said Dr Jim McQuaid, Director of General Policy for the Health and Safety Executive (HSE), today on the publication of HSE's guidance on **preventing** violence to retail staff. "Our booklet provides practical guidance for retailers and their staff on how the problems and causes of violence might be tackled. Action need not be expensive or complicated - simple measures such as changing a pattern of work can help to ensure that staff are not put at risk," said Dr McQuaid. In particular, the guidance covers: the risk and causes of violence; how to develop and implement a policy on dealing with violence; what **preventative** measures employers might like to consider; how to support staff after an incident; staff who work alone and the particular problems faced by small businesses. David Waters, for the British Retail Consortium, said: "The retail crime survey for 1993/94 of 53,000 retail outlets identified over 13,500 incidents of assault and robbery. Nearly half of all violent incidents occurred where staff intervened in robberies. These appalling figures show the clear need for advice on tackling the problem. Retailers have been taking action and last year spent GBP 580m on **preventative** measures. We recognise that no two premises are the same and that different strategies work in different locations, so we cannot offer a single answer. Solutions need not involve expensive security equipment, a lot can be done without necessarily spending money. This guidance provides an excellent source of advice on tackling the problem." Doug Russell, Health and Safety Officer for the Union of Shop, Distributive and Allied Workers (USDAW) said: "Violence is all too significant a risk for retail staff. Many shopworkers will be going to work today in real fear for their personal safety. The scale of the problem is demonstrated by the fact that last year USDAW was instrumental in obtaining GBP 230,000 compensation for retail workers who were involved in violent attacks. "Retailers should realise how valuable their staff are and how much effect violence has on their business. If just one member of staff is absent from work in the aftermath of a violent incident, the business will suffer. Employers need to provide support for any staff involved and may need to find and train temporary replacements. So it is very much in their best interests to follow the sensible guidance in this booklet and take immediate steps to protect their workers," said Mr Russell. Questions retailers should consider include: are there particularly vulnerable jobs or tasks? does the timing of opening/closing/deliveries allow for incidents to be planned? how often is cash moved to a safe area and is there a system for doing this? is there a policy for dealing with complaints and difficult customers? Suggested solutions include: staff should be told what is expected of them if there is a robbery, for example how to raise the alarm, where to go for



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safety and not to resist or follow violent robbers; clear visibility and lighting so that staff can leave quickly or raise help; **preventing** the build-up of cash in tills, and adopting measures to move cash safely; arranging for staff to have access to a secure location; monitoring high risk entrances, exits and delivery points; providing bright lights around buildings and removing possible cover for assailants; installing screens or similar protective devices for areas where staff are most at risk; ensuring that experienced or less vulnerable staff are used for high risk tasks; rotating high risk jobs so that the same person is not always at risk, or doubling up on staff for particularly high risk tasks; providing additional staff for high risk mobile activities or communication links to base; providing personal alarms for high risk staff; putting up clear signs asking those wearing crash helmets to remove them; providing training on recognising and dealing with violence and the potential for violence. Bill Myers, Director of the Environment Department for the London Borough of Hammersmith and Fulham said: "Local authority enforcement officers who enforce health and safety legislation in retail premises, will be asking employers for evidence that they are taking action to deal with violence to staff. Section 2 of the Health and Safety at Work Act gives employers a duty of care to their staff and the public, and the Management of Health and Safety at Work Regulations 1992 require employers to undertake risk assessments, which include the risk of violence. "In addition to the guidance given in this booklet, employers can get advice from local authority enforcement officers and of course Crime **Prevention** Officers will also be able to provide guidance on security matters." Copies of HS(G) 133 '**Preventing** Violence to Retail Staff ', ISBN 0 7176 0891 3, price GBP 6.95, are available from HSE Books, PO Box 1999, Sudbury, Suffolk, CO10 6FS, tel 01787 881165, fax 01787 313995, or from Dillons Bookstores and all good booksellers. Note to Editors: Dr McQuaid and Mr Myers jointly chair the Health and Safety Executive/ Local Authority liaison committee.

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FOCUS - 8 OF 13 STORIES

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 Occupational Health & Safety

April 1995

SECTION: Vol. 64, No. 4 Pg. 68-69; ISSN: 0362-4064; CODEN: OCHAAZ

LENGTH: 1465 words

HEADLINE: Safety for nighttime retailers

BYLINE: Friend, Mark A

BODY:

Jane Doe walked to work on a January evening in 1992. She didn't have a car because she could not afford one. Minimal education and skills left her vulnerable in a number of ways.

Jane worked as a clerk at a gas station/convenience store. At approximately 1:30 a.m., an unknown assailant walked in, ostensibly to make a purchase--but, in reality, to rob the store. Perhaps Jane knew the assailant. Maybe he was afraid that she would recognize him later. In any case, before he left, Jane was dead--the victim of multiple stab wounds to the chest and neck. A few hundred dollars was missing from the cash drawer. Jane's body was not discovered until the next customer walked in. Her assailant was never found.

Violence in the workplace is rapidly coming to the forefront as an occupational safety and health issue. OSHA officials are preparing a new compliance directive that could reduce the problem--and with good reason. Homicide was the second leading cause of job-related deaths in 1993, accounting for 17 percent of fatal injuries to workers. Robbery and other criminal acts were the primary motives for homicide at work, accounting for 75 percent of these deaths. About 80 percent of the 1,063 workplace homicide victims were men, but homicide is the most frequent killer of female workers, accounting for nearly 40 percent of their fatal injuries. About half of all homicide victims were working in retail establishments such as grocery stores, restaurants, bars and small gas stations. These retail establishments traditionally stay open at night and are especially vulnerable.

Violent crime is moving into areas once thought to be safe. According to Liability Consultants, Framingham, Mass., jury awards for inadequate security average \$ 1.2 million nationwide, with settlements averaging \$ 600,000. Small-business owners and managers who have done little or nothing in the past to protect their establishments and, more important, their employees, from robbery will find themselves under attack on all fronts. Not only will business owners and managers be vulnerable to losses from criminal activity, but also they will find themselves increasingly subject to litigation and OSHA penalties.

Charles Jeffries, OSHA director from North Carolina, believes that many previously uninspected businesses are going to be surprised when OSHA shows up. He referred to fast-food and other small retailers as potential targets. The



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reasons for OSHA inspections are based on the dangers faced by employees of nighttime retail operations. Employees like Jane can-and should-be protected. Here's how it can be done.

MAKING YOUR BUSINESS SAFE

As in any other area of safety, it is advisable to have a written plan that outlines policies designed to deal with the problem of violence at nighttime retail businesses. The plan should include procedures for managing cash, handling customers and minimizing the likelihood of robbery. More important, employees should be carefully briefed and drilled on what to do if the worst happens.

The plan should include installing basic safety equipment and following certain procedures. Nighttime retailers, particularly owners and managers of convenience stores and gas stations, can benefit from these suggestions:

- * Install a security camera capable of recording any robbery or other crime that might take place. This should take high priority. Not only will the security camera act as a deterrent to the would-be thief or assailant, but also it will help **prevent** a particular robber from returning to your store or any other store if caught. In addition, be sure to place height markers next to store entrances. Such markers help in the identification of assailants.
- * Incorporate a drop safe or cash management device that limits employee access to large amounts of cash. Post conspicuous notices stating that the cash register contains small amounts of money only, such as \$ 50 or less. Employees should be trained in cash-handling procedures and encouraged to make a conscious effort to keep the amount of cash on hand low.
- * When feasible, install a silent alarm that will notify police or a private security force that a crime is in progress. Prompt response by appropriate authorities may save a life.
- * Ensure that the store and parking lot are well lit during all operating hours. Limit the number of entrances, and do not permit employees to exit into poorly lit, unobserved areas. The employees could be assaulted on the way out, and the assailant may use the door to enter the store.
- * Do not permit employees to work by themselves. Two clerks in a convenience store can help protect each other. Many times, clerks are the victims of two criminals. One assailant will distract the clerk while the other pulls a weapon, attacks and disables the victim. If a second worker is not economically feasible, a protective enclosure for the lone attendant is a must.

PROTECTIVE ENCLOSURES

Florida law requires that if an employee works alone, he or she must work in a protective enclosure. In many gas stations and convenience stores, the worker and all money stay behind an open counter during the day and early evening. At night, when pedestrian and automobile traffic slows and the store becomes more vulnerable, a laminated Plexiglas shield made of Lexan is dropped into place from overhead. Plate steel behind the counter and a clear shield between the employee and would-be assailant above the counter afford a high level of



protection against robbery and other violent crimes.

In some cases, the protective enclosure is placed at the door of the store, with a transparent turnstile permitting the employee to pass goods to and receive money from customers. If the owner believes that this will inhibit the sale of merchandise, the employee can use an enclosure inside the store. The store can be converted to a veritable fortress in less than 10 seconds. The bullet-resistant shield will not allow penetration by clubs, knives and typical small-caliber firearms. Under Florida law, the enclosure must meet Underwriters Laboratory Standard UL 752 for medium-power small arms and bullet-resistant equipment or American Society for Testing and Materials Standard D3935 (classification PC110 B 3 0800700).

OTHER CONSIDERATIONS

At the gas station where Jane Doe was killed, there were signs plastered all over the windows. Automobile and pedestrian traffic were unable to see into the store or to observe any crime in progress, thus permitting the murderer to commit his crime in relative privacy. It is likely that his only concern was that a shopper would enter the store before he left. To minimize this problem, small convenience stores should have large expanses of windows. The view should be unobstructed. Obviously, a would-be thief is more likely to avoid a well-lit, windowed store, because a crime in progress at such an establishment can be spotted much more easily by a passerby or patrol car.

Another consideration is the apparel of your employees. Jane was wearing street clothes when she was killed. Store personnel should wear distinctive smocks or uniforms for safety reasons. In the event that police are summoned to a crime in progress, uniforms make it easier for them to distinguish the perpetrator from the victim.

Store personnel should be instructed to cooperate fully with the criminal if, despite all precautions, a robbery does occur. The silent alarm should be activated only if it can be done so without alerting the assailant. Employees should speak only in response to the criminal and should not volunteer any information to the criminal. Employees must be as observant as possible and must attempt to avoid confrontation.

Once the perpetrator leaves the store, employees should immediately lock the store and call police. They should ask any witnesses to remain until police arrive and should not discuss the incident until then. Everyone should avoid touching any surfaces that the perpetrator may have touched.

8E PREPARED

Anticipating and preparing for events such as a store robbery should be an important part of employers' plans to deal with violence in the workplace. This is especially true for nighttime retailers. The cost of these plans is minimal compared with the potential saving of lives and the well-being of employees. Although legislation has not forced action in every state, it is coming. To avoid costly holdups and potential litigation and to prepare for inevitable regulation, it makes sense to take these relatively inexpensive steps to protect your business from robbery, and your employees from harm.



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FOCUS - 9 OF 13 STORIES

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March 30, 1995, Thursday, Home Edition

SECTION: Long Beach; Part J; Page 6

LENGTH: 2160 words

HEADLINE: COVER STORY;

WITH VIOLENT CRIME STRIKING EVEN ON THE JOB, WORKERS ARE SEEKING. . . ;
A MARGIN OF SAFETY

BYLINE: By DUKE HELFAND, TIMES STAFF WRITER

BODY:



A liquor store clerk in Long Beach is killed for \$68 in his cash register. A restaurant manager in Downey is stabbed to death for the day's receipts. A cabby in Montebello is pummeled by two passengers demanding \$25. And a mail carrier in Compton is robbed at gunpoint by robbers seeking welfare checks.

Workers in Southeast Los Angeles County are increasingly the victims of assaults and homicides, authorities say, and the growing peril of on-the-job violence mirrors a statewide trend. Violent acts have become the leading cause of death in the workplace, surpassing transportation accidents, according to state statistics.

State public health experts say most of the violent workplace crime occurs during robberies at convenience stores, gasoline stations, fast-food outlets and other businesses in which employees handle cash and work alone or late at night. Delivery workers whose jobs take them into crime-ridden neighborhoods face similar dangers.

Employers are scrambling to make these jobs safer. Some now close at night or prohibit employees from working alone after dark. Others have equipped clerks with flak jackets or panic buttons that ring company headquarters. In Compton, police now stake out mail routes at the beginning of each month when carriers are delivering government checks.

But authorities and workers alike agree that there is no foolproof way to guard against crimes that occur randomly and without warning. As a result, workers are often left to protect themselves as best they can.

Most rely on a combination of weapons and instincts.

* A motel manager in North Long Beach who lives on site locks herself inside her quarters after 10 at night to avoid being robbed or shot by drug users hanging out in the dark parking lot outside her office.

* A mail carrier in Compton varies her mail route when she senses trouble -- changing the order of the streets she walks -- to avoid being an easy target for would-be robbers.



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* Gary Thornton, a former clerk at P & B Liquor Jr. Market, kept a police scanner behind the counter to monitor activity in the surrounding Bixby Park neighborhood, an area known for prostitution and drug dealing. The crackle of police chatter, Thornton says, scared off would-be robbers -- until the scanner itself was stolen in January.

*

Thornton also kept a loaded gun and a baseball bat on hand. Still, Thornton, a formidable presence at 6-foot-1 and 210 pounds, says he was robbed and struck in the face with a beer bottle in separate incidents during his 18 months at the store.

His former co-worker, Nasser Akbar, 51, was slain last August during a nighttime robbery at the store. "They put five holes in him for 68 bucks," Thornton said.

A week before that fatal shooting, the owner of a meat market about a mile away was shot to death during a robbery.

Thornton left his job this month to search for a safer job, possibly as a truck driver or a cashier at a department store. "People thought I was nuts to work there (the liquor store)," he said.

Some workers say that fear is part of the job. To deal with that, they may seek counseling or request transfers to safer locations. Those who remain learn to live with frayed nerves.

"I'm out there and I'm shaking, delivering the mail fast," said Compton mail carrier Jose Martinez. Last September, robbers stomped and choked Martinez and took his mailbag, which contained about 150 government checks. "I still can't get over it," he said.

Martinez, who suffered cuts and bruises, took a month off after the incident. The day he returned, thieves broke the lock on the back of his truck and stole trays of mail while he was making deliveries.

But Martinez, who has worked his route for the last 18 months, said he intends to stay. "These people really need us out there," he said. "It's like your family."

Compton logged more mail-carrier robberies and mail truck break-ins last year -- 26 incidents -- than any other city in the Southeast area. As a result of the incidents, the city's police department now dispatches 15 plainclothes narcotics and gang investigators to patrol mail routes and accompany carriers when government checks are delivered on the first and third of each month. Police and postal officials also have taped a show for cable television appealing to residents to keep an eye on mail carriers.

"I don't think anyone should have to risk their lives to provide a public service," said Compton Police Chief Hourie Taylor, who appears in the cable TV program. "Hopefully, we can **prevent** some of this."



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Private businesses are taking more precautions. Many now close before dark or lock their doors at night, requiring customers to pay for goods through metal drawers built into front windows. Others have hired security guards or installed surveillance cameras.

San Gabriel Transit Inc., one of the Southeast area's primary taxi companies, is installing computer consoles with panic buttons inside vehicles that alert dispatchers of trouble and immediately pinpoint a cab's location.

P & B Liquor in Long Beach equipped its clerks with flak jackets after Akbar's death.

The owner of a nearby Arco gas station spent \$25,000 to install a bulletproof glass cage around the cash register. The station, which doubles as a small convenience store, is located on 7th Street at Obispo Avenue in a neighborhood known for nightly gunfire and drug dealing. The store had been robbed several times and workers had been assaulted before the inch-thick glass went up about 18 months ago.

Since the change, owner Joe W. Meisel says, there have been no robberies. The store, which used to close at 10 p.m., now remains open all night. Workers say they feel safe, even when alone late at night.

"I'm very secure," store manager Romeo De Asis said one recent evening as he slid cigarettes, gum and other goods to customers through two small openings just above the counter. "This is a model store. I was thinking every night (before the glass was installed) that somebody might rob me or kill me. This is gonna protect me."

*

Some business groups believe that better lighting would make their stores safer. Business owners in downtown Long Beach spent about \$1,500 each to install bright lights on fashionable Pine Avenue and surrounding streets, replacing dim yellow low-pressure sodium lights provided by the city. Some business owners are installing the lights in alleys.

"I don't think people commit crimes in brightly lit areas," said John Morris, owner of Mums restaurant on Pine Avenue. "They're looking for shady dark corners."

Long Beach officials are considering plans to replace yellow street lights throughout the city with brighter white lights, a change that business owners and resident groups have been seeking for several years. The city, which had switched to the yellow lights in the 1970s to save energy, is expected to make a decision in the next few months.

Statistics on workplace crime confirm the need for such measures.

The California Department of Industrial Relations, which collects data on the subject, reports that violence became the leading cause of workplace fatalities in 1993, surpassing transportation accidents for the first time.

Homicide was the single biggest killer, accounting for 204 deaths -- nearly



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one-third of the total 650 workplace fatalities in 1993, the latest year for which statistics are available.

Experts say that homicides have been steadily increasing for several years, while other causes of death -- including traffic accidents, machinery mishaps and falls -- have leveled off or declined.

In Los Angeles County, violence caused nearly half the 209 fatalities at work during a 20-month period encompassing 1992-93, according to a recent study by researchers at UC San Francisco. Most of the killings occurred during robberies.

Researchers say the findings contradict a popular belief that most workplace violence is caused by disgruntled employees who go on shooting rampages. Such incidents -- including a shooting last year at an electronics firm in Santa Fe Springs in which a fired employee killed three former co-workers before turning his gun on himself -- capture national attention but only account for a small percentage of workplace fatalities, the researchers say.

Experts also say the frequency of violence in the workplace is far greater than any statistics suggest because countless employees are assaulted for every one who is killed.

Robert Harrison, acting chief of the state Department of Health Services' occupational health branch, estimates that 10,000 workers or more are assaulted on the job statewide each year. But even Harrison, who is conducting a statewide study of the subject, acknowledges that no comprehensive method exists to keep track of nonfatal incidents.

"There are countless numbers that are unreported," he said.

Public health experts such as Harrison say the rise in deadly workplace incidents reflects an epidemic of violence in general.

"As our society becomes more violent, it is spilling over into the workplace," Harrison said. "I think we are seeing a permanent phenomenon."

★

Economists say high unemployment contributes to crime. The state has lost tens of thousands of jobs in recent years to defense and aerospace cutbacks. Southeast Los Angeles County has been hit particularly hard as thousands of workers have lost their jobs.

"When unemployment is high and wages are low, there is going to be more violence in general," said Paul Leigh, an economics professor at San Jose State University who has written extensively about occupational hazards. "People want income and this is one horrible way to get it."

Some law enforcement authorities said they are concerned that California's new three-strikes law -- which requires sentences of 25 years to life after a third serious felony -- may increase workplace deaths during robberies because criminals won't want to leave witnesses.

Meanwhile, the violence has prompted officials at Cal/OSHA, the state's



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watchdog agency for worker safety, to issue voluntary guidelines for businesses to follow to increase security. Among the suggestions: keep limited cash on hand and install mirrors or surveillance cameras.

"Security is a legitimate health and safety issue," said Cal/OSHA chief John Howard. "California workplaces have changed. They no longer contain the traditional causes of (danger) -- machinery accidents, falls and chemical exposure. Employers may have to train their employees how to diffuse a hostile situation."

Even companies that take elaborate precautions are not immune.

El Pollo Loco has issued each of its 124 restaurants in Southern California a thick binder filled with security policies. Among other things, the company prohibits employees from taking out trash after dark and requires that doors be locked after 9 p.m.

*

But Mayra Saldana, an assistant manager at the company's restaurant on Firestone Boulevard in Downey, was killed last August during a late-night robbery. Police say two assailants approached her about 1 a.m. as she was leaving the restaurant, pushed her back inside, forced her to open the safe, stabbed her to death and made off with more than \$3,000.

Police believe the incident was masterminded by a third suspect, a former manager at an El Pollo Loco in Long Beach, who they say is suspected of being involved in robberies at another El Pollo Loco in Carson and a Sizzler Restaurant in Gardena. Police said the man, whose name they would not release, has fled to another state. The other two suspects also have not been caught.

Over the last year, the company has reviewed security at its outlets, adding extra lighting to stores and parking lots, cutting away bushes from windows and repainting interiors with lighter colors. The changes had not been started at the Downey location when the robbery occurred, but the measures are now in place, officials said.

"You implement these safety features for employees and customers, but there's no such thing as a 100% guarantee, unless you're Ft. Knox," said company spokesman Greg Young. "Even if you do put these things in place, you can't guard against someone throwing the dice and deciding where they are going to hit."

(BEGIN TEXT OF INFOBOX / INFOGRAPHIC)

How to Keep the

Workplace Secure:

- * Be aware of people entering and leaving the store.
- * Lock doors when not in use.
- * Avoid working alone, particularly at night.



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- * Keep as little cash as necessary in register.
- * Make front counter visible from the street.
- * Trim shrubs that block view into the store.
- * Avoid large signs or displays in windows.
- * Install bright lights in and around the store.
- * Install alarm system, surveillance cameras and bulletproof screen for front counter.
- * Encourage employees to raise concerns about workplace security.
- * Organize neighborhood business watch.

Sources: Long Beach Police Department, Cal/OSHA

GRAPHIC: Photo, In South Gate, taxi drivers Ron Cookson and Al Winistorfer display their self-defense arsenal: Taser gun, tire iron and flashlight. BARRETT STINSON / Los Angeles Times; Photo, "This is gonna protect me," Romeo de Asis says of the glass cage that surrounds him at the Arco gas station he manages in Long Beach. BARRETT STINSON / Los Angeles Times; Photo, "I'm shaking, delivering the mail fast," says Compton mail carrier Jose Martinez, who was robbed and assaulted last September. DAVIS BARBER / For The Times; Photo, Below, the counter of the Compton Post Office has a bulletproof shield. DAVIS BARBER / For The Times; Photo, COLOR, On the Cover: Gary Thornton keeps a baseball bat behind the counter for protection during the night shift at P & B Liquor Jr. Market in Long Beach, where another clerk was shot and killed by robbers last year. Thornton left the job this month. BARRETT STINSON / Los Angeles Times

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FOCUS - 5 OF 14 STORIES

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LENGTH: 3253 words

HEADLINE: Workplace violence guidelines create new risks; OSHA's new guidelines will require companies to take precautions; includes related article

BYLINE: Panko, Ron

BODY:

Most Americans don't worry about getting mugged or killed when they go to work each day. They hear stories about workplace violence, but it's something that happens to the other guy.

It's happening enough, however, for the federal Occupational Safety and Health Administration to shine its spotlight on the problem in hopes of halting its spread. In March, OSHA issued Guidelines for Workplace Prevention Programs for Health Care Workers in Institutional and Community Settings, its first violence prevention guidelines. Whether OSHA steps up its efforts may well depend on how private industry responds. The guidelines also may provide assaulted workers with an extra legal foothold for suing their employers for failing to provide a safer workplace, thereby transferring heightened liability to insurers as well.

The guidelines are voluntary and don't carry the clout of workplace standards, but OSHA notes that employers may have some responsibility to implement them. Employers can be cited under the general-duty clause of the Occupational Safety and Health Act of 1970 if violence is a recognized hazard in their establishments and they do nothing to prevent it. In its announcement of the guidelines, however, OSHA says that they are to "help employers who want to develop effective workplace violence prevention programs identify and prevent situations and settings with the potential for violence."

According to Secretary of Labor Robert B. Reich, homicides have moved up to the second leading cause of death on the job behind automotive accidents. The National Institute for Occupational Safety and Health (NIOSH) reports that an average of 15 homicides occur each week in the United States. Assaults are widespread. The Department of Justice says in its National Crime Victimization Survey that about a million people from 1987 through 1992 were assaulted each year at work. The survey reports an annual average of more than 600,000 simple assaults, more than 250,000 aggravated assaults, nearly 80,000 robberies and more than 13,000 rapes.

