CALIFORNIA SCHOOLS RISK MANAGEMENT

SAFETY MATTERS

RISK MANAGEMENT NEWSLETTER

IN THIS ISSUE **AUGUST 16, 2024**

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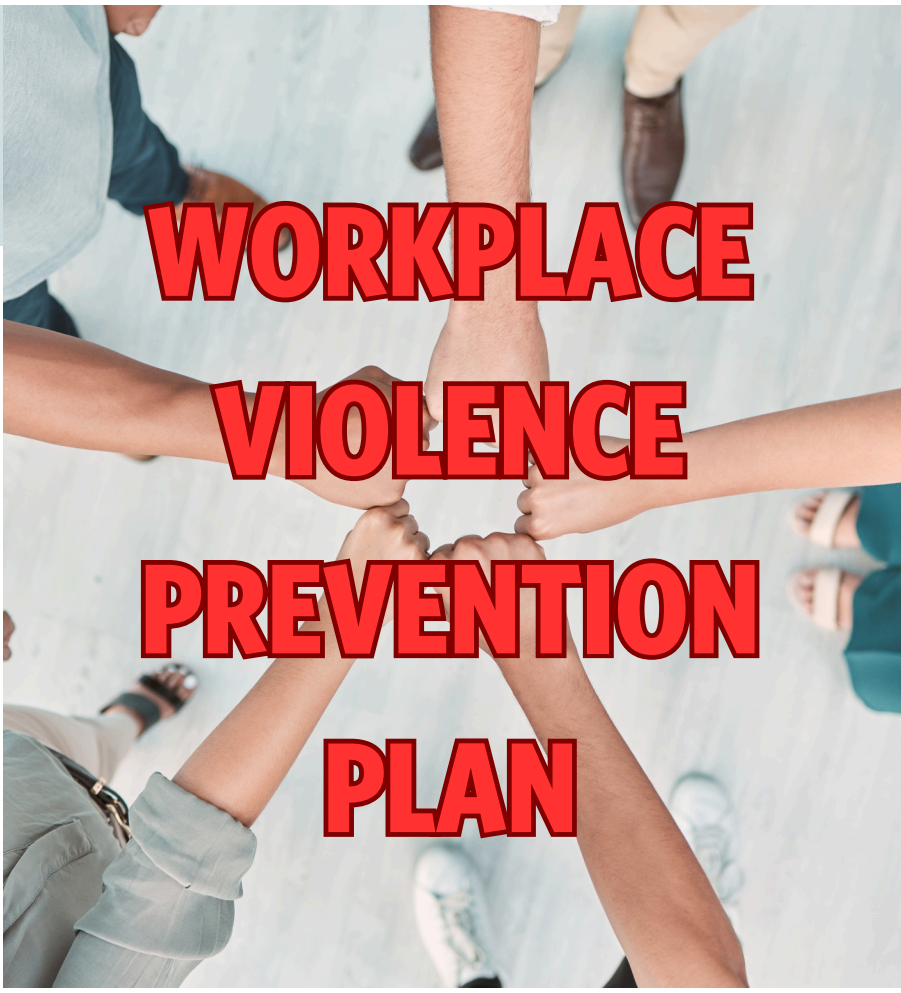
WORKPLACE VIOLENCE SAFETY

OBJECTIVE To recognize warning signs of behavior in coworkers and others that could signal future violence and to prepare administrators and staff to anticipate and respond to violence in the workplace.



Every year, millions of American workers report having been victims of workplace violence. In 2022, assaults resulted in 57,610 injuries and illnesses, resulting in days away from work and 525 fatalities, according to *The National Safety Council®.*

Certain industries, including health care, service providers, and education, are more prone to violence than others. K–12 schools and community college campuses are unique and complex workplaces, and both the number of claims and the injury rate related to workplace violence in K–12 schools and community colleges have risen steadily since 2015 and were exacerbated by the COVID-19 Pandemic beginning in 2020.

Make no mistake: workplace violence can happen anywhere. Remember, Safety Matters!

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Know the Warning Signs

Some people commit violence because of revenge, robbery, or ideology—with or without a component of mental illness. While there is no way to predict an attack, you can be aware of behaviors in coworkers that might signal future violence:

Behavioral Signs:

- Crying, sulking, outbursts
- Frequent tardiness or absenteeism
- Poor work quality, denial or work performance problems
- Belief that he or she is always correct
- Poor handling of criticism
- Blaming others for errors
- Testing limits
- Use of inappropriate/unprofessional language
- Difficulty with concentration and recollection
- Social isolation, complaints of unfair treatment
- Hyperfocus on problems, without resolution

Physical Signs:

- Flushing, pallor, sweating
- Tired appearance
- Clenched muscles
- Making violent gestures
- Rapid, shallow breathing
- Scowling, sneering, glaring
- Avoidance of eye contact
- Restless or repetitive movements
- Shaking, trembling
- Vocal changes
- Invading the personal space of others

School staff may interact with people who do not yet have the capacity to understand that their behavior could cause physical and/or psychological injury to others. All workers, supervisors, and employers have a responsibility to help prevent workplace violence in schools. Almost every "place" is somebody's workplace. So, whether you are a guest or an employee, it is important to be alert!