The Risks



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But what are the legal and economic risks of not addressing violence in the workplace? Throughout the nation, workers' compensation laws directly bear upon the issue. Robert P.J. Booher, managing director of U.S. claims for Marsh & McLennan, New York, says that each of the 50 states has a workers' comp law and that a federal statute covers government railroad employees, postal workers and stevedores. He says the predominant law of the states is that the employee's sole relief against an employer is workers' comp. "It's an exclusive remedy regardless of fault," he says, "but if injuries are caused by a fellow worker, or by someone external to the company, the victim can bring a lawsuit against the third party. Victims of crime can always bring a civil suit."

Booher, however, adds that the exclusivity of the remedy is not necessarily sacrosanct, and he notes that workers' comp policies usually come with a second part providing liability coverage to the employer. "If an employee can prove extraordinary gross, willful and wanton disregard for employee safety, there are ways to get around (workers' comp) and defeat an employer's exclusive remedy."

Gary Salmans, manager of risk services in Colorado for Sedgwick James, says a failure by companies to implement a workplace violence program could result in lawsuits against employers, but he is reluctant to predict them. Still, he doesn't rule them out, and he says that once one employee attains success, a lot more suits would follow. "If an employee could prove it was foreseeable that an assault could occur, like if there was inadequate lighting in a parking lot in an area where there is historically crime, then maybe an employee could (successfully) sue," he says. "But once he takes the workers' comp side of it, he's exhausted his remedies."

Lawsuits that deal with workplace violence are already being brought by employees against their employers, says Mark Braverman, a consultant with Crisis Management Group Inc., a consulting firm in Newton, Mass. These suits, however, are couched in different legal parlance in order to get around the exclusivity of the workers' comp remedy.

In one case in which he is involved, a female supervisor claimed she was pushed in the hall by a male worker who was under her supervision. Braverman says she was upset that the company only talked to the worker, and she quit, claiming discrimination. The company then called in a workplace violence expert who concluded the man was not dangerous. "He whitewashed it for them," Braverman said of the expert, "but it was too late. She was gone, and the damage was done. It shows the importance of taking every complaint seriously and investigating it properly, just as in sexual harassment cases."

In the other case, a large company in the Midwest was sued for \$ 2 million after it allegedly mishandled implementation of its workplace violence program. In this case, says Braverman, a female employee claims she has become psychologically disabled and unable to work after the company "crucified" her for making threats against a male employee. Braverman says she claims she has been "shooting my mouth off for 20 years" about what she's going to do to the man, and she claims the company has discriminated against her. The company, she claims, may have put a policy on the books, but it never informed her of the new rules.

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Establishing a Policy

The cases demonstrate, Braverman says, that companies have to be serious about the quality of their workplace violence programs. "You (a company) have got to watch out," he says. "You can put a policy of zero tolerance in place, but you've got to have a system to back it up. It's a minefield for an employer trying to establish and implement a policy. Bring in an expert. It's short money, folks; we're talking about lawsuits here."

Braverman, who says workplace assault has become a major part of his firm's work in the past three or four years, says employers have a responsibility to set up an atmosphere of trust so they can respond to their problems. He adds that employers ought to be held responsible if they deny that a problem exists and a worker is subsequently assaulted.

"Lawsuits are becoming more and more common," he says. "Employers are less and less protected by the workers' comp act. Workers are demanding jury trials and are having subpoenas issued."

While an increase in lawsuits might indicate a need for new insurance coverages, Braverman says writing them at the expense of controlling risk may be a mistake. "Frankly, I don't think the answer is coming up with lots of new policies," he says. "They'll sell them, but it's wrongheaded. If I were an insurance company, I would be interested in clients preventing claims rather than selling new products with high premiums. Everyone loses when a workplace dispute goes to settlement. This is an area that's preventable."

Whether a company is likely to have a good workplace violence program often relates to the company's size. Braverman says his guess is that the larger the company, the larger the exposure and the greater the likelihood that it will have a good program. Liberty Mutual Group, Boston, the largest provider of workers' comp insurance, has similar sentiments. "Anytime a company is large enough to have a risk manager, it will have someone dedicated to safety in the workplace of all kinds," says Clark Walter, a company spokesman.

Walter says Liberty Mutual doesn't feel any need to react to OSHA's new guidelines. "On the business we do, we don't quite see it," he says. "It seems like businesses that are most affected by (workplace violence) are businesses and workplace situations we don't insure. It's a timely topic, but it seems like the business we do is with larger firms."

"In general, the larger the corporation, the more apt you are to find reasonable compliance with the guidelines," says Donald Reilly, manager of the Eastern region for Marsh & McLennan's protection consultants and a senior vice president. "Resistance tends to come from people on thin margins and small businesses, who think the guidelines are aimed at large businesses."

OSHA's initial guidelines focus on the health care and social services industries because their nearly 8 million workers experience a dramatically higher risk of fatal assault than other workers in private industry, and they suffer nearly two-thirds of all nonfatal assaults. OSHA spokesman Frank Kane says another set of guidelines is being prepared to protect workers in the night retail industry, which also is disproportionately victimized by violence.



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While they don't object to the goals of making a safer workplace, two insurance industry groups have voiced their concerns about the ways OSHA is attacking the problem.

After reviewing OSHA's workplace violence guidelines, the Washington, D.C.-based American Insurance Association (AIA) objected to the section creating medical treatment rights it feels overlap with workers' comp medical coverage. "...We believe that medical treatment for occupational injuries should continue to be provided through state workers' compensation programs rather than through OSHA regulation," wrote Eric J. Oxfeld, assistant general counsel, in a letter to Joseph A. Dear, assistant secretary of labor and head of OSHA. Oxfeld urged Dear to delete the treatment provisions from the health care workers' guidelines, but the provisions remained in the guidelines as they were announced in March.

The AIA maintains that several provisions require medical treatment for work injury and thus directly overlap with workers' comp. For example, they call for employers to set up programs to provide treatment for victimized employees and for other employees who may be traumatized by a workplace violence catastrophe. The guidelines further suggest that "injured staff should have prompt medical evaluation and treatment whenever an assault takes place, regardless of severity or the time of day or night."

Oxfeld says that inclusion of recommended treatment in the guidelines causes a great deal of confusion among workers, employers and insurers about whether the workers' comp or the workplace violence guidelines apply. The guidelines, he adds, don't require workers to satisfy scientific, factual and legal standards about whether an injury had actually occurred, and if so, whether it arose out of and in the course of employment. "As a result, the already costly workers' comp system could become flooded with claims for psychological injuries that aren't necessarily work-related," according to Oxfeld.

Oxfeld says that while the implementation of the guidelines is voluntary, the AIA is concerned that they will become a de facto "industry standard" and thus create expectations of expanded workers' comp coverage among employers and workers.

Meanwhile, the Alliance of American Insurers, also based in Washington, D.C., is pushing for reform of OSHA by Congress to limit its enforcement powers and have it take on more of an advisory role. According to Tom O'Day, associate vice president, the alliance believes that OSHA requires too much paperwork and gives out fines too often for paperwork violations, even when no worker is hurt. The alliance is encouraging passage of either House Bill 3234 or two similar Senate versions that would:

- * Require that each OSHA standard be based on a cost-benefit analysis
- * Provide for a waiver of up to 100% of penalties for small employers (250 employees or less) if the employer corrects a violation within a set time
- * Codify OSHA's new policy on paperwork by saying no citation will be made unless the employer willfully violates a standard or if the failure to meet the standard resulted in an employee being hurt in an accident



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- * Codify grants from federal OSHA to states for their own OSHA offices

- * Eliminate the consideration of the number of inspections, citations and penalties as performance measures for OSHA inspectors, officers and supervisors

O'Day says the alliance is a part of the 500-member Coalition on Occupational Safety and Health, a group formed four years ago to stop Congress from passing labor-backed reform legislation that O'Day says "would have sent OSHA in the opposite direction" of what the current bills propose. O'Day says the original House bill, introduced last year, was reintroduced this year and is a more far-reaching bill than the Senate versions. The content of the Senate bills, he says, is consistent with what the Clinton administration has put into force by administrative fiat as part of its mission to "reinvent" government. Under pressure from labor groups, however, Clinton has not endorsed the congressional bills, O'Day says.

The alliance and the coalition would like to see the changes put into legislative language for the sake of some sense of permanence. "The reason is that administrations come and go," says O'Day.

To some in the insurance industry, the federal OSHA initiative on workplace violence should serve as nothing less than a wake-up call to employers nationwide.

"It's like OSHA is saying, 'Guys, I know you hear what we're saying, but I don't think you're listening,'" says Sedgwick James' Salmans. "Sooner or later OSHA is going to come down on you with its general duty clause. I truly believe sometime in the next couple of years OSHA is going to nail somebody."

In a brief phone conversation, OSHA's Kane rejected any implication that OSHA uses a carrot-and-stick approach and bristled at the notion that OSHA is trying to threaten companies in any way. The administration, however, is clearly concerned about workplace violence and intends to address it. "When OSHA was created 25 years ago, no one imagined that violent individuals would pose the greatest safety and health threat to working women or the second-highest risk to men on the job," said OSHA's Dear in March. "But OSHA is changing with the times to provide employers the tools they need to protect their workers and prepare them to face the realities of the workplace."

Another insurance industry consultant who finds OSHA's initiative appropriate is Stephen Scammell, senior consultant with Tillinghast-Towers Perrin in Parsippany, N.J. He says that workplace assault is a reflection of increasing violence in society and that it is a subset of what workplace injuries are about.

A Valid Work Hazard

"Employers need to take a more proactive position," Scammell says. "The guidelines represent a sound decision on the part of government. Workplace violence seems to be in tune with any other work hazard people come into contact with. At first it may seem that government is again getting too much involved, but I think this is appropriate. The risks are real and the number of losses are



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real. We're not looking at one or two cases that "60 Minutes" (the CBS television news magazine) has talked about. It's happening on a regular basis, and it's not isolated."

OSHA has actually been concerned with workplace violence for a long time. "It's been high profile since 1993, when OSHA established a position of workplace violence specialist (filled by Patricia Biles)," says Braverman. "So OSHA is doing its job and will provide support for companies, but it hasn't come out with regulations."

Braverman adds that he knows of no instances of OSHA coming down hard on a company for the purpose of making an example out of it.

Whatever avenues OSHA eventually pursues, Salmans says the administration is approaching the issue in the right way, providing a chance for business to respond before deciding to impose regulations. "They're just saying, 'Guys, it's coming. Please do something about it before it gets out of hand,'" he says. "It's like the motorcycle helmet issue--people kept ignoring it, there were more and more head injuries, so states came out and made it a law that motorcyclists had to wear one."

Good Prevention Program Is Multifaceted

According to the Occupational Safety and Health Administration, a workplace violence prevention program should include the elements of any good safety and health program: management commitment and employee involvement, work site analysis, hazard prevention and control, and training and education. Each prevention program also should include record keeping and evaluation.

In March, guidelines on how to prevent worker assault were developed by OSHA at the request of the Inter-Union Workplace Physical Assault Coalition with the assistance of many stakeholders, state agencies and the National Institute for Occupational Safety and Health. They include five appendices with a workplace violence checklist, sample incident report forms, an employee survey form and a sample policy for assisting assaulted employees. The guidelines also offer a listing of OSHA resources, addresses, and an extensive bibliography and reference list.

Considering the liability risk, the costs of employee injuries and the loss of workplace morale, many companies are likely to find implementation of workplace violence guidelines a much less expensive alternative. Gary Salmans, manager of risk services in Colorado for Sedgwick James, estimates that instituting an effective program is likely to cost most employers as little as \$ 10 to \$ 25 per year per employee and even less for a larger corporation. "You have to spend money to save money," he says.

Stephen Scammell, senior consultant with Tillinghast-Towers Perrin in Parsippany, N.J., observes that the expense of implementation should be considered more of an on-going cost rather than a onetime, up-front cost for businesses with high employee turnovers.

Dr. John Jones, a licensed industrial psychologist with McGraw Hill/London House in Rosemont, Ill., says an employer can choose among several different strategies. They include:



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* Screening of potential employees for violent tendencies. Jones says tests today are about 85% accurate. What's more, the questions used in the tests comply with laws on civil rights, privacy and accommodations for workers with disabilities.

* Training of supervisory managers on what causes violence and how to recognize warning signs. Among these signs are chemical dependency, severe depression, fascination with weapons, and a tendency to blame others. Managers, Jones says, need to learn how to defuse tension and anger caused by intense occasions such as a poor review or a layoff.

* Having policies clearly communicating zero tolerance for violence in the company. Managers are then in a position to address any early signs of violence.

* Forming a threat and incident-management team. The team can follow procedures for bringing police onto the work site, isolating a perpetrator in a certain part of a building and keeping other employees in safe areas.

S. Thomas Filippi, workers' compensation manager in the risk engineering department of the Zurich-American Insurance Group, says that employee training programs should address such issues as stress management, how to handle confrontations, drug abuse awareness and threat recognition. Employee training should be documented in each employee's personnel file, he adds.

Companies also should to give attention to limiting and controlling access to their premises, rear-ranging offices and furniture and providing security hardware.

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FOCUS - 10 OF 14 STORIES

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In February 1992, PERSONNEL JOURNAL reported on HR's role in dealing with the aftermath of murder on the job--a phenomenon on the rise. Since that time, murder and other violent crimes have escalated in the workplace to the point that the U.S. Justice Department recently proclaimed the workplace the most dangerous place to be. As a result, today's HR must be proactive with prevention.

Nestled in the mountains approximately 60 miles east of Raleigh, North Carolina, Deborah Hollis' office would seem to be a safe haven from violent crime. But, just as an increasing number of American workers have discovered, violence is something that can't be escaped.

As the vice president of human resources for Rocky Mount, North Carolina-based Hardee's Food Systems Inc.--which operates 1,100 company-owned Hardee's and Roy Rogers restaurants east of the Rockies and employs 35,000 people--dealing with violence is part of Hollis' job. All too often, she has been put in the position of reacting to bloodshed within the company's restaurants as robbery attempts have led to murder, or the aggression from the streets has been brought inside. These days, more of Hollis' time is spent in proactive measures against workplace violence. In taking a stand against this growing epidemic, the company created a comprehensive violence-prevention program in 1990. The program is run by a full-service loss-prevention department that reports directly to Hollis. It includes extensive training, a 24-hour reporting hotline and an intervention policy, and aims at reducing violent crimes within the restaurants. It also addresses threats, harassment and domestic violence targeted toward any member of the company's work force. And although it's impossible to tell how many threats, harassments or other such incidents the program has deflected, evidence shows that the program led to a 48% decrease in robberies in 1993.

The program isn't cheap. Francis D'Addario, director of loss prevention, estimates that the company spends nearly \$ 3 million a year on prevention and security. But, he believes it's a small price to pay. Just look at the figures. According to the National Institute for Occupational Safety and Health (NIOSH), an average of 15 people are murdered on the job each week, which averages to



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nearly 800 murders a year. And, restaurants are high on the workplace-homicide risk list.

Even more workers are physically attacked, threatened or harassed. In fact, these incidents, although less brutal than murder, are much more prevalent and nearly as detrimental to a business and its workers. Between July 1992 and July 1993, for example, 2.2 million full-time workers were physically attacked on the job, 6.3 million were threatened with violence, and 16.1 million were harassed, according to a study by Northwestern National Life Insurance Co. (NWNL). And these incidents cost companies more than \$ 4 billion in lost work and legal expenses in 1992, according to the Monroe, North Carolina-based National Safe Workplace Institute. The research company calculates that the average cost to employers of a single episode of workplace violence can amount to \$ 250,000 in lost work time and legal expenses.

Despite the numbers, a poll taken by the Society of Human Resource Management (SHRM) of HR professionals, released in December 1993, revealed that only 28% of companies have a formal plan aimed at preventing violence or dealing with its aftermath, and only 22% have plans to introduce such a strategy. Why the lack of action? S. Anthony Baron, chairman and CEO of San Diego-based Scripps Center for Quality Management Inc., and author of *Violence in the Workplace: A Preventative and Management Guide for Businesses*, cites three reasons: a lack of knowledge of what to do, cost, and a belief system that "it won't happen here."

The truth is, it can happen anywhere. And although the retail and service industries remain the bloodiest worksites (because many transactions involve cash and these businesses are easily accessible by the public), other industries are vulnerable. The contributors to workplace violence cited by workers interviewed for the NWNL study present themselves everywhere. They are: alcohol and drug abuse, layoffs and firings, job stress and job-related conflicts, violence on TV and in the movies, accessibility of guns, and poverty.

In addition, workplaces everywhere have become battlegrounds for domestic violence. According to the U.S. Justice Department, boyfriends and husbands, current and former, commit more than 13,000 acts of violence against women in the workplace every year.

Clearly, it's impossible to completely prevent violence from happening in our workplaces without eliminating it from society, but there are steps companies can take--and indeed must take--to defuse potentially violent situations and keep their workers as safe as possible. Increased security is one measure. But security personnel shouldn't hold the burden alone. Violence is a human issue that HR can and should play a leading role in preventing. Hollis says that Hardee's created its program under HR's jurisdiction because company officials believe it's important that it have a strong focus on the human element. "Whatever strategies the company comes up with have to meet our internal standards of how we want employees treated," she says.

Part of HR's role in preventing workplace violence is creating an environment less conducive to volatility, an environment in which workers are empowered, have support systems such as EAPs in place and are treated fairly. But more than that, HR departments can be proactive by putting together violence-prevention strategies that at the minimum include extensive pre-screening to keep potentially violent people out of the workplace, training managers on how to



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recognize and handle violent behaviors, and developing action plans that include processes for reporting threats.

HR in organizations such as Hardee's, the U.S. Postal Service and Kraft General Foods are going one step further by leading or serving on prevention task forces with people from their companies' EAP, security, legal and other staffs. Together, they take such measures as investigating threats and intervening in potentially explosive situations.

Employee-committed violence can be minimized with proper pre-screening. According to the NWNL study, 30% of workplace attacks are committed by co-workers, bosses or former employees. What's more, 43% of threats of violence against workers come from this group, along with 88% of harassment. It's acts of workplace violence committed by this group of people that human resources can have the most significant effect in preventing.

The first step in this strategy should be pre-screening both internal and external applicants. Conducting interviews that focus on uncovering character, competency and chemistry, says Scripps Center's Baron, is the first step. Jack Jones, vice president of research and development at London House in Rosemont, Illinois, agrees. He recommends developing job-related questions that probe to get people to reveal how they have reacted in the past, or may react in the future, to certain situations.

J.L. "Larry" VanderHaar, vice president of HR at the Courier-Journal and Louisville Times Co. in Louisville, Kentucky, says screening temperamental people out during the interview process is key to his company's strategy. He asks questions such as, "What frustrates you?" and "Who was your worst supervisor and why?" Says VanderHaar: "If they come in and badmouth their last employer because they changed their benefits plan or something like that, there's no sense bringing them in here because we're going to make changes like any other employer as time goes on."

The newspaper company began paying closer attention to interview responses after September 15, 1989--the day an armed employee on long-term disability from a company leasing space in its building shot to death seven people and wounded 12 others before killing himself on the premises. "None of our employees were injured, but it impacted us because it was in our building," VanderHaar says. He can still picture the human carnage, which he says keeps him aware of the consequences of a slack prevention strategy.

Warren Lawson, director of training & development operations at Northfield, Illinois-based Kraft General Foods Co., has the same awareness. Earlier this year, a male employee shot and killed a female co-worker at one of the company's plants. The victim recently had broken off a relationship with her killer.

Ironically, the company already was aware of the potential violence that can happen in the workplace and was preparing to roll out a companywide violence-prevention program when the murder occurred. As part of this program, which it has since implemented, the company tries to avoid hiring workers who have violent tendencies through a three-pronged pre-screening process, which comprises behavior-based interviewing, thorough reference checks and attitude tests.



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For the first step, Kraft asks candidates questions that probe into their behavior patterns. The questions focus on discovering how a candidate will likely react to situations that may occur at work, and are job-specific. For example, if someone's interviewing for a position that requires working on a team, the questions address team activity. If they're managerial candidates, they'll be probed as to how they would handle specific relations with employees. "We're getting them to talk about what they'd actually do on the job rather than asking them what college they went to or what their favorite course was," Lawson says. "That doesn't tell us very much."

Along with behavior-based interviewing, Kraft conducts thorough reference checks. Lawson has found that the company can obtain a greater amount of background information by contracting with an outside firm.

Other organizations have learned this as well. The U.S. Postal Service, for example, which has developed a six-part strategy for prevention that's being enlisted nationally, uses an outside firm with access to national data bases to check such applicant records as criminal, driving and credit histories. "Because we have a unique population in that we're across the entire country and we have mobile people, it's been difficult for personnel to do thorough checks on the local level," says Ann Wright, national manager for safety and health, who has been coordinating the prevention program. Use of the outside firm has freed up the Postal Service's personnel workers to do more qualitative screening, such as contacting former employers and personal references.

Wright says that the postal service has explored behavioral tests to incorporate into its screening process, but hasn't been able to identify one that does an effective job of screening and also has been validated as a predictor of violent acts.

In fact, many companies stay away from behavioral or psychological tests for fear that their validity will be tested legally. Their use is indeed tricky, says Mary Russell, a partner in the Labor and Employment Law Practice Group at San Diego-based Luce, Forward, Hamilton & Scripps. Probing questions about behavior can be an invasion of privacy, and seeking out mental problems can be a violation of the Americans with Disabilities Act (ADA). For this reason, she recommends companies avoid them.

However, London House's Jones, who has conducted research on these types of tests, says that as long as tests are designed to assess workplace violence specifically and are grounded in psychology, they can be not only valid and legal, but effective in identifying tendencies for everything from vandalism to physical abuse. "What you're primarily interested in is identifying what percent of applicants could have some violent workplace disposition," says Jones.

To specifically address workplace violence, he says, these types of tests need to seek answers to job-related behaviors and attitudes. For example, questions may ask candidates to agree or disagree with the way a problem is solved, or ask to what degree of anger a proposed problem would cause them.

Jones' research on these types of psychological tests has included having workers who take them also complete biographical questionnaires in which they admit to past violent activities. He has found a high degree of correlation between the test scores and the admissions. "It's a myth that tests can't



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predict violent behavior," he says.

He believes that these types of tests, coupled with structured interviews and reference checking, benefit companies in several ways. "Not only do they help deter negligent hiring claims by showing that you're responsible in keeping out the more severe offenders, but they also seem to be related to customer-service behavior," he says.

That's something that Kraft has discovered. As the third prong of its pre-screening process, the company conducts behavioral tests that uncover how candidates react to certain situations. The process, while weeding out potentially violent people, also has netted a better-quality work force. At the company's four new facilities, which used the process from the outset, the turnover rate has been less than 2%. "We've got a better caliber of employees in these facilities, and that's because the selection process was good to begin with," says Lawson. "Had we had this process before, we probably would have screened out some employees that we hired in the past."

Augment pre-screening with training about violence, its predictors and preventions. Along with extensive pre-screening, Kraft is training its work force on violence issues as part of its prevention program. The video-training program from Des Moines, Iowa-based Excellence in Training Corp. explains what workplace violence is, identifies its causes and signs, and offers tips on how to prevent it and what to do when it occurs.

Kraft plans to train all of its approximately 75,000 North American workers in 168 facilities. It's starting with the management group, who will in turn train their employees. Lawson says the program is being well received. "Our plant managers are asking us where they can get more information," he says.

At San Joaquin Health Care Inc. in French Camp, California, training on how to recognize and handle potential, violent incidents also has been successful. The company held a three-hour seminar for approximately 60 managers in July presented by Littler, Mendelson, Fastiff, Tichy & Mathiason, a San Francisco-based law firm that has approximately 20 lawyers on staff who work full time on workplace violence cases. Only a few days after the seminar, a manager was presented with a potentially violent incident. An employee approached her because another employee's husband had threatened to harm his wife and anyone around her. The manager had learned in the training how to advise the threatened employee about getting a restraining order, and bringing human resources into the process. "She was thrilled that she had had the training so that she could try to prevent anything from happening," says Judy Courtney, director of HR for the hospital. She adds that the training sent a clear message that this issue should be taken seriously.

That's a message that the Postal Service wants to get out. Training is one way it's doing so. Approximately 5,000 managers in California, for example, recently received training on how to report threats as well as how to recognize early signs of violence and how to intervene. In addition, postal managers and supervisors nationally are going through a series of training programs that addresses such climate-improvement measures as employee empowerment, labor relations and conflict resolution.

How to handle conflict is part of the training Hardee's managers get as well.



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The fast-food company does extensive video training for managers on everything from store security systems to dealing with stalking situations. Workers receive training on cash handling and such preventative measures as keeping the back door of restaurants locked. And, the company communicates safety information constantly to its work force through a monthly newsletter produced by human resources, a training newsletter and a semiannual internal publication called The Stop Watch. Occasionally, it even sends out special bulletins to stores in particular areas if a crime analysis indicates a particular risk.

Hardee's program goes beyond just job safety training. All of Hardee's workers receive personal safety training. They're taught travel tips (such as not going directly to their hotel room if there's someone following them); road safety (such as driving in spite of flat tires if a suspicious person approaches); and general safety tips (such as not going to ATM machines alone at night). "Most of the violence that's occurring in the United States occurs off the job, and if a company is going to address the potential for keeping its employees and their loved ones safe, it would be remiss to only prepare workers for what might happen in the workplace," says D'Addario.

Adds Hollis: "If there are unsafe practices at work or at home, it costs the company in lost time, in workers' compensation and in health-care benefits."

Wilmington, Delaware-based E.I. DuPont de Nemours & Co. shares this philosophy. It began a personal-protection program in 1986 that has won the company several awards. The program also has been copyrighted and purchased by other businesses. "DuPont is focused on safety," says Jane McManus, human resources manager for DuPont's nylon business. "So when we had a changing dynamic in the workplace--an increasing number of women going into nontraditional jobs, interfacing in different types of business and traveling more--coupled with a growing awareness of violence against women and violence in general, the company put in place a personal safety program."

Its most intensive training module is an eight-hour rape prevention workshop for women. The seminar was created by human resources development and is facilitated by female workers who volunteer. The training focuses on understanding rape and its aftermath, providing prevention measures and outlining support systems for rape survivors.

Other modules include a managers' workshop that's designed to help managers understand how to support workers who have been through a crime such as rape. The workshop also gives managers some strategies for preventing rape; a Right to Dignity program that talks about physical and psychological battering; and a Matter of Respect seminar focusing on sexual harassment. All of the programs are facilitated by DuPont volunteers, who are trained to conduct them in a five-day workshop. "People volunteer generally because they understand the topic and have the energy to try to bring about change," says McManus.

Task forces focused on violence prevention put energy into action. DuPont's training program raises its workers' awareness and knowledge of violence and how to react to it. To facilitate reaction, DuPont also recently created a Corporate Threat Management Team that is developing an action plan for handling threats, harassment and physical attacks. The team consists of someone from security, external affairs, human resources and the company's employee assistance program.



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Scripps' Baron says that forming a crisis team such as DuPont's Corporate Threat Management Team is key to a prevention strategy. These teams should comprise senior, onsite managers; HR personnel; legal counsel; security representatives; people to handle communications both internally and externally; a psychologist, EAP representative or violence specialist; and a union representative if the company has a unionized work force. The duties of these teams may vary, but at a minimum should include performing crisis-vulnerability assessments, establishing written policies and procedures, such as guidelines for reporting abuse, and developing action plans if crises do occur.

San Joaquin Hospital created a safety task force after a female employee was attacked from behind in the parking lot. "We decided we needed to really look at the incident, as well as some increasing activity that was occurring, such as vandalism and emergency room violence going on around the country," says Lynn Cook, director of nursing, who chairs the task force. Also, medical facilities in California must abide by new Cal/OSHA guidelines that require them to develop plans for reducing violent behavior on their premises.

Cook enlisted the personnel director, hospital director, a risk manager, a security person, an education coordinator and managers from various departments to serve on the task force. One of the first tasks the team undertook was conducting an employee survey of safety concerns. The survey revealed that workers' fears stemmed most from the distance of the parking lot from their work sites, hospital accessibility (there are 35 entrances into the hospital) and emergency room chaos.

The team then began meeting monthly to address these concerns. It did a security survey, looking at lighting systems, security measures and building access. The members all stayed after dark one night to walk the parking lot, noting bushes growing too high, light locations and employee parking spots.

Since the task force has been in place, several new safety measures have been implemented. Security guard schedules have been adjusted to meet identified needs. An ID badge system with electronic readers has been installed. And the company is in the process of creating a "lock-down" system to limit access into the buildings. In addition, the team has added a reporting procedure to the employee handbook that defines what constitutes violence and outlines workers' responsibility for contacting the proper people.

Creating a reporting system was also a key achievement of Kraft's task force, assembled to design the company's prevention program. Kraft enlisted an outside consultant to lead its team, which also consisted of corporate security personnel, safety and risk management people, human resources staff, an EAP representative and workers from operations.

The team developed guidelines for workers to report either actual violent incidents or suspected trouble. The guidelines stipulate that supervisors should be employees' first contact. If the incident requires further action or investigation, the chain of involvement is human resources, the legal department and then security. "The key is that it's better to take some action than no action," says Lawson. "We'd rather err on the side of prevention than be sorry for it later."

Some companies are finding hotlines to be the answer for threat reporting.



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Hardee's, for example, has a 24-hour crisis-reporting center run by the loss prevention staff. And the Postal Service has two toll-free numbers that ring at the headquarters any time day or night. One, run by the U.S. Postal Inspection Service (the law enforcement arm of the Postal Service), takes all reports of any overt threats or any kind of illegal activity. The other one takes reports of almost anything. Sometimes, says Wright, the reports regard climate issues or conflicts with supervisors or co-workers. Sometimes, people just call with personal problems. "If a caller contacts us and needs some sort of counseling, then counseling is available on that phone line," says Wright. "And that's in addition to our EAP services."

The agency's inspection service pursues all threats reported to either line, as well as threats reported at local levels. And it does take action if threats prove authentic. In Southglenn, Colorado, for example, a postal worker made a threat against his supervisor during a session with his personal counselor. Obligated by a duty to warn, the counselor informed both the police and the postmaster about the situation. The postal service removed the threat maker from his job until he was cleared by a psychiatric fitness-for-duty test.

The action, although proper for the situation, had its implications. At the time the employee was released, his union filed a grievance. Nine months later, when the postal service cleared him to return to work, co-workers again filed a grievance, some of them walking off the job. The problem, says Wright, is that the Postal Service probably didn't do a good job of communicating to the work force that the agency no longer deemed the worker a danger. Currently, the employee isn't working but is being paid, and the Postal Service is continuing with its training, climate improvement and labor relations initiatives.

In addition, some regions of the Postal Service have created crisis intervention teams to address threats and other potentially violent behaviors on a local level. The pilot project began in California, where each district created its own team comprising human resources managers, EAP coordinators, medical practitioners, line managers, safety and health personnel, injury compensation people, labor relations representatives and outside resources. "The teams provide an organized way of addressing potentially dangerous situations so that we can have control and respond appropriately," says Jim Merrill, an HR executive with the Pacific region of the Postal Service.

Action the teams take can include gathering information about the threatening workers, offering counseling if appropriate or even terminating if necessary. For example, there was an incident in Antioch, California, in which an ex-employee wrote his supervisor a threatening letter and sent Prodigy messages to the post office stating, "I have post-traumatic stress disorder, I haven't been properly treated, I'm enraged and I wake up at night thinking that I want to kill the postmaster."

The threat assessment team for that region took over the case, investigating and taking action. The team discovered that the ex-employee had an attorney to deal with some employment issues. It talked to the attorney. It sent the doctor on the team to discuss the situation with the man's therapist, who confirmed the man was under treatment. The team got a permanent restraining order against the ex-employee, installed some security guards in the office temporarily and moved the postmaster to a different location until the situation was stabilized.

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Currently, the postmaster's back in the office, the restraining order is holding and the ex-employee's therapist knows that if the man acts up, the agency needs to be contacted. "You don't have control of that person because he's outside your work force," Merrill says. "But through these efforts we were able to put him on notice, determine that he wasn't dangerous, that he was just blowing off steam, and defuse the situation. Had we not been organized, we don't know where it would have gone."

Having a team in place provides organization. It creates opportunity for input from several areas of expertise and divvies up responsibility. And Merrill believes that it's important for human resources to lead the team. "HR managers have most of the information about employees, and have experience dealing with employee problems and medical situations," he says. "They're the natural choice in an organization to take the lead."

But they shouldn't have full responsibility. "They tell me that having a threat assessment team reduces their stress because in the past they ended up doing it all themselves."

At Hardee's, the human resources personnel work closely with the loss prevention team in following up threat and harassment reports. "Our loss prevention staff in the field have a dotted line relationship to our field HR staff," Hollis says. "Their skills are different, so they match up and blend very well."

The HR and loss prevention staffs work as a threat assessment team collecting written and verbal statements from victims and witnesses and doing background checks on both perpetrator and victim. "We want to make sure that the incident occurred as described and that the integrity of the person making the allegation is reasonable," says D'Addario.

If the incident indeed is real, which D'Addario says is the case 90% of the time, the team takes action. First they check the public record for other acts of violence committed by the perpetrators. If some is found, action is escalated.

Action may vary. In most cases, immediate steps include informing law enforcement of the situation and moving the potential victim temporarily to another location out of harm. The company also will advise the victim on such things as getting restraining orders, working with police and cataloging evidence, such as gifts, phone calls and letters from stalkers. If phone harassment or threats have been made, the company will serve as liaison with the phone company. And if employees need the company to go to court for them, it will. "One of our missions is to enforce a zero-tolerance policy for threats or harassment at Hardee's," says D'Addario.

The Courier-Journal and Louisville Times Co. has zero tolerance as well. Shortly after the murderous rampage occurred at the company site, for example, an employee came to work with a water gun shaped like an assault weapon. He was immediately fired. "His intent was to be funny," says VanderHaar. "We didn't take it that way."

In another instance, an employee frustrated about a particular work assignment threatened the company that it "hadn't seen anything yet," in



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reference to the previous deadly incident. Her termination withstood an arbitration with her union. "We're just not going to tolerate that," says VanderHaar. "This isn't a kindergarten. People need to have a minimum amount of respect for one another."

Joseph Kinney, executive director of the National Safe Workplace Institute, agrees that zero tolerance is necessary, but warns that immediate termination isn't always the answer. He suggests finding out a perpetrator's side of the story, weighing it and making a decision to suspend without pay or terminate. "There may be mitigating factors," says Kinney. "And if somebody's creating a hostile environment, you need to know because other people are likely to be affected and it's going to be a situation that's going to come back to haunt you legally."

He stresses, however, that some sort of discipline be applied. One of the reasons for increased crime in our workplaces, he says, is a failure to equate crime with punishment. "The boundaries of allowable behavior have changed," Kinney says. "We've allowed people to get away with too much. Companies need to go back and redefine those boundaries. If somebody's abusive toward somebody else, they need to be disciplined."

D'Addario believes this extends to people outside the workplace as well. Hardee's offers rewards for the capture of people who harm any of its workers, be it on the job or elsewhere. "We will do anything that's legal to bring that person to justice," he says. "We want everyone to know that Hardee's and Roy Rogers will not abide by somebody injuring a customer or employee, and we will move to take whatever measures are necessary. We want people to realize that ours won't be a place where they can act out aggressively and get away with it."

Even this can't stop the violence, however. On August 9th, as this article was being written, a female employee was shot and killed at a Hardee's restaurant in Georgia during a robbery. Investigators believe that the killers were let in through the back door by an employee--an employee who has been trained to avoid potential violent situations.

"Tragedies happen even if you have the best of training," says Hollis. "We do everything within our power to prevent them, but there's a human element involved, which isn't predictable."

The recent Hardee's murder is a painful reminder of this and a warning signal that even more must be done.

Dawn Anfuso is the assistant editor at PERSONNEL JOURNAL.

To receive a resource list for creating a workplace-violence prevention program, along with a list of current OSHA and state guidelines on preventing workplace violence, please complete the Business Center Card included in this issue and completely darken box number 134.

The Postal Service Delivers a Violence-prevention Program

Not rain, nor sleet nor snow can stop postal workers from doing their jobs. But bullets can, and indeed have. During the past decade, nearly three dozen postal workers have been killed on the job, gunned down by fellow employees.



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Statistically speaking, the Postal Service isn't any more dangerous than other businesses. Research by the National Institute for Occupational Safety and Health (NIOSH) indicates that the average annual rate of occupational injury death in the Postal Service is less than half the rate for all occupations combined. However, it also shows that co-workers appear to be disproportionately responsible for homicides that occur in the Postal Service. Between 1983 and 1989, for example, 57% of work-related homicides at the Postal Service were committed by co-workers or former co-workers. Only 4% of work-related homicides industrywide in 1992 were committed by this group.

These facts prompted the Postal Service to re-examine its work practices in regard to employee safety. Its examination has led to the development of a six-strategy violence prevention program, coordinated through the agency's national employee relations function. The strategies are:

Selection The goal of the Postal Service is to hire selectively, ensuring it gets the right people in the jobs in the first place. Its pre-screening process includes performing competency tests and contracting with an outside firm to do thorough background checks.

Security "To protect people from homicide and other violence, a certain amount of security is necessary," says Ann Wright, manager for safety and health, who, until August 20 when the agency brought in a full-time coordinator, managed the program. What that amount is varies from location to location. The Postal Service has 47,000 facilities that range from one-person post offices to 24-hour plants employing 4,000 people. Some facilities rely on awareness programs and training on such issues as how to report incidents. Others employ security guards, attach surveillance cameras on the premises or require access badges. Management at each location assesses the measures that should be taken with the Postal Inspection Service--the law-enforcement arm of the Postal Service.

Policy "We're trying to promote a clear, direct, absolute and well-known policy related to violence," Wright says. That includes a prohibition of any kind of weapon on postal property, including parking lots, a no-tolerance philosophy towards threats of any kind and a protocol to intervene early. "There's no minor incident of violence," says Wright. "We want to take action even if there's just pushing, yelling or cussing on the floor so that we can preclude those incidents from escalating into something bigger." For this reason, the policy also includes reporting all incidents.

Climate A healthy workplace is a safe workplace, so the Postal Service has an intense initiative to improve the agency's environment. It's putting managers and supervisors through a series of training sessions that deal with such issues as employee empowerment, conflict resolution and positive reinforcement. It's also working with its unions to improve the grievance process. Some regions are testing intervention teams, comprising cross-functional groups of employees and managers, to intervene when their facility's climate isn't conducive to a good work environment. And, the agency has instituted an employee-opinion survey that measures employee satisfaction and promotes better interaction between managers and employees.

Employee Support The Postal Service has beefed up its employee assistance



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program (EAP) in the last year and a half and currently is conducting training with supervisors and managers on how best to use the EAP and how to educate employees on how to use it. The agency also has implemented an orientation program for all the employees explaining the program. And in addition to the EAP, the Postal Service has installed a 24-hour, toll-free hot-line that employees can call to report threats or concerns. "We are trying to catch problems that individuals might have early enough so that we can deal with them before they get to the point at which somebody loses control," Wright says. "We're also trying to make the point with our managers and supervisors that firing people doesn't necessarily solve the problem. Quite a few of our most violent incidents have been by terminated employees who come back and shoot people. So that's part of the support system that we're trying to build."

Separation Because termination does become necessary at times, the agency currently is creating policies and procedures for terminating employees in the most effective way. It's also evaluating methods for making assessments on whether the people being dismissed may be dangerous. Because this is a recent initiative, no specific strategies have been developed yet.

Violence-prevention Strategies Limit Legal Liabilities

When an employee is attacked or killed on the job, it's emotionally devastating. It also can be expensive. Not only does such an incident cause lost work time and lowered productivity, but depending on an employer's actions before the violent act, it can result in multimillion-dollar legal settlements as well.

In 1990, for example, a California court ordered Equitable Life Assurance Society to pay \$ 5 million to the families of two employees shot and killed in its offices by an employee's husband. And in 1992, a jury awarded \$ 5.5 million to the family of a woman stabbed to death at her job at Iron-horse Winery by a temporary worker.

These cases, and others like them, reinforce the fact that employers must take steps in preventing violence from erupting in their workplaces. The verdicts of the suits are based on a few legal theories: respondeat superior, negligent hiring and retention, and a duty to warn.

According to Philip Hyde, partner with the law firm Holzmann, Wise & Shepard in Palo Alto, California, respondeat superior is one of the foundations of employment law that holds principals (employers) liable for the actions of their agents (employees). In other words, if the employer knows--or should know--of information indicating that a person is a risk for committing violence, the employer is responsible for any violent acts that person commits.

Negligent hiring and retention is related to this principal. Says Hyde, because an employer has a duty dictated by the Occupational Safety and Health Act (OSHA) to maintain the health, safety and welfare of the workplace, if an employer knows, or should have known, of certain characteristics of an individual and hires the person or retains him or her in employment anyway, the employer is responsible for any harm the person causes.

In *Holway vs. Snelling*, for example, the case regarding a female winery worker who was stabbed to death by a temporary worker, the court concluded that



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the temporary firm that referred the employee failed to conduct a background check on the worker. If it had, it would have found that the man previously had been convicted and imprisoned for murder. Because this information was available, the company was liable for the man's actions.

An employer also can be liable if it has information regarding a possible violent act and fails to warn the potential victim. For example, if a worker makes a threat against his or her supervisor to a human resources person--such as, "If I get another bad review I may just have to blow her away"--the HR person must let the supervisor know about the threat. "Not that the supervisor should change the review," Hyde says. "But she would be prepared to deal with the problem and possibly intervene to avoid the situation."

Also, if a company has information that leads it to believe violence may occur, it must take action. The 1990 case *Tepel vs. Equitable Life Assurance Society*, for example, concluded that the company was responsible for the death of two people and injuries of nine others because it had been told about threats the killer had made against his wife who was employed at the insurance company, but hadn't beefed up security.

Employers can protect themselves against these types of legal suits by employing prevention strategies that include pre-screening and intervention. They must be cautious in doing so, however, because these actions carry their own liabilities.

Background checks and psychological testing, for example, must be job focused or run the risk of privacy invasion. "There is no hard-and-fast rule of where you draw the line between what's relevant to the workplace vs. what's personal and private conduct," Hyde says. "The general framework I recommend is to keep inquiries focused on whether the information obtained will predict success in the job."

Testing employees for violent tendencies also has implications based on the Americans with Disabilities Act (ADA). If a mental disorder that may cause violent behavior is discovered in an otherwise qualified person, the company may need to make accommodations for that person to perform the job he or she is seeking. However, Mary Russell, partner in the Labor and Employment Law Practice Group at the San Diego-based firm of Luce, Forward, Hamilton & Scripps, says that not all mental or emotional problems qualify under the ADA, and it's difficult to accommodate someone with a propensity for violence. It's even more difficult when the person acquires the ADA-protected condition during the course of employment, she says.

Hyde agrees. "Even if you do find out that a person who has made a threat is mentally disabled, if it looks like the person is going to carry out the threat, there's no reasonable accommodation that can be made," he says.

The bottom line is to balance the rights of potential perpetrators with those of potential victims, and to examine the consequences of investigating vs. taking your chances. "Sometimes you're forced to make decisions knowing that there's possible liability involved," Russell says. "You want to do it in the safest way you can. You face greatest liability for failure to investigate."

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LEVEL 1 - 11 OF 409 STORIES

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HEADLINE: Companies' concerns about 'Murderapolis' fuel anticrime tactics;
As the violent crime season heats up with summer, police plot an unprecedented plan of attack that relies on new enforcement strategy, communitywide cooperation and corporate money.

BYLINE: James Walsh; Chris Graves; Staff Writers

BODY:

Using corporate muscle, Harvard know-how and a fistful of new tactics on the streets and in the courts, Minneapolis is on the verge of beginning an ambitious campaign to combat violent crime.

It contains two parallel strategies: The first, to be revealed in May, will use research and unprecedented cooperation to dry up drug markets and silence gun-toting gangs this summer. The second is a long-term strategy to ease urban troubles that breed violence - poverty, unemployment and inadequate housing.

Parts of the plan borrow from a project that reduced violent crime in Boston. But it's the combination of money and political influence of local companies that makes Minneapolis' campaign different from police efforts that were trumpeted - and then fizzled - in the past.

Its architects still are determining how to win communitywide support - how to assure community leaders that the plan will go beyond making a lot of arrests in predominantly poor, black neighborhoods. Unless the plan also targets white drug customers from the suburbs and truly invests in the future, black leaders say, it will fail.

This comes two years after Minneapolis first saw a record-breaking rise in homicides related to drugs and gangs. It also comes eight months after the heads of three Minneapolis corporations went to Gov. Arne Carlson to hint that crime could force them - and their thousands of jobs and millions of tax dollars - to leave the city.

At about that time in August, Carlson sent state troopers and investigators to help city police with the crush of summer killings.

A whirlwind of behind-the-scenes meetings followed, forging alliances among local, state and federal criminal-justice officials. But, observers say, that meeting with the governor sparked something even more promising: It brought such business giants as Honeywell, Allina, General Mills and 3M Co. to the table.

Don Davis, state public safety commissioner, said he's convinced that this



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is the mass mobilization that the metro area needs.

"They want it safe," Davis said. "Now, finally, they're getting together to make it happen."

Fast-track summer

The key to the project's success begins with research, and police and corporate leaders have imported some of the nation's top guns.

Harvard Prof. David Kennedy, whose work is credited with helping to reduce by two-thirds homicides among young people in Boston, has been studying who commits crime - and where - in Minneapolis. The Police Executive Research Forum, a national police strategy group, has shared ideas gleaned from such cities as Seattle and New York.

The federal Bureau of Alcohol, Tobacco and Firearms (ATF) also is working with Minneapolis police to trace where criminals are getting their guns. Allina Health System is pushing for emergency-room doctors across the state to gather information from crime victims. General Mills has paid to bring in **violence-prevention** experts.

But, Minneapolis Police Chief Robert Olson said, "This is not just a research paper."

The goal is to start making Minneapolis safer - fast. This is what the city could see this summer:

- Officers from the Police Department, state Bureau of Criminal Apprehension, FBI, federal Drug Enforcement Administration and ATF will be assigned to put away the most violent criminals plaguing Minneapolis neighborhoods - specifically Near North and pockets of Phillips in south Minneapolis.

- In June, teams of probation and police officers will hit the streets to help remind a few dozen convicted offenders to stay in line. "They are the ones who make themselves most obvious: by carrying weapons, assaulting others and dealing drugs on the street corner right under the noses of those in the neighborhoods," police inspector Sharon Lubinski said.

- Police and prosecutors will more aggressively pursue those who buy illegal drugs or sex. Many of those customers come from outside of the city. Undercover officers recently staked out one Minneapolis corner and watched 17 people pull up to buy drugs in just one hour. When officers tracked their license plates, 10 were from St. Paul, the suburbs or outside the metro area.

Why a long-term link?

Some, such as Professor Kennedy, think a coordinated police strategy can in itself alleviate violent crime. Others say Minneapolis needs the long-term package for improving neighborhood life - both to get communities to buy into



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this summer's plan and to eliminate the need to come up with a new one every year.

Allina, a medical services company that owns Abbott Northwestern Hospital in the Phillips neighborhood, has been involved in **violence prevention** for three years to combat health-care costs. And Honeywell Inc., with its headquarters in Phillips sometimes pelted by bullets, has long supported police, education and community programs.

But the violence of the past two years sparked urgency among business leaders worried about employee and customer safety, said Andre Lewis, head of Honeywell's charitable foundation. So much so that Michael Bonsignore of Honeywell, Jack Grundhofer of First Bank and Gordon Springer of Allina called on Carlson in August.

Some say the CEOs' message contained a threat to leave Minneapolis. Lewis said there was no threat, "but they told the governor that they were concerned that maybe the city was denying that we have a problem."