Workplace Violence: The Categories

According to the National Institute for Occupational Safety and Health (NIOSH) and further defined in SB 553, workplace violence falls into four categories:

Type 1:

Criminal intent. Which means workplace violence committed by a person who has no legitimate business at the worksite, and includes violent acts by anyone who enters the workplace or approaches workers with the intent to commit a crime.

Type 2:

Workplace violence directed at employees by customers, clients, patients, students, or visitors.

Type 3:

Workplace violence against an employee by a present or former employee, supervisor, or manager.

Type 4:

Violence committed in the workplace by a person who does not work there but has or is known to have had a personal relationship with an employee.

Addressing Workplace Violence

1. Create Violence, Harassment, and Bullying Prevention Policies

Establishing comprehensive policies addressing violence, harassment, and bullying is essential. These policies should clearly define unacceptable behavior, provide guidelines for reporting incidents, and outline disciplinary measures.

2. Implement Training and Awareness Programs

Training and awareness programs play a crucial role in preventing workplace violence. By educating employees on recognizing warning signs, managing conflicts, and promoting a culture of non-violence, organizations can empower individuals to respond effectively.

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3. Establish Clear Reporting Procedures

Employees need to feel confident in reporting incidents without fear of retaliation. Employers should establish reporting mechanisms that ensure trust, confidentiality, anonymity, and a commitment to addressing concerns promptly. It is crucial to communicate these reporting procedures clearly to every employee, making them aware of the channels available and emphasizing that their safety is a top priority.

4. Enhance Site Security Measures

Implementing security measures can significantly help prevent workplace violence. This includes visitor access management, video surveillance systems, security guards or patrols, entry systems (such as key cards or pins), and panic buttons. By having these measures in place and integrating systems, organizations can deter potential threats and provide a sense of security to employees.

5. Perform Regular Risk Assessments

Regular risk assessments are vital for identifying potential areas of improvement. By conducting thorough risk assessments, organizations can proactively address vulnerabilities and take corrective actions to enhance safety protocols.

6. Use Communication Channels to Ensure Employee Safety

In dangerous or life-threatening situations, effective communication channels are integral. Employers should utilize emergency communication tools and systems to disseminate timely information to employees. Regular drills and simulations should be conducted to familiarize employees with emergency procedures and test these channels.

7. Maintain a Healthy Workplace

A healthy work environment contributes to overall employee well-being and reduces the likelihood of violence. Organizations should foster a professional and caring workplace culture that promotes open communication, work-life balance, and professional development opportunities. Implementing employee well-being programs and providing resources for mental health support can also contribute to a positive and safe work environment.

8. Conduct Post-Event Analysis

Following any workplace violence incident, a thorough post-event analysis is crucial. This analysis involves assessing the reasons behind the event, identifying any system failings, and determining what preventive measures can be implemented to prevent similar incidents.

9. Comply With Laws and Regulations

Organizations must stay up-to-date and compliant with all new laws and regulations, such as Senate Bill 553, which will be covered next in this month's publication.

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Legislative: California's SB 553

The California legislature has enacted Senate Bill 553 (SB 553) to address the growing concerns surrounding workplace violence). Effective July 1, 2024, most California employers will be required to implement comprehensive workplace violence prevention plans (WVPPs). These plans must include procedures for identifying and addressing potential security risks, emergency response plans, and annual employee training on these measures.

1. **Customized prevention plans**. Employers must develop violence prevention plans specific to their workplaces and integrate them into their IIPP framework. These plans should also specify the names and/or job titles of those responsible for carrying them out.
2. **Employee engagement and involvement.** A cornerstone of SB 553 is the active participation of employees in developing, implementing, and reviewing these violence prevention strategies.
3. **Training and awareness**. Employers must provide their personnel with annual training on the following:
   - The employer's plan.
   - The definitions and requirements of the law.
   - How to report workplace violence incidents or concerns.
   - Workplace hazards specific to the employees' jobs, corrective measures the employer has implemented, how to seek assistance to prevent or respond to violence, and strategies to avoid physical harm.
   - The violent incident log and how to get copies of violent incident records.
   - The training must include "an opportunity for interactive questions and answers with a person knowledgeable about the employer's plan."
   - And employers must keep records that reflect the dates, content of the training sessions, and the names and job titles of all trainers and attendees.

4. **Comprehensive reporting**. The law outlines procedures for reporting workplace violence incidents, focusing on follow-up measures and intervention strategies.
5. **Protocols for high-risk situations**. Employers must develop processes for violent incidents, including emergency response and establishing procedures with emergency response agencies.

Additionally, under existing laws, employers can seek temporary restraining orders for employees facing violence or credible threats at work. SB 553 expands this by allowing union representatives to file restraining orders on behalf of employees. Before doing so, they must ask the employee if they prefer to stay anonymous in the order.

RESOURCES

National Safety Council
CSRM SB 553 WVPP Toolkit - email SLC@csjpa.org for password
SB 553 - Whitepaper
DHS - Workplace Violence
OSHA-Workplace Violence

This California Schools JPA fact sheet is not intended to be exhaustive. The discussion and best practices suggested herein should not be regarded as legal advice. Readers should pursue legal counsel or contact their insurance providers to gain more exhaustive advice.