Another business leader said candidates for executive jobs at two area corporations withdrew because of fears about "Murderapolis."

It got the governor's attention. And that got the attention of other bigwigs. Subsequent meetings have attracted officials from across the state who are concerned about the spread of gangs outside the Twin Cities.

A meeting at the governor's residence about six weeks ago that included business leaders and Minneapolis Mayor Sharon Sayles Belton and St. Paul Mayor Norm Coleman cemented their commitment.

But as Lewis noted: "Long-term solutions require significant long-term commitments, and long-term commitments generally require substantial dollars."

How many dollars, Lewis wouldn't say.

Some of the long-term goals business leaders hope to begin working on this summer include:

- Working with the Legislature and schools to lengthen the school day next year. Too many kids have too much time in the afternoons to get into trouble, they say.

- Increasing summer job opportunities, mentorships and activities for youths. Increased private funding could lengthen recreation center hours and provide more field trips, sports and art programs.

- Working with the county and state to develop neighborhood courts, which could hand down speedy consequences to such nuisance crimes as vandalism and public drinking.

- Using Allina's data on how and where people are hurt to create new **violence prevention** programs, similar to work being done in Boston by the Harvard School of Public Health.

- Studying the crime-related impact of unemployment, limited access to



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health care, poor housing and inadequate education. Those studies could help to more effectively target corporate resources - human and financial - to existing and new programs, they say.

Community concerns

Much of what Minneapolis Urban League President Gary Sudduth is hearing encourages him: corporations talking about long-term investment in the neighborhoods, police and prosecutors talking about clearing out drugs and guns. But Sudduth said you'll have to forgive him for withholding his endorsement until the details are settled.

Will young black men be the target of this summer's effort? Will white suburban customers who come into minority neighborhoods for drugs face the same kind of "thunder" as the sellers?

An ill-conceived crackdown on black communities could spark more violence, he said. He wants to know that whatever is done will be as comprehensive - and as fair - as advertised.

Sudduth, who has been invited to help to develop the anticrime strategy, said members of the black community are pushing ahead with their own plans to hold forums on education, jobs, housing, health care, spirituality and justice.

If corporate Minnesota has similar goals, "wonderful," he said.

The proof will lie in whether this new effort reaches beyond the summer and sustains momentum into the falls, winters and springs to come.

"We have to say, 'Look, we are making this 10-year commitment, or a 20-year commitment, and that we're going to eradicate this nonsense,' " Sudduth said. "Then we no longer have to come back and talk about 'this' summer."

What's next:

- April: Planners hammer out details of long- and short-term strategies. Research and surveillance help determine enforcement strategy.

- May: Details of plan announced to public. Thirty-three new police officers begin duty. ATF, FBI, DEA and police officials team up for work in targeted high-crime areas. Probation and police officers visit Boston to see how patrols work there.

- June: An additional 45 police officers hit the street. Police and probation teams begin keeping tabs on local offenders. Long-term work begins in earnest, as corporations and community leaders sponsor new mentorships, summer jobs and neighborhood-crime studies.

- July: Statewide gang task force could begin work if Legislature passes a \$



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7 million bill.

Key players

Among those who have helped to plan the new anticrime strategy or have been invited to participate:

- Honeywell Inc.: Said to have been the corporate catalyst for the entire plan and is paying for the research.

- Allina Health System: An early mover in bringing corporate muscle to the planning process.

- The Minnesota Business Partnership: The state's top 100 corporations are sponsoring the committee designing the plan.

- Law enforcement: Minneapolis and St. Paul police chiefs and the state public-safety director recommended national experts for the research. Minneapolis police inspector Sharon Lubinski will coordinate the efforts of local, state and federal agencies. The Hennepin and Ramsey County sheriff's departments also are involved.

- Local government: The Minneapolis and St. Paul mayors' offices, Minneapolis School District, Metropolitan Council.

- Legal community: U.S. and county attorneys' offices, probation offices.

- Community organizations: The Minneapolis Foundation, Minneapolis Urban League, Victim Intervention Project, Stairstep Foundation, Ramsey County Gun Violence Initiative, The City Inc.

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CONVENIENCE STORE SECURITY REPORT AND RECOMMENDATIONS NOVEMBER 1991

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FOREWORD

It is specifically crimes of violence in convenience stores that concern this industry and that is the subject of this report. Three independent studies, examining various aspects of the crime issue, are summarized here along with discussion and recommendations that it is hoped will help advance industry knowledge in this most critical area.

Convenience stores are located in all areas of the United States and in all types of neighborhoods. Over eighty-eight percent (88%) of all Americans shop in convenience stores. Thus, the convenience store industry represents, in many respects, a functioning microcosm of our society. As such, the industry is susceptible to all of the phenomena to which society in general is subjected.

Any analysis of crime in convenience stores must be performed within the context of crime in America. For example, according to the FBI's 1990 Uniform Crime Report, robbery in the convenience store industry accounted for 6.1% of all robberies while over 56% of such crimes took place on streets or highways. In 1990, all categories of robbery increased, but convenience store robberies increased at the lowest rate (4%) of all categories, as compared with banks who experienced an 18% increase.

That the United States is a violent nation cannot be disputed. According to the U.S. Bureau of Justice "in 1991, the chance of being a violent crime victim is now greater than that of being hurt in a traffic accident." Nearly two million Americans were victims last year.

In 1990, the U.S. led the world with its murder, rape and robbery rates. Internationally, the U.S. murder rate quadruples Europe's and American women are eight times more likely to be raped than European women. Robbery in this country occurs at a rate 150 times that of Japan.

Criminologists and sociologists point to issues like gun control, prison overcrowding, recidivism, early release programs and social disorganization as some of the contributing factors to the tragedy of violence in America. What follows in this report does **not** examine those macro-issues which, it must be emphasized, certainly impact the issue of crime in convenience stores.

— INTRODUCTION —

In 1973, industry participants and the Western Behavioral Sciences Institute (WBSI), under the direction of the late Dr. W.J. Crow, accomplished research in partnership with the Department of Justice on robbery prevention for convenience stores. Over 17,000 robberies were analyzed in that study which produced the deterrence measures in widespread use in the industry today. These measures include:

- cash control;
- clear sight lines into stores;
- prominent position of cash register;
- eliminating escape routes;
- balanced exterior and interior lighting; and
- employee training.

Robbery Research Yields Fifty Percent Rate Reduction, 1976-1986

From 1976-1986 the number of convenience stores doubled while the number of convenience store robberies remained relatively constant. Indeed, the robbery rate per store was *cut in half* over that ten year period due to the implementation of the deterrence measures described above.

Despite these impressive gains, the Board of Directors of the National Association of Convenience Stores (NACS) regularly addressed the issue of crime. In 1989, the Board felt that it was an appropriate time to update the information gained in the 1973 research. For over a year, the Board invited input as to what might be helpful in broadening industry knowledge of the subject.

On March 21, 1990, the Board approved funding for three independent studies which are summarized in the pages that follow. These studies are entitled:

1. **1991 National Survey of Convenience Store Crime and Security** -- a study to establish the base crime rates and distribution patterns for homicide, sexual assaults, robbery and other crimes of violence in convenience stores.

Principal Researcher:
F. Barry Schreiber, Ph.D.
Professor of Criminal Justice
St. Cloud State University
St. Cloud, Minnesota

MS - should I
get this?

2. **Convenience Store Homicide and Rape** - a study to look at the detailed circumstances of these crimes for patterns or trends.

Principal Researcher:
Rosemary J. Erickson, M.A.
President
Athena Research Corporation
Washington, D.C.

3. **An Assessment of Robbery Deterrence Measures at Convenience Stores: Multiple Clerk Staffing, Central Station Based Interactive Television and Bullet-Resistant Barriers** -- a study to analyze the effects of multiple clerks, bullet resistant barriers, and interactive television on robbery rates in convenience stores.

Principal Researcher:
Robert M. Figlio, Ph.D.
Professor of Sociology
University of California at Riverside
Riverside, California

In addition to authorizing funding for these studies, the Board articulated an official research objective:

"NACS will undertake research with the objective of determining what steps can be taken effectively to create the safest practical working and shopping environment for convenience store employees and customers. Such research will be designed to permit the drawing of factually supported conclusions, derived scientifically, as to the best practical means by which to evaluate real and perceived threats of crime at convenience stores and, thereby, identify deterrent techniques to minimize such crime."

Moreover, the Board also established a 20-month time frame for the reporting of results, directing NACS to report the findings at the 30th Annual Meeting of the Association in Orlando, Florida in November 1991.

Bob Swanson
of

— OVERVIEW —

PARTICIPATION

The level of participation by the membership of the National Association of Convenience Stores (NACS) is higher than any other study ever undertaken by NACS. Over 1,000 companies participated in at least one of the three studies for a rate of 82 percent of the member companies and 60 percent of the member store counts.

Based on its size and an analysis of other representative characteristics, the respondent sample is believed to be representative of NACS membership and the U.S. convenience store industry as a whole.

The number of companies, stores, and crimes indexed in these three studies make them the largest and most comprehensive analysis of convenience store crime.

Further, it is clear that the record number of participants and the countless hours of time and resources employed to get the necessary data assembled, depict the importance placed on this issue by the industry.

KEY FINDINGS

While the executive summaries of all three research projects are included in this report, what follows is an overview of the key findings across all three studies.

Distribution of Robbery: Seventy-nine percent (79%) of all U.S. Convenience Stores Robbery-Free

A main finding across all three studies is the fact that convenience store robbery is not evenly distributed across the industry. Indeed, nearly eighty percent of all stores in the U.S. did not have any robberies in 1990. Similarly, seventy-eight percent (78%) were robbery-free in 1989.

The distribution pattern further finds that thirteen percent (13%) of all U.S. convenience stores experienced one robbery in 1990, while only seven percent (7%) had two or more that year. Essentially, sixty-five percent (65%) of all convenience store robberies were confined to six and one-half percent (6.5%) of all U.S. convenience stores.

Circumstances of Homicide: Eighty percent (80%) Classified as Acquaintance-based or Random/Senseless

The homicide study was intended to review, in detail, the circumstances of this most heinous offense. It was hoped that some common thread or pattern would emerge from the data that might lead to new prevention programs. What emerged, however, was

much different. Eighty percent (80%) of all homicides studied were either random/senseless in nature (65%), that is, there appeared to be no apparent reason for the murder or they occurred between people who were prior acquaintances (15%).

In addition, less than \$50.00 was stolen in almost half of the robbery/homicides and one-third of the time there was no indication of a robbery. There was more than one perpetrator in forty-six percent (46%) of the cases and handguns were the weapon of choice seventy-one percent (71%) of the time.

Taken together, the homicide information does not enable one to draw any conclusions about how to deter future events. The combination of senseless, unprecipitated killing with a large percentage of murders occurring between acquaintances is hard to guard against, but homicide must be rigorously evaluated on an ongoing basis for new clues.

One Clerk vs. Two Clerks: Overall, No Statistically Significant Effect on Robbery Rate Reduction

There was a five hundred and seventy-six (576) store sample studied for information about the effect of one vs. two clerks. These stores were studied over a six and one-half year period, in the middle of which, two hundred and thirty (230) stores implemented a two clerk practice on the third shift.

Consistent with robbery distribution information, there were a large percentage (almost half) of these stores that were never robbed in the entire six and one-half year period. Indeed, robbery-free stores were the predominant group. Further, there is not a statistically significant relationship overall between crime rate reduction and two clerks apparent from this study. In fact, for stores in the sample that had experienced no robberies prior to the 1988 implementation of two clerks, the post 1988 robbery rate was actually higher (0.43 per store per year) than that of similarly situated one-clerk stores (0.33 per store per year).

There is, however, a very small number of stores in the sample (less than 20 stores) that experienced repeat robberies. An analysis of the one clerk vs. two clerk issue for these stores provides data that two clerks may produce a robbery rate reduction at repeat robbery locations. While many other factors like fluctuation in neighborhood crime levels, store operating practices, and an over-time regression to the mean may influence this small sample, the finding invites additional investigation.

Time of Day/Day of Week/Month of Year: Convenience Store Crime Mirrors Crime in U.S.

With respect to information on homicide and rape relative to time and day of occurrence, all of the data closely parallels the FBI national distribution data. For example, homicide, both in convenience stores and in the U.S. is most likely in July and least likely in February. The same is generally true for rape where rape in convenience stores occurred most

frequently in July compared to August in the FBI report, but both rape in convenience stores and rape in the U.S. occur least frequently in February.

For time of day, the 1990 National Crime Victimization Survey reports that seventy-one percent (71%) of rapes occur at night which is consistent with our finding of eighty-nine percent (89%) occurring at night.

Overall, these similarities define the fact that very little difference exists between U.S. and industry data relating to when violent crime occurs.

Robbery Counts: Industry Count Differs From FBI Data

The industry-wide census performed as part of this research obtained responses from 1,024 companies or eighty-two percent (82%) of the membership of the National Association of Convenience Stores. This is the largest sample in existence on which robbery data for this industry has been assembled. For 1990, however, the industry counted 22,935 robberies compared to the FBI's count of 38,995 -- indicating a wide discrepancy. While many reasons for this may exist, likely differences lie in how locations are classified and how the term robbery is defined. For example, gasoline drive-offs, shoplifting, and internal thefts are not included in the industry's count. More needs to be known about the difference and reconciliation with the FBI is one way of approaching the question.

Closed Circuit Interactive Television Systems: First Year Reduction, Second Year Increase

Closed circuit interactive television systems do not appear to have a consistent or dramatic effect on crime reduction. The study looked at 189 stores where CCITV systems were in place and for which one year of pre-installation crime data and two years of post-installation crime data were known. In this sample, there was a statistically significant reduction in robbery rates during the first year after system installation. However, data for the second year showed an increase in robbery rates, although not quite to pre-installation levels.

CCITV systems depend on proper installation, maintenance, and adequate central station response for their success. This study was not capable of evaluating those factors, and therefore their effect in years one and two are unknown. Therefore, while there appears to be an overall direction of crime rate reduction, it is not statistically significant.

High-resolution Color Monitor Systems: Significant First Year Reduction

While not an original target of the study, eighty-one stores (81) were observed for one year before and one year after the installation of state-of-the-art video equipment. The stores had color cameras with color monitors installed in such a manner that customers

and would-be robbers could see that they were on camera. In addition, the unit was mounted with a large, easily visible microphone on a pedestal where its presence was obvious.

While the length of data collection is too short to make any sort of statistically sound finding, the first year reduction produced by these systems was a significant fifty three percent (53%).

OTHER FINDINGS

Rape

As with the homicide study, the rape study was intended to identify patterns among the cases for possible prevention strategies. What was found was that the crime of rape is typically not committed in conjunction with a robbery. Two-thirds, in fact, were non-robbery related. Nearly half the time when robbery was present, less than \$50.00 was stolen. It was also found that the perpetrators acted alone in ninety-two percent (92%) of the cases and handguns, as with homicide, were the weapon of choice forty-one percent (41%) of the time.

Bullet-resistant Barriers

Of the stores in this study, less than one percent (1%) had locations with bullet resistant barriers, rendering an attempt to analyze their effect impossible.

SUMMARY

As with all research, some questions are answered while others are raised. In general it's clear that certain convenience stores experience crime while the vast majority are crime free. This distribution drives much of the studies' findings in that most countermeasures have relatively insignificant overall effects because most stores don't have a crime problem.

A set of recommendations follows this Overview which identifies how the National Association of Convenience Stores will respond to the issues raised by these studies. A combination of immediate action and follow-up research will provide a comprehensive and ongoing industry response to this important issue.

RECOMMENDATIONS

The following recommendations represent a blueprint for action on the convenience store security issue and were approved by the Board of Directors on November 2, 1991. In accordance with the Board's direction, NACS will:

1. Maintain a Board-level task force on convenience store security.
2. Conduct an annual industry-wide survey for base crime rates to include: homicide; sexual assaults; robbery; and aggravated assaults.
3. Provide members with a mechanism for uniform reporting of crime statistics.
4. Conduct a review of the current literature on the subject of rape awareness training for the purpose of making a rape awareness program available to members in 1992.
5. Conduct a review of all existing robbery deterrence training material for consistency with current knowledge.
6. Begin a dialogue with the Federal Bureau of Investigation (FBI) to attempt to reconcile industry robbery counts with national data. In addition, NACS will request that the FBI collect time of day statistics for the crimes of homicide and rape for comparative purposes with industry data.
7. Conduct additional research in areas such as:
 - One clerk vs. two clerks in repeat robbery locations;
 - Homicide and Rape: Conduct interviews with perpetrators for further profiling of homicide and rape in convenience stores;
 - Homicide and Rape: Study neighborhood crime characteristics to develop further understanding of homicide and rape in convenience stores;
 - The impact of high-resolution, camera monitor systems for second year and beyond effect; and
 - The impact of bullet-resistant barriers -- to attempt to obtain data on stores to perform an analysis.

A crime watch for restaurants

A triple slaying at a Starbucks in Washington, D.C., has underscored food establishments' frightening vulnerability

by Janet Zimmerman
ISA TODAY

WASHINGTON — The recent slayings of three employees at a Starbucks coffee shop shocked residents in the nation's capital — especially in the city's trendy Georgetown neighborhood. But statistics show that working in a food establishment ranks among the most dangerous jobs in the country.

Two of the 20 people murdered on the job each week in the USA work in food service, according to the National Institute for Occupational Safety and Health. Food service ranks after driving a cab, working in a liquor store or being a police officer on a list of the 10 most dangerous jobs. The other riskiest jobs are in gas stations, grocery and jewelry stores, hotels-motels, barber shops and courthouses.

"It's something we've been aggressively trying to address," said Terrie Dort, executive director for the National Council of Chain Restaurants. "The really serious tragedies, like at Starbucks, those are the kinds of incidents you pray don't happen."

A Starbucks manager and two employees were shot in the head in a back room of the shop sometime after closing Sunday. Police have not identified a suspect or motive.

Investigators are checking security tapes from the Four Seasons Hotel in the area in hopes of identifying a suspect who reportedly used a phone there to call a lawyer shortly after the murders.

Starbucks this week placed guards at eight of its Washington, D.C., area stores and is offering a \$50,000 reward for information leading to a conviction.

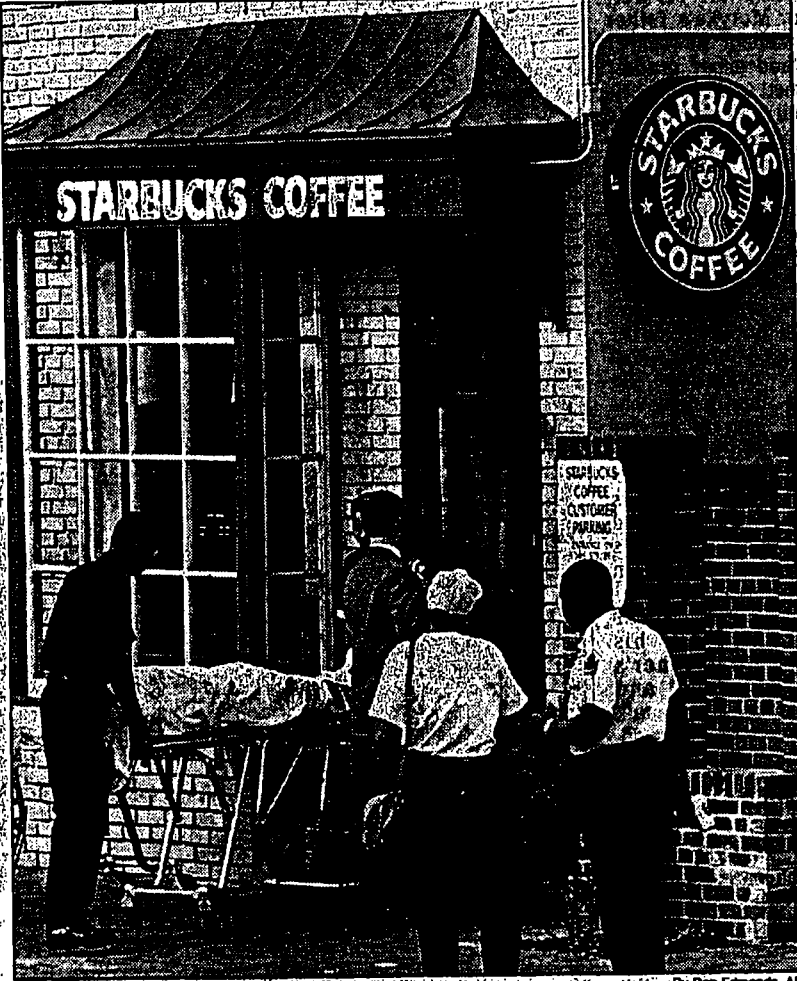
The Seattle-based coffee chain issued a statement saying it is "committed to providing the safest possible environment" for employees and customers.

Restaurants are vulnerable because they deal in cash, are open late at night and early in the morning, and depend on a transient labor force.

Robbery is the motive in most killings at food and drink establishments. But about 10% are attributed to disgruntled employees and domestic violence that carries over into the workplace.

Despite recent high-profile cases, including the murders of seven fast-food workers in Tennessee this year, killings in the industry have declined.

Labor Department statistics show there were 143 in 1992, compared



Flowers: A TV news camera rolls at the site of the murders.

Motive unknown: The body of an employee shot in the head at a Starbucks in the fashionable Georgetown section of Washington, D.C., is removed Monday.

with 119 in 1993. The most likely reason for the decline is increased safety and awareness programs, Dort said.

► The 3,500-restaurant Hardee's chain instituted a "zero tolerance violence" program in 1992 that includes an anonymous, toll-free tip line and employee training. As a result, robbery-related violence has decreased an estimated 83% through this year, said Francis D'Addario, loss prevention director.

► Several fast-food restaurants, including Kentucky Fried Chicken and McDonald's, have installed special booths that police officers can use to write their reports. The hope is that an police presence will deter

crime. ► Many companies rely on analysts using demographic, crime and Census data to predict rates of violent crime in store areas, then design security programs accordingly.

Technology also has helped. Computer programs are being used to check the backgrounds of applicants, time-lock safes reduce the amount of money available and interactive security allows sight and sound monitoring of a business.

"We're living in a violent society, so people have to take measures," D'Addario said. "But even on our best days, a place as eminently safe as a Starbucks can be victimized."



By Rick Wilkins, Reuters

PPI:

Community policing:
Jan Building the
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Will Marshall
Community
1993 Policing

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President of PPI

Will Marshall = head dude.
- written stuff on public place policing
- community policing.

- Summary of research NIS
- Local initiatives.

USDA →

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Publications

DLC / PPI: 547-0001 →

Document faxed over

Community Policing few years.

Issue briefing - re: crime.

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Thank you
Option 3.



Institute for Public Policy and Management (IPPM)

at the University of Washington Graduate School of Public Affairs

Workplace Violence Study

The Institute for Public Policy and Management is currently administering a survey on the issue of workplace violence. It is titled "Violence in the Workplace: A Survey of Washington state Employers' Experiences." The survey was sent out in January 1997 to 5000 randomly selected employers in Washington State. The intent of the survey is to collect data to determine the extent to which workplace violence is a problem as well as what employers are doing to deal with the issue. The results of this survey will be available in the summer of 1997.

Here we will post information about Workplace Violence and links to other sites dealing with the issue.

The objective of the three year Workplace Violence Study is to identify the needs of employers in Washington to combat workplace violence and to design model prevention and crises responses to address these needs. To accomplish this, a survey of businesses in Washington State will be conducted. Based on the results of the survey, prevention and crises responses will be developed which are industry specific.

Links

Updated March 5, 1997!



If you have questions about the Workplace Violence study, send e-mail to [Carmen T. Mendoza](mailto:Carmen.T.Mendoza)

Go to: [IPPM home page](#) For more information
about IPPM



Go to the
[GSPA](#)
[home page](#)



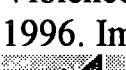
Institute for Public Policy and Management (IPPM)

at the University of Washington Graduate School of Public Affairs

Workplace Violence Study

Links

-  ☐ [Workplace Violence Initiative](#)
-  ☐ [A Strategic Plan to Prevent & Manage Workplace Violence Center for Workplace Health and Safety, Inc. \(CWHHS\)](#)
-  ☐ [Workplace Violence: Moving Toward Minimizing Risks](#)
-  ☐ [Carrick & Dale Article-Workplace Violence](#)
-  ☐ [Workplace violence still difficult issue](#)
-  ☐ [Dorris-Workplace Violence Prevention Programs](#)
-  ☐ [OSHA Seeks Comments on Workplace Violence Guidelines](#)
-  ☐ [Avenue W Discussion List Archives: Ave W: Workplace Violence - Causes, cures, survival](#)
-  ☐ [Justice Information Center \(NCJRS\): Victims Workplace Violence](#)
- 

-  ☐ [Workplace Violence: Defusing Dangerous Employees](#)
-  ☐ [Business Leader - December 1995 - Legal Theories and Workplace Violence](#)
-  ☐ [Workplace Violence. Center for Human Reliability Studies](#)
-  ☐ [OSHA Workplace Violence Guidelines-DRAFT](#) Guidelines for Workplace Violence Prevention Programs for Night Retail Establishments. Draft - June 28, 1996. Important Note: This is a working draft...
-  ☐ [Workplace Violence, Tempe Az.](#)
-  ☐ [GUIDELINES FOR WORKPLACE VIOLENCE PREVENTION PROGRAMS](#)
-  ☐ [Workplace violence](#) Mergers, takeovers breed workplace violence, Cornell group says.
-  ☐ [Headline: New Workplace Violence Guidelines](#)
-  ☐ [Campus and Workplace Violence](#)
-  ☐ [Workplace Violence Media Advisory](#)
-  ☐ [Violence in the Workplace: An Agenda for Action](#) at Penn State University
-  ☐ [Violence in the Workplace: How To Protect Your Office](#)
-  ☐ [EEOP Data Scan: Workplace Violence](#)
- ☐ [California Lutheran University](#) articles about preventing violence during company reorganizations and terminations
- ☐ [Missouri Police Department of Public Safety--Violence in the Workplace](#)

- ❑ [The Long Island Coalition for Workplace Violence Awareness and Prevention](#)
- ❑ [Disaster Recovery Journal](#)
- ❑ [Illinois State Police - Safety Messages and Programs - Combating Workplace Violence](#)
- ❑ [The Advantage Newsletter](#)
- ❑ [NOVA SCOTIA OCCUPATIONAL HEALTH AND SAFETY ADVISORY COUNCIL WORKING GROUP REPORT ON A REGULATION FOR "PROTECTION OF WORKERS FROM VIOLENCE IN THE WORKPLACE"](#)
- ❑ [Workplace Violence Prevention & Crisis Management](#)
- ❑ [The Integrity Center, Inc. --- User Survey](#)
- ❑ [Definition of Workplace Violence](#)
- ❑ [Workplace Violence Awareness & Prevention](#) (an OSHA related site.)
- ❑ [Combating Workplace Violence](#) Guidelines for prevention.
- ❑ [Violence at Work and School](#)
- ❑ [Violence at Work and School](#) mirror site for the above link.
- ❑ [Violence topics](#) and links
- ❑ [A Student Project](#)
- ❑ [The Rockem-Sockem Workplace](#) an article on line.
- ❑ [Satore Township](#) a number of good links here.
- ❑ [Something at Stanford](#)
- ❑ [Workplace Impact of Domestic Violence](#)
- ❑ [Assault Prevention Information Network Introduction](#) Links among other things.
- ❑ [Society and Culture: Crimes](#) Links to Workplace Violence sites and other interesting stuff.
- ❑ [Family Violence Prevention Fund](#) Non-profit organization concerned with domestic violence including its effect on the workplace.
- ❑ [Alta Vista Search for "workplace violence"](#)

Training Program Links

(Sites with something to sell)

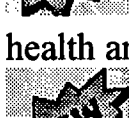
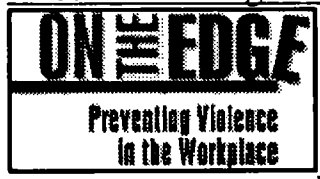
Our listing here does NOT imply any endorsement by IPPM or the State of Washington!!!



- ❑ [PREVENTING WORKPLACE VIOLENCE](#)



- ❑ [BehaveNet^a Clinical Capsule©: Workplace Violence](#)

- ☐  [CareerLab--Bad Firing Fuels Chances of Workplace Violence](#)
- ☐  [Separating, Outplacing & Workplace Violence](#)
- ☐  [NTS "Defusing Workplace Violence"](#)
- ☐  [Taking Control of Workplace Violence](#)
- ☐  [Violence in the Healthcare Industry](#)
- ☐  [International Security Services](#)
- ☐  [Surviving the Workplace Jungle](#)
- ☐  [Vista Training Group training seminars and employer training guides on workplace violence and more.](#)
- ☐  [Care Institute of Safety and Health Inc. Provides full solutions for training in health and safety, emergency preparedness, first aid, and workplace violence.](#)
- ☐  [On The Edge: Preventing Violence in the Workplace](#)
- ☐ [Safe@Work](#)
- ☐ [The Respectful Workplace](#)
- ☐ [CPI's Violence Prevention Resource Center](#)
- ☐ [Dreamsmith Ink Home Page for OSHA compliance guides.](#)
- ☐ [Centre 2000 Training programs for businesses.](#)
- ☐ [Another Training Video](#)
- ☐ 
- ☐ [The Practical Tools of Consulting Workplace Violence training program.](#)

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home page



U.S. Department of Labor
Occupational Safety & Health Administration

LONG ISLAND

COALITION FOR WORKPLACE VIOLENCE AWARENESS AND
PREVENTION**



Previous page: WORKPLACE VIOLENCE AWARENESS & PREVENTION

LONG ISLAND COALITION FOR
WORKPLACE VIOLENCE AWARENESS AND PREVENTION**

American Insurance Services Group, Inc.
American Society for Industrial Security (ASIS)
American Society of Safety Engineers (ASSE)
(Long Island Chapter)
Communications Workers of America, District One
International Brotherhood of Electrical Workers, Local Union #25
Johnson & Higgins
Long Island Association of Crime Prevention Officers
Long Island Federation of Labor
Lynbrook Police Department
Nassau County Police Department
Nassau-Suffolk Hospital Council
National Association of Women in Construction (NAWIC)
National Health and Human Services Employees Union, Local 1199
New York Committee for Occupational Safety and Health (NYCOSH)
New York State AFL-CIO
New York State Department of Labor Consultation Program
New York State Police
New York State Public Employees Safety and Health Program - (PESH)
New York State United Teachers (NYSUT)a
Public Employees Federation (PEF), Region 12, Long Island
Service Employees International Union (SEIU)
Suffolk County Police Department
United Food and Commercial Workers Union, Locals 342-50 and 1500
United States Department of Labor - Occupational Safety and Health
Administration (OSHA)

**Listed in alphabetical order

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CONTENTS



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- child support
- debit cards



U.S. Department of Labor
Occupational Safety & Health Administration

PART I



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**WORKPLACE VIOLENCE AWARENESS
and PREVENTION**

FACTS and INFORMATION

WORKPLACE VIOLENCE AWARENESS & PREVENTION

The purpose of this document is to assist employers and employees to reduce the risk from workplace violence. It is intended to serve as a resource document from which employers and employees can get information and guidance, and can identify additional contacts and reference sources to implement a Workplace Violence Awareness and Prevention Program.

THE FACTS:

Workplace murder is the leading killer of working females, (35% of their fatal work injuries) and the second leading killer of males. The problem is especially acute in service sector industries (e.g. retail establishments, taxi and limousine, police and security services). According to the figures released on August 3, 1995, by the U. S. Bureau of Labor Statistics (BLS) (1), 1,071 workers were murdered in the workplace in 1994, a slight decrease from 1,074 the previous year. According to the National Institute for Occupational Safety and Health (NIOSH) (2), the following factors may increase workers' risk of homicide:

FOOTNOTE(1) Toscano, Guy. National Census of Fatal Occupational Injuries, 1994. Washington D.C.: Bureau of Labor Statistics, U.S. Department of Labor, August 1995

FOOTNOTE(2) Preventing Homicide in the Workplace. Cincinnati, OH: National Institute for Occupational Safety and Health; U.S. Department of Health and Human Services, Sept. 1993.

- * Exchange of money with the public
- * Working alone or in small numbers
- * Working late at night or early in the morning hours
- * Working in high crime areas
- * Guarding valuable property or possessions
- * Working in community settings

While workplace murders have grabbed media attention, they are only part of the problem. For each murder, there are countless other incidents of workplace violence in which the victim is harassed, threatened or injured, sometimes seriously. A major obstacle in quantifying the real extent of the problem is the issue of chronic under-reporting. However, some information is available from the U. S. Department of Justice.

The U. S. Department of Justice (DOJ) National Crime Victimization Survey(3) statistics, published in July 1994, found that almost one million workers were victims of violence while working. The survey excludes homicides since it was based on interviews with victims. According to the survey, one in six violent crimes in the United States - an estimated 8% of rapes, 7% of robberies and 16% of assaults - occurs at work. An indicator of the seriousness of the workplace violence problem was the finding in the study that 30% of the victims were confronted with armed offenders, one-third of whom carried handguns. The study noted that 16% of violent workplace incidents resulted in physical injuries and 10% required medical care.

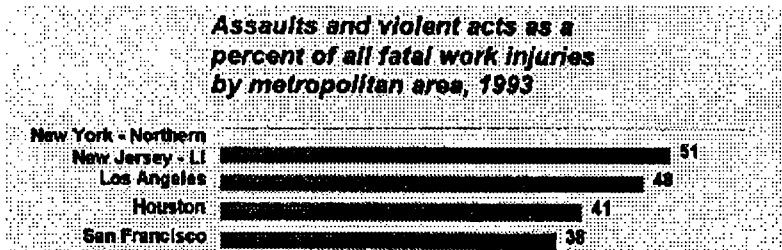
FOOTNOTE(3) Bachman, Ronet. National Crime Victimization Survey: Violence and Theft in the Workplace. Washington, D.C.: Bureau of Justice Statistics, U.S. Department of Justice, July 1994.

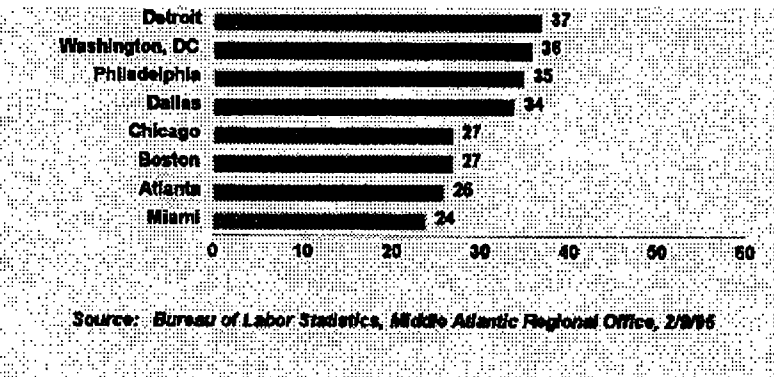
Nonfatal assaults were primarily encounters between patients and nursing staff in health care institutions. Other occupations where violence at work produced lost work time included private security guards, truck drivers, and sales workers.

Almost two-thirds of nonfatal assaults occurred in service industries, such as nursing homes, hospitals, and establishments providing residential care and other social services (halfway homes, for example). Retail trade industries such as grocery stores and eating and drinking places accounted for about one-fifth of these assaults.

Both men and women who work in government have greater numbers and higher rates of assault than the private sector employees. The annual rate of nonfatal assault against women working in state government is 8.6 times higher than women in the private sector; women working in local government are 5.5 times more likely to be assaulted than private sector women.

More than half of all workers fatally injured on the job in the New York, Northern New Jersey, Long Island, Metropolitan area in 1993 died as a result of an assault or violent act. Additionally, according to data from the 1993 Census of Fatal Occupational Injuries, only Los Angeles, with 48 percent of workplace deaths attributable to violence, came close to the 51 percent rate for this area. Nationally, 21 percent of occupational or workplace deaths resulted from violence. Of the 364 fatal occupational injuries in the New York Area, 186 resulted from assaults and violent acts.





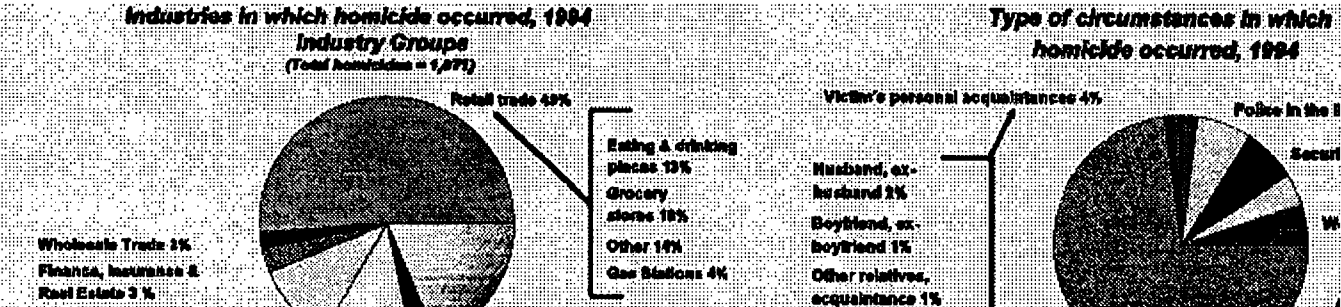
The 1993 Census of Fatal Occupational Injuries, part of the redesigned BLS safety and health statistics program, provides the most complete count of fatal work injuries available because it uses multiple state and federal data sources. The data for the New York -Northern New Jersey-Long Island area presented in this report are a product of cooperative programs conducted with the participation of the New Jersey Department of Health, the New York State Department of Health, the New York City Department of Health, the Connecticut Department of Labor and the Pennsylvania Department of Health. Data for the other metropolitan areas were gathered from similar programs in health and labor departments in the states involved.

The New York, Northern New Jersey, Long Island, NY - NJ - CT - PA Consolidated Metropolitan Statistical Area is comprised of 14 counties in New Jersey, 12 Counties in New York, four counties in Connecticut and one county in Pennsylvania.(4)

FOOTNOTE(4) Middle Atlantic Regional Office - Bureau of Labor Statistics data released 2/9/95.

In addition to the human cost, businesses suffer economic losses when they are the victims of workplace violence. According to the U. S. Department of Justice survey(5), assaults at work cost 500,000 employees 1,751,100 lost days of work each year, which averages out to 3.5 days per crime. In terms of just lost wages, the estimated annual total was more than \$55 million. When lost productivity, legal expenses, property damage, diminished public image, increased security and other factors are included, total losses from workplace violence probably can be measured in the **billions of dollars**.

FOOTNOTE(5) Bachman, Ronet. National Crime Victimization Survey: Violence and Theft in the Workplace. Washington, D.C.: Bureau of Justice Statistics, U.S. Department of Justice, July 1994.





Another cost borne by employers is liability for the injuries suffered by victims of workplace violence and/or liability claims in negligent or wrongful deaths occurring on the job. Third parties assaulted and/or seriously injured in the workplace have won significant awards in suits against businesses or others with responsibility in the workplace who were found to be negligent in this area. And while workers' compensation insurance is generally the employee's only remedy for on-the-job injuries from assaults, in certain states, employees have successfully sued their employers in civil court.

THE DEFINITIONS

According to the **National Institute for Occupational Safety and Health (NIOSH)**: **WORKPLACE VIOLENCE** is any physical assault, threatening behavior or verbal abuse occurring in the work setting. It includes but is not limited to beatings, stabbing, suicides, shootings, rapes, near suicides, psychological traumas such as threats, obscene phone calls, an intimidating presence, and harassment of any nature such as being followed, sworn at or shouted at.(6)

FOOTNOTE(6) For statistical purposes, the law enforcement community defines Workplace Violence as the commission of proscribed criminal acts or coercive behavior which occurs in the work setting. It includes but is not limited to homicides, forcible sex offenses, kidnaping, assault, robbery, menacing, reckless endangerment, harassment and disorderly conduct. The term coercive behavior is intended to convey the sense that workplace violence may take many forms in addition to the use of force. The aggressor may use berating language, physical or verbal threats or damage personal property.

Workplace may be any location, **either permanent or temporary**, where an employee performs any work-related duty. This includes, but is not limited to, the buildings and the surrounding perimeters, including the parking lots, field locations, clients' homes, and traveling to and from work assignments.

Workplace violence (WPV) incidents can be divided into categories depending on the relationship between the assailant and the worker or workplace. These categories are:

Violence by Strangers: In this type of incident the violence is committed by a stranger. This stranger has no legitimate relationship to the worker or workplace and enters the workplace, usually on the pretense of being a customer, to commit a robbery or other violent act. Workers also may be victimized by strangers outside the "traditional" workplace

but while acting within the course and scope of their employment.

Violence by Customers/Clients: In these incidents, the violence is committed by someone who receives a service provided by a business, such as a current or former customer, client or patient, a passenger, a criminal suspect or a prisoner. The violence can be committed in the workplace or, as with service providers, outside the workplace but while the worker is performing a job related function.

Violence of this kind is divided into two types. One type involves people who may be inherently violent such as prison inmates, mental health service recipients, or other client populations.

The other type involves people who are not known to be inherently violent, but are situationally violent. Something in the situation induces an otherwise non-violent client or customer to become violent. Typically, provoking situations are those which are frustrating to the client or customer, such as denial of needed or desired services or delays in receiving such services.

Violence by Co-Workers: In co-worker incidents, the perpetrator has an employment relationship with the workplace. The perpetrator can be a current or former employee, a prospective employee, a current or former supervisor or a manager. Co-worker violence that occurs outside the workplace, but which resulted or arose from the employment relationship would be included in this category. This type of violence can again be divided into two types. Violence between supervisors and subordinates, and violence between workers at the same levels.

Violence by Personal Relations: In personal relations incidents, the violence is committed by someone who has a personal relationship with the worker, such as a current or former spouse or partner, a relative or a friend. Included in this category is the perpetrator who has a personal dispute with the worker and enters the workplace to harass, threaten, injure or kill.

WHOSE RESPONSIBILITY

Employers have both a legal duty and a moral obligation to provide a safe workplace. To prevent loss of life and injuries and to limit financial losses and potential liability, employers should institute policies and procedures to prevent violence from occurring in their workplaces. These policies may include means to identify the potential for violence, procedures to prevent the occurrence of violence and, in the event prevention fails and an incident of violence occurs, plans to respond and mitigate further damage.

Under the General Duty Clause, Section 5(a)(1) of the Occupational Safety and Health Act (OSHA) of 1970, employers are required to provide their employees with a place of employment that "is free from recognizable hazards that are causing or likely to cause death or serious harm to employees". This duty includes inspecting the workplace to discover and correct a dangerous condition or hazard in the workplace and to give adequate warning of its existence.

The OSHA General Duty Clause has been interpreted to mean that an employer has a legal obligation to provide a safe workplace. An employer that has experienced acts of workplace violence, or becomes aware of threats, or intimidation or other potential indicators showing that the potential for violence in the workplace exists or has the potential to

exist, would be on notice of the risk of workplace violence and may be required to implement a workplace violence prevention program.

Next part: PART II





**The United States Department of Labor
Occupational Safety and Health Administration**

NOTICE

Guidelines for Preventing Workplace Violence for Health Care and Social Service Workers-OSHA 3148-1996

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I. Introduction

For many years, health care and social service workers have faced a significant risk of job-related violence. Assaults represent a serious safety and health hazard for these industries, and violence against their employees continues to increase.

OSHA's new violence prevention guidelines provide the agency's recommendations for reducing workplace violence developed following a careful review of workplace violence studies, public and private violence prevention programs, and consultations with and input from stakeholders.

OSHA encourages employers to establish violence prevention programs and to track their progress in reducing work-related assaults. Although not every incident can be prevented, many can, and the severity of injuries sustained by employees reduced. Adopting practical measures such as those outlined here can significantly reduce this serious threat to worker safety.

OSHA's Commitment

The publication and distribution of these guidelines is OSHA's first step in assisting health care and social service employers and providers in preventing workplace violence. OSHA plans to conduct a coordinated effort consisting of research, information, training, cooperative programs, and appropriate enforcement to accomplish this goal.

The guidelines are not a new standard or regulation. They are advisory in nature, informational in content, and intended for use by employers in providing a safe and healthful workplace through effective violence prevention programs, adapted to the needs and resources of each place of employment.

Extent of Problem

Today, more assaults occur in the health care and social services industries than in any other. For example, Bureau of Labor Statistics (BLS) data for 1993 showed health care and social service workers having the highest incidence of assault injuries (BLS, 1993). Almost two-thirds of the nonfatal assaults occurred in nursing homes, hospitals, and establishments providing residential care and other social services (Toscano and Weber, 1995).

Assaults against workers in the health professions are not new. According to one study (Goodman et al., 1994), between 1980 and 1990, 106 occupational violence-related deaths occurred among the following health care workers: 27 pharmacists, 26 physicians, 18 registered nurses, 17 nurses' aides, and 18 health care workers in other occupational categories. Using the National Traumatic Occupational Fatality database, the study reported that between 1983 and 1989, there were 69 registered nurses killed at work. Homicide was the leading cause of traumatic occupational death among employees in nursing homes and personal care facilities.

A 1989 report (Carmel and Hunter) found that the nursing staff at a psychiatric hospital sustained 16 assaults per 100 employees per year. This rate, which includes any assault-related injuries, compares with 8.3 injuries of all types per 100 full-time workers in all industries and 14.2 per 100

full-time workers in the construction industry (BLS, 1991). Of 121 psychiatric hospital workers sustaining 134 injuries, 43 percent involved lost time from work with 13 percent of those injured missing more than 21 days from work.

Of greater concern is the likely underreporting of violence and a persistent perception within the health care industry that assaults are part of the job. Underreporting may reflect a lack of institutional reporting policies, employee beliefs that reporting will not benefit them, or employee fears that employers may deem assaults the result of employee negligence or poor job performance.

Risk Factors

Health care and social service workers face an increased risk of work-related assaults stemming from several factors, including:

- ☐ The prevalence of handguns and other weapons as high as 25 percent⁵ among patients, their families, or friends. The increasing use of hospitals by police and the criminal justice systems for criminal holds and the care of acutely disturbed, violent individuals.
- ☐ The increasing number of acute and chronically mentally ill patients now being released from hospitals without followup care, who now have the right to refuse medicine and who can no longer be hospitalized involuntarily unless they pose an immediate threat to themselves or others.
- ☐ The availability of drugs or money at hospitals, clinics, and pharmacies, making them likely robbery targets.
- ☐ Situational and circumstantial factors such as unrestricted movement of the public in clinics and hospitals; the increasing presence of gang members, drug or alcohol abusers, trauma patients, or distraught family members; long waits in emergency or clinic are as, leading to client frustration over an inability to obtain needed services promptly.
- ☐ Low staffing levels during times of specific increased activity such as meal times, visiting times, and when staff are transporting patients.
- ☐ Isolated work with clients during examinations or treatment.
- ☐ Solo work, often in remote locations, particularly in high-crime settings, with no back-up or means of obtaining assistance such as communication devices or alarm systems.
- ☐ Lack of training of staff in recognizing and managing escalating hostile and assaultive behavior.
- ☐ Poorly lighted parking areas.

Overview of Guidelines

In January 1989, OSHA published voluntary, generic safety and health program management guidelines for all employers to use as a foundation for their safety and health programs, which can include a workplace violence prevention program.⁶ OSHA's violence prevention guidelines build on the 1989 generic guidelines by identifying common risk factors and describing some feasible solutions. Although not exhaustive, the new workplace violence guidelines include policy recommendations and practical corrective methods to help prevent and mitigate the effects of workplace violence.

The goal is to eliminate or reduce worker exposure to conditions that lead to death or injury from violence by implementing effective security devices and administrative work practices, among other control measures.

The guidelines cover a broad spectrum of workers who provide health care and social services in psychiatric facilities, hospital emergency departments, community mental health clinics, drug abuse treatment clinics, pharmacies, community care facilities, and long-term care facilities. They include physicians, registered nurses, pharmacists, nurse practitioners, physicians' assistants, nurses' aides, therapists, technicians, public health nurses, home health care workers, social/welfare workers, and emergency medical care personnel. Further, the guidelines may be useful in reducing risks for ancillary personnel such as maintenance, dietary, clerical, and security staff employed in the health care and social services industries.

II. Violence Prevention Program Elements

There are four main components to any effective safety and health program that also apply to preventing workplace violence, (1) management commitment and employee involvement; (2) worksite analysis, (3) hazard prevention and control, and (4) safety and health training.

Management Commitment and Employee Involvement

Management commitment and employee involvement are complementary and essential elements of an effective safety and health program. To ensure an effective program, management and front-line employees must work together, perhaps through a team or committee approach. If employers opt for this strategy, they must be careful to comply with the applicable provisions of the National Labor Relations Act.

Management commitment, including the endorsement and visible involvement of top management, provides the motivation and resources to deal effectively with workplace violence, and should include the following:

- ☐ Demonstrated organizational concern for employee emotional and physical safety and health.
- ☐ Equal commitment to worker safety and health and patient/client safety.
- ☐ Assigned responsibility for the various aspects of the workplace violence prevention program to ensure that all managers, supervisors, and employees understand their obligations.
- ☐ Appropriate allocation of authority and resources to all responsible parties.
- ☐ A system of accountability for involved managers, supervisors, and employees.
- ☐ A comprehensive program of medical and psychological counseling and debriefing for employees experiencing or witnessing assaults and other violent incidents.
- ☐ Commitment to support and implement appropriate recommendations from safety and health committees.

Employee involvement and feedback enable workers to develop and express their own commitment to safety and health and provide useful information to design, implement, and evaluate the program.

Employee involvement should include the following:

- ☐ Understanding and complying with the workplace violence prevention program and other safety and security measures.
- ☐ Participation in an employee complaint or suggestion procedure covering safety and security concerns.
- ☐ Prompt and accurate reporting of violent incidents.
- ☐ Participation on safety and health committees or teams that receive reports of violent

incidents or security problems, make facility inspections, and respond with recommendations for corrective strategies.

- ☐ Taking part in a continuing education program that covers techniques to recognize escalating agitation, assaultive behavior, or criminal intent, and discusses appropriate responses.

Written Program

A written program for job safety and security, incorporated into the organization's overall safety and health program, offers an effective approach for larger organizations. In smaller establishments, the program need not be written or heavily documented to be satisfactory. What is needed are clear goals and objectives to prevent workplace violence suitable for the size and complexity of the workplace operation and adaptable to specific situations in each establishment.

The prevention program and startup date must be communicated to all employees. At a minimum, workplace violence prevention programs should do the following:

- ☐ Create and disseminate a clear policy of zero-tolerance for workplace violence, verbal and nonverbal threats, and related actions. Managers, supervisors, co-workers, clients, patients, and visitors must be advised of this policy.
- ☐ Ensure that no reprisals are taken against an employee who reports or experiences workplace violence.
- ☐ Encourage employees to promptly report incidents and to suggest ways to reduce or eliminate risks. Require records of incidents to assess risk and to measure progress.
- ☐ Outline a comprehensive plan for maintaining security in the workplace, which includes establishing a liaison with law enforcement representatives and others who can help identify ways to prevent and mitigate workplace violence.
- ☐ Assign responsibility and authority for the program to individuals or teams with appropriate training and skills. The written plan should ensure that there are adequate resources available for this effort and that the team or responsible individuals develop expertise on workplace violence prevention in health care and social services.
- ☐ Affirm management commitment to a worker-supportive environment that places as much importance on employee safety and health as on serving the patient or client.
- ☐ Set up a company briefing as part of the initial effort to address such issues as preserving safety, supporting affected employees, and facilitating recovery.

III. Worksite Analysis

Worksite analysis involves a step-by-step, common-sense look at the workplace to find existing or potential hazards for workplace violence. This entails reviewing specific procedures or operations that contribute to hazards and specific locales where hazards may develop.

A "Threat Assessment Team," "Patient Assault Team," similar task force, or coordinator may assess the vulnerability to workplace violence and determine the appropriate preventive actions to be taken. Implementing the workplace violence prevention program then may be assigned to this group. The team should include representatives from senior management, operations, employee assistance, security, occupational safety and health, legal, and human resources staff.

The team or coordinator can review injury and illness records and workers' compensation claims to identify patterns of assaults that could be prevented by workplace adaptation, procedural

changes, or employee training. As the team or coordinator identifies appropriate controls, these should be instituted.

The recommended program for worksite analysis includes, but is not limited to, analyzing and tracking records, monitoring trends and analyzing incidents, screening surveys, and analyzing workplace security.

Records Analysis and Tracking

This activity should include reviewing medical, safety, workers' compensation and insurance records including the OSHA 200 log, if required to pinpoint instances of workplace violence. Scan unit logs and employee and police reports of incidents or near-incidents of assaultive behavior to identify and analyze trends in assaults relative to particular departments, units, job titles, unit activities, work stations, and/or time of day. Tabulate these data to target the frequency and severity of incidents to establish a baseline for measuring improvement.

Monitoring Trends and Analyzing Incidents

Contacting similar local businesses, trade associations, and community and civic groups is one way to learn about their experiences with workplace violence and to help identify trends. Use several years of data, if possible, to trace trends of injuries and incidents of actual or potential workplace violence.

Screening Surveys

One important screening tool is to give employees a questionnaire or survey to get their ideas on the potential for violent incidents and to identify or confirm the need for improved security measures. Detailed baseline screening surveys can help pinpoint tasks that put employees at risk. Periodic surveys conducted at least annually or whenever operations change or incidents of workplace violence occur help identify new or previously unnoticed risk factors and deficiencies or failures in work practices, procedures, or controls. Also, the surveys help assess the effects of changes in the work processes (see Appendix A for a sample survey used in the State of Washington). The periodic review process should also include feedback and followup. Independent reviewers, such as safety and health professionals, law enforcement or security specialists, insurance safety auditors, and other qualified persons may offer advice to strengthen programs. These experts also can provide fresh perspectives to improve a violence prevention program.

IV. Workplace Security Analysis

The team or coordinator should periodically inspect the workplace and evaluate employee tasks to identify hazards, conditions, operations, and situations that could lead to violence.

To find areas requiring further evaluation, the team or coordinator should do the following:

- ☐ Analyze incidents, including the characteristics of assailants and victims, an account of what happened before and during the incident, and the relevant details of the situation and its outcome. When possible, obtain police reports and recommendations. Identify jobs or locations with the greatest risk of violence as well as processes and procedures that put employees at risk of assault, including how often and when.
- ☐ Note high-risk factors such as types of clients or patients (e.g., psychiatric conditions or

patients disoriented by drugs, alcohol, or stress); physical risk factors of the building; isolated locations/job activities; lighting problems; lack of phones and other communication devices, areas of easy, unsecured access; and areas with previous security problems. (See sample checklist for assessing hazards in Appendix B.)

- ☐ Evaluate the effectiveness of existing security measures, including engineering control measures. Determine if risk factors have been reduced or eliminated, and take appropriate action.

V. Hazard Prevention and Control

After hazards of violence are identified through the systematic worksite analysis, the next step is to design measures through engineering or administrative and work practices to prevent or control these hazards. If violence does occur, post-incidence response can be an important tool in preventing future incidents.

Engineering Controls and Workplace Adaptation

Engineering controls, for example, remove the hazard from the workplace or create a barrier between the worker and the hazard. There are several measures that can effectively prevent or control workplace hazards, such as those actions presented in the following paragraphs. The selection of any measure, of course, should be based upon the hazards identified in the workplace security analysis of each facility.

- ☐ Assess any plans for new construction or physical changes to the facility or workplace to eliminate or reduce security hazards.
- ☐ Install and regularly maintain alarm systems and other security devices, panic buttons, hand-held alarms or noise devices, cellular phones, and private channel radios where risk is apparent or may be anticipated, and arrange for a reliable response system when an alarm is triggered.
- ☐ Provide metal detectors installed or hand-held, where appropriate to identify guns, knives, or other weapons, according to the recommendations of security consultants.
- ☐ Use a closed-circuit video recording for high-risk areas on a 24-hour basis. Public safety is a greater concern than privacy in these situations.
- ☐ Place curved mirrors at hallway intersections or concealed areas.
- ☐ Enclose nurses' stations, and install deep service counters or bullet-resistant, shatter-proof glass in reception areas, triage, admitting, or client service rooms.
- ☐ Provide employee "safe rooms" for use during emergencies.
- ☐ Establish "time-out" or seclusion areas with high ceilings without grids for patients acting out and establish separate rooms for criminal patients.
- ☐ Provide client or patient waiting rooms designed to maximize comfort and minimize stress.
- ☐ Ensure that counseling or patient care rooms have two exits.
- ☐ Limit access to staff counseling rooms and treatment rooms controlled by using locked doors.
- ☐ Arrange furniture to prevent entrapment of staff. In interview rooms or crisis treatment areas, furniture should be minimal, lightweight, without sharp corners or edges, and/or affixed to the floor. Limit the number of pictures, vases, ashtrays, or other items that can be used as weapons.
- ☐ Provide lockable and secure bathrooms for staff members separate from patient-client, and visitor facilities.

- ☐ Lock all unused doors to limit access, in accordance with local fire codes.
- ☐ Install bright, effective lighting indoors and outdoors.
- ☐ Replace burned-out lights, broken windows, and locks.
- ☐ Keep automobiles, if used in the field, well-maintained. Always lock automobiles.

Administrative and Work Practice Controls

- ☐ Administrative and work practice controls affect the way jobs or tasks are performed. The following examples illustrate how changes in work practices and administrative procedures can help prevent violent incidents.
- ☐ State clearly to patients, clients, and employees that violence is not permitted or tolerated.
- ☐ Establish liaison with local police and state prosecutors. Report all incidents of violence. Provide police with physical layouts of facilities to expedite investigations.
- ☐ Require employees to report all assaults or threats to a supervisor or manager (e.g., can be confidential interview). Keep log books and reports of such incidents to help in determining any necessary actions to prevent further occurrences.
- ☐ Advise and assist employees, if needed, of company procedures for requesting police assistance or filing charges when assaulted.
- ☐ Provide management support during emergencies. Respond promptly to all complaints.
- ☐ Set up a trained response team to respond to emergencies.
- ☐ Use properly trained security officers, when necessary, to deal with aggressive behavior. Follow written security procedures.
- ☐ Ensure adequate and properly trained staff for restraining patients or clients.
- ☐ Provide sensitive and timely information to persons waiting in line or in waiting rooms. Adopt measures to decrease waiting time.
- ☐ Ensure adequate and qualified staff coverage at all times. Times of greatest risk occur during patient transfers, emergency responses, meal times, and at night. Locales with the greatest risk include admission units and crisis or acute care units. Other risks include admission of patients with a history of violent behavior or gang activity.
- ☐ Institute a sign-in procedure with passes for visitors, especially in a newborn nursery or pediatric department. Enforce visitor hours and procedures.
- ☐ Establish a list of "restricted visitors" for patients with a history of violence. Copies should be available at security checkpoints, nurses' stations, and visitor sign-in areas. Review and revise visitor check systems, when necessary. Limit information given to outsiders on hospitalized victims of violence.
- ☐ Supervise the movement of psychiatric clients and patients throughout the facility.
- ☐ Control access to facilities other than waiting rooms, particularly drug storage or pharmacy areas.
- ☐ Prohibit employees from working alone in emergency areas or walk-in clinics, particularly at night or when assistance is unavailable. Employees should never enter seclusion rooms alone.
- ☐ Establish policies and procedures for secured areas, and emergency evacuations, and for monitoring high-risk patients at night (e.g., open versus locked seclusion).
- ☐ Ascertain the behavioral history of new and transferred patients to learn about any past violent or assaultive behaviors. Establish a system such as chart tags, log books, or verbal census reports to identify patients and clients with assaultive behavior problems, keeping in mind patient confidentiality and worker safety issues. Update as needed.
- ☐ Treat and/or interview aggressive or agitated clients in relatively open areas that still maintain privacy and confidentiality (e.g., rooms with removable partitions).

- ☐ Use case management conferences with co-workers and supervisors to discuss ways to effectively treat potentially violent patients.
- ☐ Prepare contingency plans to treat clients who are "acting out" or making verbal or physical attacks or threats. Consider using certified employee assistance professionals (CEAPs) or in-house social service or occupational health service staff to help diffuse patient or client anger.
- ☐ Transfer assaultive clients to "acute care units," "criminal units," or other more restrictive settings.
- ☐ Make sure that nurses and/or physicians are not alone when performing intimate physical examinations of patients.
- ☐ Discourage employees from wearing jewelry to help prevent possible strangulation in confrontational situations. Community workers should carry only required identification and money.
- ☐ Periodically survey the facility to remove tools or possessions left by visitors or maintenance staff which could be used inappropriately by patients.
- ☐ Provide staff with identification badges, preferably without last names, to readily verify employment.
- ☐ Discourage employees from carrying keys, pens, or other items that could be used as weapons.
- ☐ Provide staff members with security escorts to parking areas in evening or late hours. Parking areas should be highly visible, well-lighted, and safely accessible to the building.
- ☐ Use the "buddy system," especially when personal safety may be threatened. Encourage home health care providers, social service workers, and others to avoid threatening situations. Staff should exercise extra care in elevators, stairwells and unfamiliar residences; immediately leave premises if there is a hazardous situation; or request police escort if needed.
- ☐ Develop policies and procedures covering home health care providers, such as contracts on how visits will be conducted, the presence of others in the home during the visits, and the refusal to provide services in a clearly hazardous situation.
- ☐ Establish a daily work plan for field staff to keep a designated contact person informed about workers' whereabouts throughout the workday. If an employee does not report in, the contact person should followup.
- ☐ Conduct a comprehensive post-incident evaluation, including psychological as well as medical treatment, for employees who have been subjected to abusive behavior.

Post-Incident Response

Post-incident response and evaluation are essential to an effective violence prevention program. All workplace violence programs should provide comprehensive treatment for victimized employees and employees who may be traumatized by witnessing a workplace violence incident. Injured staff should receive prompt treatment and psychological evaluation whenever an assault takes place, regardless of severity. (See sample hospital policy in Appendix C). Transportation of the injured to medical care should be provided if care is not available on-site.

Victims of workplace violence suffer a variety of consequences in addition to their actual physical injuries. These include short and long-term psychological trauma, fear of returning to work, changes in relationships with co-workers and family, feelings of incompetence, guilt, powerlessness, and fear of criticism by supervisors or managers. Consequently, a strong followup program for these employees will not only help them to deal with these problems but also to help

prepare them to confront or prevent future incidents of violence (Flannery, 1991, 1993; 1995).

There are several types of assistance that can be incorporated into the post-incident response. For example, trauma-crisis counseling, critical incident stress debriefing, or employee assistance programs may be provided to assist victims. Certified employee assistance professionals, psychologists, psychiatrists, clinical nurse specialists, or social workers could provide this counseling, or the employer can refer staff victims to an outside specialist. In addition, an employee counseling service, peer counseling, or support groups may be established.

In any case, counselors must be well trained and have a good understanding of the issues and consequences of assaults and other aggressive, violent behavior. Appropriate and promptly rendered post-incident debriefings and counseling reduce acute psychological trauma and general stress levels among victims and witnesses. In addition, such counseling educates staff about workplace violence and positively influences workplace and organizational cultural norms to reduce trauma associated with future incidents.

VI. Training and Education

Training and education ensure that all staff are aware of potential security hazards and how to protect themselves and their co-workers through established policies and procedures.

All Employees

Every employee should understand the concept of "Universal Precautions for Violence," i.e., that violence should be expected but can be avoided or mitigated through preparation. Staff should be instructed to limit physical interventions in workplace altercations whenever possible, unless there are adequate numbers of staff or emergency response teams and security personnel available. Frequent training also can improve the likelihood of avoiding assault (Carmel and Hunter, 1990).

Employees who may face safety and security hazards should receive formal instruction on the specific hazards associated with the unit or job and facility. This includes information on the types of injuries or problems identified in the facility and the methods to control the specific hazards.

The training program should involve all employees, including supervisors and managers. New and reassigned employees should receive an initial orientation prior to being assigned their job duties. Visiting staff, such as physicians, should receive the same training as permanent staff. Qualified trainers should instruct at the comprehension level appropriate for the staff. Effective training programs should involve role playing, simulations, and drills.

Topics may include Management of Assaultive Behavior; Professional Assault Response Training; police assault avoidance programs, or personal safety training such as awareness, avoidance, and how to prevent assaults. A combination of training may be used depending on the severity of the risk.

Required training should be provided to employees annually. In large institutions, refresher programs may be needed more frequently (monthly or quarterly) to effectively reach and inform all employees.

The training should cover topics such as the following:

- ☐ The workplace violence prevention policy.
- ☐ Risk factors that cause or contribute to assaults.
- ☐ Early recognition of escalating behavior or recognition of warning signs or situations that may lead to assaults.
- ☐ Ways of preventing or diffusing volatile situations or aggressive behavior, managing anger, and appropriately using medications as chemical restraints.
- ☐ Information on multicultural diversity to develop sensitivity to racial and ethnic issues and differences.
- ☐ A standard response action plan for violent situations, including availability of assistance, response to alarm systems, and communication procedures.
- ☐ How to deal with hostile persons other than patients and clients, such as relatives and visitors.
- ☐ Progressive behavior control methods and safe methods of restraint application or escape.
- ☐ The location and operation of safety devices such as alarm systems, along with the required maintenance schedules and procedures.
- ☐ Ways to protect oneself and coworkers, including use of the "buddy system."
- ☐ Policies and procedures for reporting and recordkeeping.
- ☐ Policies and procedures for obtaining medical care, counseling, workers' compensation, or legal assistance after a violent episode or injury.

Supervisors, Managers, and Security Personnel

Supervisors and managers should ensure that employees are not placed in assignments that compromise safety and should encourage employees to report incidents. Employees and supervisors should be trained to behave compassionately towards coworkers when an incident occurs.

They should learn how to reduce security hazards and ensure that employees receive appropriate training. Following training, supervisors and managers should be able to recognize a potentially hazardous situation and to make any necessary changes in the physical plant, patient care treatment program, and staffing policy and procedures to reduce or eliminate the hazards.

Security personnel need specific training from the hospital or clinic, including the psychological components of handling aggressive and abusive clients, types of disorders, and ways to handle aggression and defuse hostile situations.

The training program should also include an evaluation. The content, methods, and frequency of training should be reviewed and evaluated annually by the team or coordinator responsible for implementation. Program evaluation may involve supervisor and/or employee interviews, testing and observing, and/or reviewing reports of behavior of individuals in threatening situations.

VII. Recordkeeping and Evaluation of the Program

Recordkeeping and evaluation of the violence prevention program are necessary to determine overall effectiveness and identify any deficiencies or changes that should be made.

Recordkeeping

Recordkeeping is essential to the success of a workplace violence prevention program. Good records help employers determine the severity of the problem, evaluate methods of hazard control, and identify training needs. Records can be especially useful to large organizations and for members of a business group or trade association who "pool" data. Records of injuries, illnesses, accidents, assaults, hazards, corrective actions, patient histories, and training, among others, can help identify problems and solutions for an effective program.

The following records are important:

- ☐ OSHA Log of Injury and Illness (OSHA 200). OSHA regulations require entry on the Injury and Illness Log of any injury that requires more than first aid, is a lost-time injury, requires modified duty, or causes loss of consciousness.⁹ (This applies only to establishments required to keep OSHA logs.) Injuries caused by assaults, which are otherwise recordable, also must be entered on the log. A fatality or catastrophe that results in the hospitalization of 3 or more employees must be reported to OSHA within 8 hours. This includes those resulting from workplace violence and applies to all establishments.
- ☐ Medical reports of work injury and supervisors' reports for each recorded assault should be kept. These records should describe the type of assault, i.e., unprovoked sudden attack or patient-to-patient altercation; who was assaulted; and all other circumstances of the incident. The records should include a description of the environment or location, potential or actual cost, lost time, and the nature of injuries sustained.
- ☐ Incidents of abuse, verbal attacks or aggressive behavior which may be threatening to the worker but do not result in injury, such as pushing or shouting and acts of aggression towards other clients should be recorded, perhaps as part of an assaultive incident report. These reports should be evaluated routinely by the affected department. (See sample incident forms in Appendix D).
- ☐ Information on patients with a history of past violence, drug abuse, or criminal activity should be recorded on the patient's chart. All staff who care for a potentially aggressive, abusive, or violent client should be aware of their background and history. Admission of violent clients should be logged to help determine potential risks.
- ☐ Minutes of safety meetings, records of hazard analyses, and corrective actions recommended and taken should be documented.
- ☐ Records of all training programs, attendees, and qualifications of trainers should be maintained.

Evaluation

As part of their overall program, employers should evaluate their safety and security measures. Top management should review the program regularly, and with each incident, to evaluate program success. Responsible parties (managers, supervisors, and employees) should collectively reevaluate policies and procedures on a regular basis. Deficiencies should be identified and corrective action taken.

An evaluation program should involve the following:

- ☐ Establishing a uniform violence reporting system and regular review of reports.
- ☐ Reviewing reports and minutes from staff meetings on safety and security issues.
- ☐ Analyzing trends and rates in illness/injury or fatalities caused by violence relative to initial or "baseline" rates.
- ☐ Measuring improvement based on lowering the frequency and severity of workplace violence.

- ☐ Keeping up-to-date records of administrative and work practice changes to prevent workplace violence to evaluate their effectiveness.
- ☐ Surveying employees before and after making job or worksite changes or installing security measures or new systems to determine their effectiveness.
- ☐ Keeping abreast of new strategies available to deal with violence in the health care and social service fields as these develop.
- ☐ Surveying employees who experience hostile situations about the medical treatment they received initially and, again, several weeks afterward, and then several months later.
- ☐ Complying with OSHA and state requirements for recording and reporting deaths, injuries, and illnesses.
- ☐ Requesting periodic law enforcement or outside consultant review of the worksite for recommendations on improving employee safety.
- ☐ Management should share workplace violence prevention program evaluation reports with all employees. Any changes in the program should be discussed at regular meetings of the safety committee, union representatives, or other employee groups.

Sources of Assistance

Employers who would like assistance in implementing an appropriate workplace violence prevention program can turn to the OSHA Consultation service provided in their state. Primarily targeted at smaller companies, the consultation service is provided at no charge to the employer and is independent of OSHA's enforcement activity. (See Appendix E.)

OSHA's efforts to assist employers combat workplace violence are complemented by those of NIOSH (1-800-35-NIOSH) and public safety officials, trade associations, unions, insurers, human resource, and employee assistance professionals as well as other interested groups. Employers and employees may contact these groups for additional advice and information.

VIII. Conclusion

OSHA recognizes the importance of effective safety and health program management in providing safe and healthful workplaces. In fact, OSHA's consultation services help employers establish and maintain safe and healthful workplaces, and the agency's Voluntary Protection Programs were specifically established to recognize worksites with exemplary safety and health programs. (See Appendix E.) Effective safety and health programs are known to improve both morale and productivity and reduce workers' compensation costs.

OSHA's violence prevention guidelines are an essential component to workplace safety and health programs. OSHA believes that the performance-oriented approach of the guidelines provides employers with flexibility in their efforts to maintain safe and healthful working conditions.

References

Appendices

- ☐ Appendix A
- ☐ Appendix B
- ☐ Appendix C
- ☐ Appendix D
- ☐ Appendix E

☐ Appendix F

Impact of Workplace Violence

According to the Bureau of Justice Statistics (BJS), each year almost 1 million individuals become victims of violent crime while working. The BJS reports that about 500,000 victims of violent crime in the workplace lose an estimated 1.8 million workdays each year and over \$55 million in lost wages, not including days covered by sick and annual leave.

Source: Bureau of Justice Statistics Crime Data Brief:
Violence and Theft in the Workplace,
NCJ-148199, July 1994



**The United States Department of Labor
Occupational Safety and Health Administration**

Guidelines for Workplace Violence Prevention Programs for Night Retail Establishments

Draft - June 28, 1996

Important Note:

This is a working draft document for discussion and comment only. Do not cite or quote as though it is a final document. The document does not represent OSHA's final position with respect to the matters discussed therein. It will be revised based upon comments received from stakeholders. The final document will be advisory in nature and informational in content for employers seeking to provide workplace violence prevention strategies. The issuance of these guidelines is not intended as an enhancement of the "General Duty Clause" nor does it reflect any change in OSHA enforcement policy.

Please address all comments and recommendations regarding these guidelines, by September 30, 1996 to:

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I. **Notice**

These guidelines are not a new standard or regulation. They are advisory in nature, informational in content, and are intended for use by employers seeking to provide a safe and healthful workplace through effective workplace violence prevention programs, adapted to the needs and resources of each place of employment. The guidelines are performance-oriented and the implementation of the recommendations will be different based upon an establishment's hazard analysis.

Violence inflicted upon employees may come from many sources -- i.e., patients, third parties such as robbers or muggers -- and may include co-worker violence. These guidelines address only the violence inflicted by third parties such as robbers or muggers against employees. It is suggested, however, that workplace violence policies indicate a zero-tolerance for violence of any kind.

The Occupational Safety and Health Act of 1970 (OSH Act) mandates that, in addition to

compliance with hazard-specific standards, all employers have a general duty to provide their employees with a workplace free from recognized hazards likely to cause death or serious physical harm. OSHA will rely on Section 5(a) of the OSH Act, the "General Duty Clause" for enforcement authority. Employers can be cited for violating the General Duty Clause if there is a recognized hazard of workplace violence in their establishments and they do nothing to prevent or abate it. Failure to implement these guidelines is not in itself a violation of the General Duty Clause of the OSH Act. OSHA will not cite employers who have effectively implemented these guidelines.

Further, when Congress passed the OSH Act, it did so based on a finding that job-related illnesses and injuries were imposing both a hindrance and a substantial burden upon interstate commerce, "in terms of lost production, wage loss, medical expenses, and disability compensation payments."

At the same time, Congress was mindful of the fact that workers' compensation systems provided state-specific remedies for job-related injuries and illnesses. Issues on what constitutes a compensable claim and what the rate of compensation should be were left up to the states, their legislatures, and their courts to determine. Congress acknowledged this point in Section 4(b)(4) of the OSH Act, when it stated categorically: "Nothing in this chapter shall be construed to supersede or in any manner affect any workmen's compensation law" Therefore, these non-mandatory guidelines should not be viewed as enlarging or diminishing the scope of work-related injuries, and are intended for use in any state and without regard to whether the injuries or fatalities, if any, are later deemed to be compensable.

II. Acknowledgements

Many persons, including experts in the fields of law enforcement and employee assistance, researchers, educators, unions, other stakeholders, OSHA professionals, and the National Institute of Occupational Safety and Health (NIOSH) contributed to these guidelines.

Also, several states have developed relevant regulations or recommendations, such as the California OSHA (CAL/OSHA), CAL/OSHA Guidelines for Workplace Security, and Model Injury and Illness Prevention Program for Workplace Security; the State of Florida, Convenience Business Security Act, and Study of Safety and Security Requirements For "At-Risk" Businesses; the State of Virginia, Report to the Virginia State Crime Commission on Violent Crime and Workers' Safety in Virginia Convenience Stores and, Violent Crimes in Convenience Stores: Analysis of Crimes, Criminals, and Costs, and the State of Washington Department of Labor and Industries, Violence in Washington Workplaces, and Late Night Retail Workers' Crime Protection. Information is available from these and other agencies to assist employers.

Guidelines For Workplace Violence Prevention Programs In Night Retail Establishments

III. Introduction

Workplace violence has emerged as a critical safety and health hazard. According to Bureau of Labor statistics, homicide is the second leading cause of death to American workers, claiming the lives of 1,071 workers in 1994 and accounting for 16% of the 6,588 fatal work injuries in the United States. (BLS, 1995)

Research indicates that measures can be taken to reduce the risks of workplace violence to

American workers. OSHA's violence prevention guidelines provide the agency's recommendations for reducing workplace violence developed following a careful review of workplace violence studies, public and private violence prevention programs, and consultation with and input from stakeholders.

OSHA encourages employers to establish violence prevention programs and to track their progress in reducing work-related assaults. Although not every incident can be prevented, many can; and the severity of injuries sustained by employees reduced. Adopting practical measures such as those outlined here can significantly reduce this serious threat to worker safety.

OSHA's Commitment

The publication and distribution of these guidelines is OSHA's first step in assisting the night retail industry in preventing workplace violence. OSHA plans to conduct a coordinated effort consisting of research, information, training, cooperative programs, and appropriate enforcement to accomplish this goal.

The guidelines are not a new standard or regulation. They are advisory in nature, informational in content, and intended for use by employers in providing a safe and healthful workplace through effective violence prevention programs, adapted to the needs and resources of each place of employment.

IV. Extent Of Problem

Fatalities

Workers in retail establishments face an above-average risk for violence. Of the 1,071 deaths due to workplace violence in 1994, as in prior years, half occurred during robberies of small retail establishments, including grocery or convenience stores, restaurants and bars, liquor stores, fast-food restaurants, and gas stations (BLS, 1995). During 1980-89, there were 2,787 homicides in small retail establishments - the highest number of occupational homicides (National Institute for Occupational Safety and Health: NIOSH, 1993). Shootings accounted for four-fifths of fatal workplace assaults, with robbery being the motive in 75 percent of the homicides (BLS, 1995).

Who Are the Victims?

At 82 percent, men account for the majority of all homicide victims. Homicide, however, is the leading way in which women are killed in the workplace, accounting for 40 percent of such deaths. Women accounted for 53 percent of the homicides reported in the retail trades. African Americans, Asian Americans, and other minority races comprise an eighth of the work force but constitute a fourth of all workplace homicide victims. This higher homicide risk is due, in part, to their constituting a disproportionate share of the work force in these occupations (BLS, 1994, 1995).

Nonfatal Assaults

Workplace homicides are only part of the problem. According to BLS statistics, about 21,300 workers were injured in nonfatal assaults in the workplace in 1993, women as victims in 56 percent of these assaults. (BLS Survey of Occupational Injuries and Illnesses, based upon a random sample of establishments, 1992, 1993) The Department of Justice's National Crime Victimization Survey (NCVS) also reported that between 1987 and 1992, approximately 1 million persons annually were assaulted at work. These data include four categories: 615,160 simple assaults.

264,174 aggravated assaults, 79,109 robberies, and 13,068 rapes. Such intentional injuries to workers occur much more frequently than occupational homicides, but efforts to prevent homicides also may reduce the incidences of these nonfatal assaults.

Risk Factors/Summary of Research

In 1992, the Centers for Disease Control (CDC) declared workplace homicide a serious public health problem. NIOSH identified six factors that increase the risks of homicide in the workplace. (CDC/NIOSH Alert, 1993) All of these factors are usually present in night retail establishments:

- ☐ Exchange of money with the public
- ☐ Working alone or in small numbers
- ☐ Working late night or early morning hours
- ☐ Working in high-crime areas
- ☐ Guarding valuable property or possessions
- ☐ Working in community settings

Several studies have examined risk factors for robbery. The groundbreaking experiment conducted by Crow and Bull (1975), at the request of the Southland Corporation (owner of the 7-Eleven convenience store chain), for example, enlisted the aid of ex-convicts to determine which stores were most "attractive" to robbers. The study confirmed that robberies are not randomly distributed, but robbers are selective in their targets. Stores most vulnerable had large amounts of cash on hand, an obstructed view of counters with inattentive clerks, poor outdoor lighting, and easy escape routes.

Studies conducted by the State of Florida's Attorney General's office and the State of Virginia's Crime Commission have both corroborated these results and added an additional risk factor: clerks working alone at night. According to these studies, the top five "attractiveness" features for choosing a store to rob are: remote area, only one clerk, no customers, easy access/getaway, and lots of money on hand. The five most "unattractive" (deterrent) features were: many customers, heavy traffic in store front, two clerks, a visible back room where another employee might be, and a male clerk. It was determined that the primary deterrent was having two clerks on duty. Other deterrents significantly reducing the potential for robbery included: security cameras, time release safes, a location near other 24-hour businesses, and a midnight store closing time.

Retail robberies occur in the late evening and early morning hours more often than during daylight hours. Rates run from 65 percent from 11:00 p.m. to 6:00 a.m. (Erickson, 1995), 65 percent from 9:00 p.m. to 3:00 a.m. (Kraus, et.al., 1995), to 69 percent for the time frame 9:00 p.m. to 5:00 a.m. (State of Virginia, 1993). Generally, a lone clerk is working at night when an attack occurs. According to studies of robberies in Gainesville, Florida from 1981 to 1986, 92 percent occurred when one clerk was working. In 85 percent of the cases, the clerk was completely alone - no customers were present in the store.

Preventive Strategies

"Situational crime prevention" reduces opportunities for crime and increases its risks. The situational approach is based on the presumption that perpetrators of crime "rationally" select their targets and that the chance of victimization can be reduced by: increasing the effort (target hardening, controlling access, deflecting offenders, and controlling facilitators); increasing the risks (entry/exit screening, formal surveillance, surveillance by employees and others); and reducing the rewards (removing the target, identifying property, removing inducements, and setting rules).

Physical and behavioral changes at a site can substantially reduce robberies. A test group of stores eliminated or reduced the risk factors and subsequently experienced a 30 percent drop in robberies compared to a control group, thus supporting the hypotheses that robbers select their targets and that physical change to the establishment can reduce the incidence or change the location of robberies. The target-hardening efforts, including a basic robbery deterrence package, were implemented in 7-Eleven stores nationwide in 1976. The 7-Eleven store robberies decreased by 65 percent from 1976 to 1986 and have held at a 50 percent reduction since that time. The National Association of Convenience Stores (NACS) adopted the program for use nationwide in 1987. (Erickson, 1995)

The rationale of the NACS program is to make the target less attractive by reducing the cash, maximizing the take/risk ratio, and training employees. The program includes the following:

- ☐ clearing windows for increased visibility; improving lighting;
- ☐ maintaining low cash in register;
- ☐ installing time-controlled drop safes;
- ☐ posting signs about low cash;
- ☐ altering escape routes; and
- ☐ training employees in not resisting. (Erickson, 1995)

Employing two clerks is a form of "target hardening" because it may make a robbery more difficult to complete and, therefore, more unsuitable. Having two clerks may also increase the likelihood that they will be effective witnesses in a police investigation. Since the enactment of the Gainesville ordinance requiring two clerks, robbery was reduced by 92 percent between the hours of 8:00 p.m. and 4:00 a.m. (Florida Office of Attorney General, 1991)

Overview of Guidelines

In January 1989, OSHA published voluntary, generic safety and health program management guidelines for all employers to use as a foundation for their safety and health programs, including a workplace violence prevention program. OSHA's violence prevention guidelines build on the 1989 generic guidelines by identifying common risk factors and describing some feasible solutions. Although not exhaustive, the new workplace violence guidelines include policy recommendations and practical corrective methods to help prevent and mitigate the effects of workplace violence.

The goal is to eliminate or reduce worker exposure to conditions that lead to death or injury from violence by implementing effective security devices and administrative work practices, among other control measures. These guidelines are intended to cover a broad spectrum of workers in retail trades who provide services during evening and night hours. They are particularly appropriate for workers in convenience stores, liquor stores, and gasoline stations with grocery stores providing services late at night. It is anticipated, however, that other types of establishments -- such as drug stores, grocery stores, supermarkets, and eating and drinking establishments -- may find these recommendations helpful.

V. Violence Prevention Program Elements

There are four main components to any effective safety and health program that also apply to preventing workplace violence:

- ☐ Management commitment and employee involvement;
- ☐ worksite analysis;
- ☐ hazard prevention and control; and (4) safety and health training.

Management Commitment and Employee Involvement

Management commitment and employee involvement are complementary and essential elements of an effective safety and health program. To ensure an effective program, management and front-line employees must work together, perhaps through a team or committee approach. If employers opt for this strategy, they must be careful to comply with the applicable provisions of the National Labor Relations Act which prohibits unfair labor practices.

Management commitment, including the endorsement and visible involvement of top management, provides the motivation and resources to deal effectively with workplace violence, and should include the following:

- ☐ Demonstrated organizational concern for employee emotional and physical safety and health.
- ☐ Equal commitment to worker safety and health and customer safety.
- ☐ Assigned responsibility for the various aspects of the workplace violence prevention program to ensure that all managers, supervisors, and employees understand their obligations.
- ☐ Appropriate allocation of authority and resources to all responsible parties.
- ☐ A system of accountability for involved managers, supervisors, and employees.
- ☐ A comprehensive program of medical and psychological counseling and debriefing for employees experiencing or witnessing assaults and other violent incidents.
- ☐ Commitment to support and implement appropriate recommendations from safety and health committees.

Employee involvement and feedback enable workers to develop and express their own commitment to safety and health and provide useful information to design, implement, and evaluate the program. Employee involvement should include the following:

- ☐ Understanding and complying with the workplace violence prevention program and other safety and security measures.
- ☐ Participation in an employee complaint or suggestion procedure covering safety and security concerns.
- ☐ Prompt and accurate reporting of violent incidents.
- ☐ Participation on safety and health committees or teams that receive reports of violent incidents or security problems, make facility inspections, and respond with recommendations for corrective strategies.
- ☐ Taking part in a continuing education program that covers techniques to recognize escalating agitation, assaultive behavior, or criminal intent, and discusses appropriate responses.

Written Program

A written program for job safety and security, incorporated into the organization's overall safety and health program, offers an effective approach for larger organizations. In smaller establishments, the program need not be written or heavily documented to be satisfactory. What is needed are clear goals and objectives to prevent workplace violence suitable for the size and complexity of the workplace operation and adaptable to specific situations in each establishment.

The prevention program and startup date must be communicated to all employees. At a minimum,

workplace violence prevention programs should do the following:

- ☐ Create and disseminate a clear policy of zero-tolerance for workplace violence, verbal and nonverbal threats, and related actions. Managers, supervisors, co-workers, and customers must be advised of this policy.
- ☐ Ensure that no reprisals are taken against an employee who reports or experiences workplace violence.
- ☐ Encourage employees to promptly report incidents and to suggest ways to reduce or eliminate risks. Require records of incidents to assess risk and to measure progress.
- ☐ Outline a comprehensive plan for maintaining security in the workplace, which includes establishing a liaison with law enforcement representatives and others who can help identify ways to prevent and mitigate workplace violence.
- ☐ Assign responsibility and authority for the program to individuals or teams with appropriate training and skills. The written plan should ensure that there are adequate resources available for this effort and that the team or responsible individuals develop expertise on workplace violence prevention in night retail establishments.
- ☐ Affirm management commitment to a worker-supportive environment that places as much importance on employee safety and health as on serving the customer.
- ☐ Set up a company briefing as part of the initial effort to address such issues as preserving safety, supporting affected employees, and facilitating recovery.

VI. **Worksite Analysis**

Worksite analysis involves a step-by-step, common-sense look at the workplace to find existing or potential hazards for workplace violence. This entails reviewing specific procedures or operations that contribute to hazards and specific locales where hazards may develop.

A "Threat Assessment Team," ~~similar task force, or coordinator~~ may assess the vulnerability to workplace violence and determine the appropriate preventive actions to be taken. Implementing the workplace violence prevention program then may be assigned to this group. The team should include representatives from senior management, operations, employee assistance, security, occupational safety and health, legal, and human resources staff.

The team or coordinator can review injury and illness records and workers' compensation claims to identify patterns of assaults that could be prevented by workplace adaptation, procedural changes, or employee training. As the team or coordinator identifies appropriate controls, these should be instituted.

The recommended program for worksite analysis includes, but is not limited to, analyzing and tracking records; monitoring trends and analyzing incidents; screening surveys; and analyzing workplace security.

Records Analysis and Tracking

This activity should include reviewing medical, safety, workers' compensation and insurance records -- including the OSHA 200 log, if required -- to pinpoint instances of workplace violence. Scan unit logs and employee and police reports of incidents or near-incidents of assaultive behavior to identify and analyze trends in assaults relative to particular departments, units, job titles, unit activities, work stations, and/or time of day. Tabulate these data to target the frequency

and severity of incidents to establish a baseline for measuring improvement.

Monitoring Trends and Analyzing Incidents

Contacting similar local businesses, trade associations, and community and civic groups is one way to learn about their experiences with workplace violence and to help identify trends. Use several years of data, if possible, to trace trends of injuries and incidents of actual or potential workplace violence.

Identify and analyze any apparent trends in injuries or incidents relating to a particular worksite, job title, activity, or time of day or week. The following questions may be helpful in ascertaining trends:

- ☐ How many times have your establishment or similar company establishments been robbed in the past three years? Have other violent incidents occurred? Analyze incidents, noting characteristics of assailants and victims, brief account of what happened before and during the incident, noting relevant details of the situation, and its outcome.
- ☐ How many injuries occurred during those robberies or other incidents?
- ☐ How many times was a firearm used?
- ☐ How many times was a firearm discharged?
- ☐ How many times was the threat of a firearm used?
- ☐ How many times were other weapons used?
- ☐ What job or workstation was involved in the robbery/incident? Identify, based upon the risk factors identified in these guidelines, those work positions in which staff are at risk of assaultive behavior.
- ☐ What specific tasks were employees performing prior to the robbery/incident? Identify processes and procedures which put employees at risk of assault. When do these occur (e.g., on all shifts)?
- ☐ What time was the robbery/incident committed?
- ☐ How many other incidents of violent attack or threats of violence on employees have been reported?
- ☐ How many times have police been called to your establishment to arrest a perpetrator, deter what you considered criminal intentions, or protect property? When possible, obtain reports of police who investigated the incident, and their recommendations.

Screening Surveys

One important screening tool is to give employees a questionnaire or survey to get their ideas on the potential for violent incidents and to identify or confirm the need for improved security measures. Detailed baseline screening surveys can help pinpoint tasks that put employees at risk. Periodic surveys -- conducted at least annually or whenever operations change or incidents of workplace violence occur -- help identify new or previously unnoticed risk factors and deficiencies or failures in work practices, procedures, or controls. Also, the surveys help assess the effects of changes in the work processes. The periodic review process should also include feedback and followup.

Independent reviewers, such as safety and health professionals, law enforcement or security specialists, insurance safety auditors, and other qualified persons may offer advice to strengthen programs. These experts also can provide fresh perspectives to improve a violence prevention program.

Workplace Security Analysis

The team or coordinator should periodically inspect the workplace and evaluate employee tasks to identify hazards, conditions, operations, and situations that could lead to violence.

To find areas requiring further evaluation, the team or coordinator should do the following:

- ☐ Analyze incidents, including the characteristics of assailants and victims, and give an account of what happened before and during the incident, and the relevant details of the situation and its outcome. When possible, obtain police reports and recommendations.
- ☐ Identify jobs or locations with the greatest risk of violence as well as processes and procedures that put employees at risk of assault, including how often and when.
- ☐ Note high-risk factors such as: physical risk factors of the building; isolated locations/job activities; lighting problems; lack of phones and other communication devices, areas of easy, unsecured access; and areas with previous security problems.
- ☐ Evaluate the effectiveness of existing security measures, including engineering, administrative, other control measures. Determine if risk factors have been reduced or eliminated, and take appropriate action..The following questions can help assess risks. (See sample checklist for assessing hazards in Appendix):
- ☐ Do employees exchange money with the public or guard valuable property or possessions during evening or late night hours of operation?
- ☐ Is cash control a key element of the establishment's violence and robbery prevention program?
- ☐ Is there a drop safe to minimize cash on hand?
- ☐ Does the site have a policy to maintain less than \$50 in the cash register?
- ☐ Are there signs posted stating that limited cash is on hand?
- ☐ Does the site have a policy limiting the number of cash registers open during late night hours?
- ☐ Do employees receive training in emergency procedures for robberies, in conflict resolution, and in nonviolent response?
- ☐ At sites with a history of robbery or assaults, are employees provided with bullet-proof barriers or enclosures? Is there more than one employee on duty? After conducting a worksite analysis appropriate for the size and conditions of the workplace, the employer may find that there are no significant hazards related to violence in the establishment. If there are no hazards, the employer need not implement the other program elements recommended by the guidelines. The employer should, however, continue efforts to ensure workplace safety and health, monitoring changes in the workplace that might indicate hazards related to violence.

VII. Hazard Prevention And Control

After hazards of violence are identified through the systematic worksite analysis, the next step is to design measures through engineering or administrative and work practices to prevent or control these hazards. If violence does occur, post-incidence response can be an important tool in preventing future incidents.

The workplace violence prevention and control program should indicate specific engineering, administrative and work practice controls, and other appropriate interventions that address specific hazards at the worksite.

Presented in the sections that follow are general recommendations for establishments that provide retail services and are open late at night. These illustrative examples cover engineering and workplace adaptation, and administrative and work practice controls as recommendations to help employers prevent workplace violence.

Engineering Controls and Workplace Adaptation

Engineering controls remove the hazard from the workplace or create a barrier between the worker and the hazard. The primary hazard faced by employees working in a late night retail establishment is assault during an armed robbery. It is essential, therefore, to find ways to protect workers from assaults involving guns or other weapons. Physical changes in the workplace that help eliminate or reduce these hazards might include using some or all of the following measures. The selection of any measure should be based upon the hazards identified in the workplace security analysis of each facility:

1. Physical barriers such as bullet proof enclosures between customers and employees provide the greatest protection for workers. Installing pass-through windows for customer transactions and limiting entry to authorized persons during certain hours of operation also limit risk. Doors used for deliveries should be locked when not in use.
2. Mechanisms that permit employees to have a complete view of their surroundings such as convex mirrors, an elevated vantage point, and placement of the employee/customer service and cash register area so that it is clearly visible outside of the retail establishment serve as deterrents.
3. Video surveillance equipment and closed circuit TV can increase the possibility of detection and apprehension of the criminal, thus deterring crime.
4. Adequate outside lighting of the parking area and approach to the retail establishment during nighttime hours of operation enhances employee protection. Surveillance lighting to detect and observe pedestrian and vehicular entrances of the retail establishment also help. Adequate lighting within and outside the establishment (see ANSI/IES RP7-1993) makes the store less appealing to a potential robber by making detection more likely.
5. Speed bumps placed in traffic lanes used to exit drive-up windows can deter would-be criminals by reducing the chance for a quick escape.
6. An unobstructed view to the street from the store, clear of shrubbery, trees or any form of clutter that a criminal could use to hide can help protect employees.
7. Cash-handling controls, including the use of locked dropsafes and the posting of signs stating that limited cash is on hand, can also deter would-be robbers.
8. Height markers on exit doors should be installed to help provide more complete descriptions of assailants.
9. Strategically placed fences can control access to the store.
10. Garbage areas and external walk-in freezers or refrigerators should be located so as to ensure safety of employees who use them. There should be good visibility with no potential hiding places for assailants near these areas.

Administrative and Work Practice Controls

Administrative and work practice controls affect the way jobs or tasks are performed. An effective program of hazard prevention and control includes safe and proper work procedures that are understood and followed by managers, supervisors, and workers. Key elements for preventing workplace violence include proper work practices, regular monitoring and feedback, modifications, and enforcement of the program. The following examples illustrate work practices and

administrative procedures that can help prevent workplace violence incidents:

- ☐ **Proper Work Practices.** A program establishing proper work practices should include appropriate training and practice time for employees. Following are some suggested work practices:
 - Employees should wear conservative clothing (such as a company uniform) and be discouraged from wearing jewelry.
 - Employees should not carry cash while on duty unless it is absolutely necessary.
 - During evening and late night hours of operation, cash levels should be kept to a minimal amount per cash register (\$50 or less) to conduct business. Transactions with large bills (over \$20) should be prohibited.
 - Stores should adopt proper emergency procedures for employees to use in case of a robbery or security breach. These should include incident report forms which prompt for perpetrator information (e.g., sex, height, build, age, race) to be completed immediately following a violent event. Emergency telephone numbers should be accessible and the notification policy clearly established. All violent incidents should be reported to local police.
 - Alarm systems, video surveillance equipment, drop-safes or comparable devices, surveillance lighting, or other security devices in the establishment must be used and maintained properly.
 - Any physical barriers and/or pass-through windows must be used correctly to provide effective deterrence to robbers.
 - At sites with a history of robbery or assaults, employees should not be required to work alone.
- ☐ **Monitoring and Feedback.** Regular monitoring helps ensure that employees continue to use proper work practices. Monitoring should include review of the specific procedures in use and their effectiveness, including a determination of whether the procedures actually used are those specified in the hazard prevention and control program. The review should address any deficiencies, changes that have occurred, employee or customer complaints about lack of security, instances of violence or threats of violence, and whether corrective action is necessary. Giving regular, constructive feedback to employees helps to ensure their commitment to the prevention program.
- ☐ **Adjustments and Modification.** Monitoring may show a need to modify administrative and work practice controls. Such adjustments could include:
 - Limiting or restricting customer access;
 - Increasing staffing levels;
 - Reducing the number of cashier positions;
 - Increasing security or surveillance;
 - Reducing the hours of operation.
- ☐ **Enforcement.** For an effective program, the employer should establish employee sanctions for those employees who chronically and/or purposefully violate administrative controls or work practices. An employee who has been properly trained and consulted after such a violation, but who continues to violate established written work practice, should be disciplined accordingly.

Post-Incident Response

Post-incident response and evaluation are essential to an effective violence prevention program. All workplace violence programs should provide comprehensive treatment for victimized employees and employees who may be traumatized by witnessing a workplace violence incident.

Injured staff should receive prompt treatment and psychological evaluation whenever an assault takes place, regardless of severity. Transportation of the injured to medical care should be provided if care is not available on-site.

Victims of workplace violence suffer a variety of consequences in addition to their actual physical injuries. These include short and long-term psychological trauma, fear of returning to work, changes in relationships with co-workers and family, feels of incompetence, guilt, powerlessness, and fear of criticism by supervisors or managers. Consequently, a strong followup program for these employees will not only help them to deal with these problems but also to help prepare them to confront or prevent future incidents of violence (Flannery, 1991, 1993; 1995).

There are several types of assistance that can be incorporated into the post-incident response. For example, trauma-crisis counseling, critical incident stress debriefing, or employee assistance programs may be provided to assist victims. Certified employee assistance professionals, psychologists, psychiatrists, clinical nurse specialists, or social workers could provide this counseling, or the employer can refer staff victims to an outside specialist. In addition, an employee counseling service, peer counseling, or support groups may be established. In any case, counselors must be well trained and have a good understanding of the issues and consequences of assaults and other aggressive, violent behavior. Appropriate and promptly rendered post-incident debriefings and counseling reduce acute psychological trauma and general stress levels among victims and witnesses. In addition, such counseling educates staff about workplace violence and positively influences workplace and organizational cultural norms to reduce trauma associated with future incidents.

VIII. Training And Education

Training and education ensure that all staff are aware of potential security hazards and how to protect themselves and their co-workers through established policies and procedures. Training should cover robbery prevention, reaction, and post-robbery strategies, conflict resolution, and personal safety.

General Training

A training program should include all employees, especially those engaged in exchanging money with customers, such as sales clerks, waitresses, or bartenders. Employees who may face safety and security hazards should receive formal instruction on the specific hazards associated with the unit or job and facility. This includes information on potential injuries, problems identified in the facility, and the methods to control the specific hazards.

Training for employees should be repeated for each employee as necessary, at least annually. In large establishments, refresher programs may be needed more frequently (monthly or quarterly) to effectively reach and inform all employees.

New and returning employees should receive appropriate training through the establishment's violence prevention program. Employees should thoroughly understand the preventive measures and safeguards used at the specific worksite. Employees reassigned to jobs or tasks that increase the risk of potential violence (e.g., serving as cashier, making bank deposits, dealing with irate customers) should have specific training that covers these situations.

Training should be designed and implemented by qualified persons. Appropriate special training should be provided for personnel responsible for administering the program, and training should be presented in language and comprehension levels appropriate for the individuals being trained. It should provide an overview of the potential risk of assault, the prevention measures used to deter robbery or other assaults, the behavioral skills necessary to reduce the likelihood of a violent outcome, and the appropriate steps to take in case of an emergency.

The training program also should include an evaluation component. This might include supervisor and/or employee interviews, testing and observing work practices in use, and reviewing actual incident reports of assaultive behavior.

Training for Supervisors, Managers, and Security Personnel

Supervisors and managers are responsible for ensuring that employees follow safe work practices and that they receive appropriate training to accomplish this goal. Therefore, management personnel should undergo training comparable to that of the employees, plus additional training to enable them to recognize, analyze, and establish violence prevention controls. Training for managers should address any specific duties and responsibilities they have that could increase their risk of assault.

Security personnel need specific training including the psychological components of handling aggressive and abusive customers and ways to handle aggression and defuse hostile situations. The training program should also include an evaluation. The content, methods, and frequency of training should be reviewed and evaluated annually the team or coordinator responsible for implementation. Program evaluation may involve supervisor and/or employee interviews, testing and observing, and/or reviewing reports of behavior of individuals in threatening situations.

IX. Recordkeeping And Evaluation

Recordkeeping and evaluation of the violence prevention program are necessary to determine overall effectiveness and identify any deficiencies or changes that should be made.

Recordkeeping

Recordkeeping is essential to the success of a workplace violence prevention program. Good records help employers determine the severity of the problem, evaluate methods of hazard control, and identify training needs. Records can be especially useful to large organizations and for members of a business group or trade association who "pool" data. Records of injuries, illnesses, accidents, assaults, hazards, corrective actions, and training, among others, can help identify problems and solutions for an effective program.

The following records are important:

- ☐ OSHA Log of Injury and Illness (OSHA 200). OSHA regulations require entry on the Injury and Illness Log of any injury that requires more than first aid, is a lost-time injury, requires modified duty, or causes loss of consciousness. (This applies only to establishments required to keep OSHA logs). Injuries caused by assaults, which are otherwise recordable, also must be entered on the log. A fatality or catastrophe that results in the hospitalization of 3 or more employees must be reported to OSHA within 8 hours. This includes those

resulting from workplace violence and applies to all establishments.

- ☐ Medical reports of work injury and supervisors' reports for each recorded assault should be kept. These records should describe the type of assault, i.e., unprovoked sudden attack; who was assaulted; and all other circumstances of the incident. The records should include a description of the environment or location, potential or actual cost, lost time, and the nature of injuries sustained.
- ☐ Incidents of abuse, verbal attacks or aggressive behavior -- which may be threatening to the worker but do not result in injury, such as pushing or shouting and acts of aggression towards customers -- should be recorded, perhaps as part of an assaultive incident report. These reports should be evaluated routinely by the affected department.
- ☐ Minutes of safety meetings, records of hazard analyses, and corrective actions recommended and taken should be documented.
- ☐ Records of all training programs, attendees, and qualifications of trainers should be maintained.

Evaluation

As part of their overall program, employers should evaluate their safety and security measures. Top management should review the program regularly, and with each incident, to evaluate program success. Responsible parties (managers, supervisors, and employees) should collectively reevaluate policies and procedures on a regular basis. Deficiencies should be identified and corrective action taken.

An evaluation program should involve the following:

- ☐ Establishing a uniform violence reporting system and regular review of reports.
- ☐ Reviewing reports and minutes from staff meetings on safety and security issues.
- ☐ Analyzing trends and rates in illness/injury or fatalities caused by violence relative to initial or "baseline" rates.
- ☐ Measuring improvement based on lowering the frequency and severity of workplace violence.
- ☐ Keeping up-to-date records of administrative and work practice changes to prevent workplace violence to evaluate their effectiveness.
- ☐ Surveying employees before and after making job or worksite changes or installing security measures or new systems to determine their effectiveness.
- ☐ Keeping abreast of new strategies available to deal with violence in the night retail industry as these develop.
- ☐ Surveying employees who experience hostile situations about the medical treatment they received initially and, again, several weeks afterward, and then several months later.
- ☐ Complying with OSHA and state requirements for recording and reporting deaths, injuries, and illnesses.
- ☐ Requesting periodic law enforcement or outside consultant review of the worksite for recommendations on improving employee safety.

Management should share workplace violence prevention program evaluation reports with all employees. Any changes in the program should be discussed at regular meetings of the safety committee, union representatives, or other employee groups.

Sources Of Assistance

Employers who would like assistance in implementing an appropriate workplace violence prevention program can turn to the OSHA Consultation service provided in their state. Primarily

targeted at smaller companies, the consultation service is provided at no charge to the employer and is independent of OSHA's enforcement activity. (See Appendix.)

OSHA's efforts to assist employers combat workplace violence are complemented by those of NIOSH (1-800-35-NIOSH) and public safety officials, trade associations, unions, insurers, human resource, and employee assistance professionals as well as other interested groups. Employers and employees may contact these groups for additional advice and information.

X. Conclusions

OSHA recognizes the importance of effective safety and health program management in providing safe and healthful workplaces. In fact, OSHA's consultation services help employers establish and maintain safe and healthful workplaces, and the agency's Voluntary Protection Programs was specifically established to recognize worksites with exemplary safety and health programs. (See Appendix) Effective programs are known to improve both morale and productivity and reduce workers' compensation costs.

OSHA's violence prevention guidelines are an essential component to workplace safety and health programs. OSHA believes that the performance-oriented approach of the guidelines provide employers with flexibility in their efforts to maintain safe and healthful working conditions.

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XII. Appendix A: Workplace Violence Checklist

This checklist helps identify present or potential workplace violence problems. Employers also may be aware of other serious hazards not listed here.

Designated competent and responsible observers can readily make periodic inspections to identify and evaluate workplace security hazards and threats of workplace violence. These inspections should be scheduled on a regular basis; when new, previously unidentified security hazards are recognized; when occupational deaths, injuries, or threats of injury occur; when a safety, health and security program is established; and whenever workplace security conditions warrant an inspection.

Periodic inspections for security hazards include identifying and evaluating potential workplace security hazards and changes in employee work practices which may lead to compromising security. Please use the following checklist to identify and evaluate workplace security hazards. NO answers indicate areas where corrective action should be taken if appropriate for the

establishment:

☐ Y ☐ N, Is the entrance to the building easily seen from the street and free of heavy shrub growth?

☐ Y ☐ N, Are security cameras and mirrors placed in locations that would deter robbers or provide greater security for employees?

☐ Y ☐ N, Are signs posted notifying the public that limited cash, no drugs, or other valuables are kept on the premises?

☐ Y ☐ N, Are drop safes or time access safes utilized?

☐ Y ☐ N, Is lighting bright in parking and adjacent areas?

☐ Y ☐ N, Are windows and view outside and inside clear of advertising or other obstructions?

☐ Y ☐ N, Is the cash register in plain view of customers, police cruisers, etc. to deter robberies?

☐ Y ☐ N, Do employees work with at least one other person?

☐ Y ☐ N, Are employees protected through the use of bullet-proof enclosures?

☐ Y ☐ N, If not, is the facility closed during the night or during the high risk hours of 9pm-6am?

☐ Y ☐ N, Are emergency telephone numbers for law enforcement, fire and medical services posted in areas where employees have access to a telephone with an outside line?

☐ Y ☐ N, Have employees been trained in the proper responses during a robbery or other criminal act?

☐ Y ☐ N, Have employees been trained in procedures to use for reporting suspicious persons or activities?

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Risk of Homicide Is Higher in Retail Jobs

Half of Workplace Killings Sales-Related

By Kirstin Downey Grimsley
Washington Post Staff Writer

Area restaurant employees reacted nervously last week to news of the murder of three staff members in a Georgetown Starbucks coffee house and they had good reason to do so. Retail workers are a comparatively high-risk group in the world of on-the-job homicides.

According to the Bureau of Labor Statistics, almost half of the more than 1,000 people who are murdered in the U.S. workplace each year are employed in such places as restaurants, mini-markets, gasoline stations and grocery stores.

"Georgetown is a distance from us here in Vienna, but it still shakes you up," said Becki Jernigan, 33, owner of a Chesapeake Bagel Bakery on West Maple Avenue in Vienna. "Fast food for some reason is a target. It's hard. You feel like you are not safe in your work environment."

John Giannuzzi, 20, a server at Ben & Jerry's ice cream in Old Town Alexandria, said that at times he feels vulnerable. "The scariest times are when there aren't a lot of people around to help you," he said.

Retail and restaurant workers, crime experts say, make easy and visible targets. They handle cash, they deal with the public, they sometimes work alone during the late-night and early-morning hours when two-thirds of robberies occur.

About 90 percent of workplace homicides occur during robbery attempts, but a growing number of workers are killed by colleagues or former colleagues who are seeking revenge for real or perceived grievances.

"Murders by co-workers seem to be going up," said Guy Toscano, an economist at the Bureau of Labor Statistics, who says he and other

recent years. For example, Southland Corp., which owns the 7-Eleven convenience store chain, used these techniques and cut its rate of store robberies in half in the past two decades.

But security experts and the Occupational Safety and Health Administration said many smaller retail businesses and some national chains have been slower to adopt these practices.

In the past year, OSHA released draft voluntary guidelines that outline suggestions on the steps companies can take to safeguard. These proposed guidelines include involving management in safety efforts; creating a zero-tolerance policy for threats against managers or co-workers; encouraging workers to suggest ways to improve security; tracking and recording crime and violent incidents; and consulting security experts to see if workplaces can be made safer.

Greg Watchman, acting OSHA administrator, said many people are unaware of "the significance of the problem," and that OSHA officials hope the voluntary guidelines will help reduce workplace deaths. He said the agency hopes to issue the guidelines, which focus on late-night retail operations, within the next few months.

Some companies and legislators have opposed the voluntary guidelines, worrying that they could lead to mandatory, government-imposed requirements in the future. Some critics have also raised concerns that tracking crime levels could create a legal record that could be used against employers in liability lawsuits following violent workplace incidents.

Seattle sociologist and crime consultant Rosemary J. Erickson recently wrote a book describing her interviews in 1995 with 310 armed robbers in prison in Maryland, Washington state and Texas, who told her what tips they would give to victims on how to survive a robbery.

The criminals told her people should give up the money, keep their hands in sight, avoid sudden moves, not try to engage in conversation or be a hero. They said they were more likely to kill people who stared at them.

Most important, Erickson said, is that victims not "talk or plead for their lives. . . . It feeds into the whole sick process when people plead," Erickson said. "It just makes it worse. It's a power thing."

Fairfax County police officer Perry Knicely of the McLean crime prevention unit teaches employees at Tysons Corner Center how to avoid crime. He said many police forces send officers to visit workplaces and talk to employees about how to minimize risks.

"For retail stores and banks, closing and opening hours are the most dangerous," Knicely said. He said workers should be cautious in taking

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Fairfax County policeman Perry Knicely, McLean crime prevention unit

Officials began tracking the trend in the early 1990s. In 1995, 88 employees were killed by co-workers, compared with 49 in 1994 and 59 in 1993, according to the bureau.

Jim Turner, West Coast coordinator for San Francisco-based National Assessment Services, which advises corporations on how to assess and handle threatening behavior by workers, said that when co-workers are the perpetrators, "they don't come in to maim or intimidate. They come in to settle the score."

But sometimes what starts out as a revenge murder, Turner said, can



Molly Mahoney, second from right, sister of victim Mary Caltrina

Different Paths Converge

SLAYINGS, From A1

Services for his son, Emory, will be Tuesday in Vineland, N.J., where Emory grew up and will be buried.

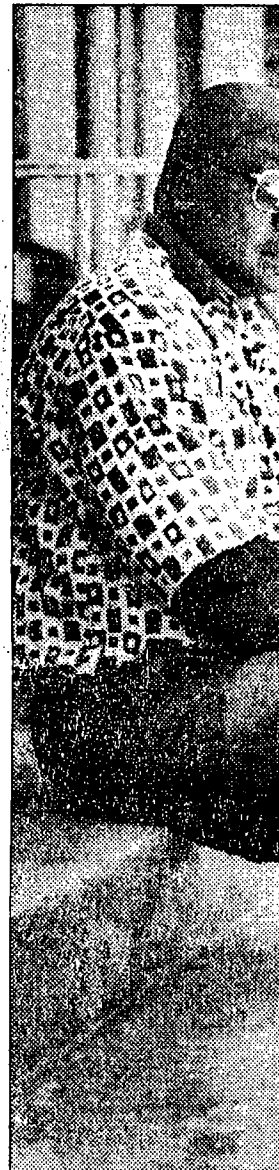
"He was trying to make an honest living," David Evans said. "He came here with plans to attend Howard University. Before he could make the money to continue, he got cut off."

Evans, a chef at the National Shrine of the Immaculate Conception, said he and his former wife, Susie, divorced when their son was 4. He was raised by his mother in Vineland in a quiet neighborhood where residents say they still leave their doors unlocked.

Emory showed an interest in music early on and began playing the saxophone when he was in the sixth grade. He also picked up the trombone and later joined a local jazz band that played clubs in New Jersey. That only fueled his hopes of becoming a professional musician, David Evans said.

Emory Evans struggled with school and eventually dropped out after 10th grade. He later received a high school equivalency diploma and enrolled at Cumberland County College in Vineland. In 1995, he applied and was admitted to Howard University. That fall, he came to Washington to attend Howard and moved in with his father in the Brentwood Village section of Northeast.

"That was his dream, to go to Howard," David Evans said.



For retail stores and banks, closing and opening hours are the most dangerous."

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But sometimes what starts out as a revenge murder, Turner said, can turn into a robbery. "They'll say, 'While I'm here, these people owe me something,'" Turner said, and they'll empty the cash register on the way out the door.

Some workplace murders may be preventable, according to experts. They said fatalities can be reduced through use of good lighting, bullet-proof glass, video surveillance cameras, height strips that help witnesses describe perpetrators to police, safes that open at only specified times and release only small amounts of money and company policies that limit the amount of cash in a register to \$50.

"Could we save more lives? Absolutely yes," said crime-risk consultant David Kent, a former New Orleans police officer.

Kent said visibility from the street is key to preventing robberies that can lead to homicides. "You want to achieve the fishbowl effect," where workers are surrounded by glass, so perpetrators are "completely visible to motorists or passers-by."

Many companies have instituted these policies, and experts say that is one reason for the slight decline in workplace homicides that has been noted by the Labor Department in

robbers in prison in Maryland, Washington state and Texas, who told her what tips they would give to victims on how to survive a robbery.

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"For retail stores and banks, closing and opening hours are the most dangerous," Knicely said. He said workers should be cautious in taking out the trash at night because thieves may lurk outside the door. Employees should decline to reopen the doors for one last customer and check to make sure no one has hidden in a back room waiting for the store to close.

Knicely said workers should listen to their intuition and, if they see a suspicious-looking person waiting around, remain indoors until the person leaves or call police or security guards.

He said many robberies occur after victims have disregarded an instinct that told them something was unsafe. "Everybody's in a hurry," Knicely said. "They want to get home, get dinner. It's that hurry that kills people."

Scott Green, 27, assistant manager at Jerry's Subs and Pizzas in Cabin John, said that after a colleague was robbed he learned to take his time when delivering pizzas. Green said if he saw a suspicious-looking car trailing him, he would drive out of his way until he was sure the other car was gone.

"I'd drive around the block an extra time," said Green, who says he feels safer in Cabin John than he has felt working elsewhere. "You have to keep a wary eye out for some people."

Shrine of the Immaculate Conception, said he and his former wife, Susie, divorced when their son was 4. He was raised by his mother in Vineland in a quiet neighborhood where residents say they still leave their doors unlocked.

Emory showed an interest in music early on and began playing the saxophone when he was in the sixth grade. He also picked up the trombone and later joined a local jazz band that played clubs in New Jersey. That only fueled his hopes of becoming a professional musician, David Evans said.

Emory Evans struggled with school and eventually dropped out after 10th grade. He later received a high school diploma and enrolled at Southern Piedmont Community College in Vineland. He applied and was admitted to Howard University. That fall, he came to Washington to attend Howard and moved in with his father in the Brentwood Village section of Northeast.

"That was his dream, to go to Howard," David Evans said.

That dream never materialized, because Emory didn't have enough money for tuition. He worked at a temporary employment agency, several restaurants and the cafeteria at Washington Hospital Center, where he stayed for eight months. Three weeks ago, he got a job at Starbucks, working part time on Friday, Saturday and Sunday nights.

Early Monday, a Metro bus driver, Warren Wingfield, was driving along his route on Wisconsin Avenue near R Street NW before daybreak when he spotted a woman running down the middle of the street toward his bus.

She was screaming and crying, fleeing a horrifying scene at the Starbucks a half-block away. Three of her co-workers were dead inside.

Wingfield called his dispatcher for help. When D.C. police arrived, they found the bodies, Emory Evans had been shot three times, once in the chest with a revolver and twice in the back of the head with a semiautomatic gun.

Several hundred friends and relatives crowded Friday morning into the Taggart Chapel, nestled among huge magnolia and aging oak trees on the campus of McDonogh Preparatory School near Baltimore to share what they loved about "Caity" Mahoney.

They cried. They laughed. And they told many a story about a selfless and gentle woman, nicknamed "Beanbag," who had successfully overcome daunting obstacles.

Mary Belle Annenberg, Caity Mahoney's mother, said that one day Chelsea Clinton walked into Starbucks. Caity was thrilled. She had worked as an intern for President Clinton in the White House. But Chelsea couldn't find any money. Caity reached into her pocket and bought the president's daughter a hazelnut latte.

Caity, the youngest of three children, flunked the second grade but worked hard to catch up and by the sixth grade was accepted into the McDonogh School. She brought



David Evans, father of Emory Evans, before he could be identified.

home report cards full "an arsenal of great fri called her brother, Patr ney.

But Caity stuttered, disliked answering the because of her speech ment. By the time Caity eighth grade, her speech proved so much that sh eighth-grade oratory ship. "Caity was so del her brother recalled.

Caity later went off "and off to college and lege," her brother joked out that his sister atten ham University and Itha in New York, before g from Towson State Uni Maryland. "Caity had s college campuses than and I had combined," he

She improved her sp faced a new issue: her se

"Caity was not sure own sexuality, and she gling," he said. "It proved toughest struggle. But fronted this problem champ."

When Caity Mahoney family that she was a les initial reaction was di her brother recalled. " was strong for us. . . . Sl ed us about this. Cait brave."

The "dirty-haired bl her brother described l worry about her looks. fussed about her hai clothes until her broth ing two weeks ago.

"She wanted to be pi day, he said, fighting bac could sense that, and l what a beautiful woman she had become."

As her brother stru keep his composure, he his love for his baby siste who looked up to you,"

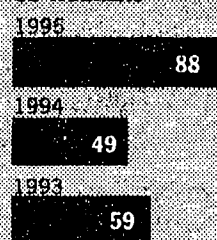
TAKING PRECAUTIONS

Some security measures to help deter workplace violence, from the Occupational Safety and Health Administration:

- Make sure the building entrance is easily seen from the street, and that it and the windows are free of heavy shrub growth.
- Install well-placed security cameras and mirrors.
- Post signs notifying the public that limited cash is kept on the premises.
- Make sure the parking lot and adjacent areas are well lighted.
- Train employees on the proper response to a robbery or criminal act, as well as to suspicious activities.
- Avoid or minimize scheduling that leaves an employee working alone.
- Use bulletproof enclosures to protect employees.

Although all employee homicides have declined slightly over the past few years, murders of co-workers have risen.

U.S. HOMICIDES BY CO-WORKERS



SOURCE: Bureau of Labor Statistics

Public Affairs
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