



BUSINESS

Protect your business

Avoid workplace violence and negligent hiring lawsuits.

BY CATHY TAYLOR

Three people a day in the U.S. are killed while they are at work. Each year, twenty-two million Americans are

assaulted either verbally or physically in the workplace. The Workplace Violence Research Institute completed a project in 1995 that

identified the cost of workplace violence at over \$36 billion annually. Businesses suffer through loss of productivity, work disruptions, employee turnover, as well as litigation.

Lawsuits become a real threat when precautions such as the following are not taken:

- Not safeguarding customers from employees who steal, lie, cheat or injure
- Negligent hiring liability in the event of fiduciary malfeasance for not providing other employees with a safe place to work
- Officer/director liability due to incompetent hiring procedures

Some of the common indicators of potential workplace violence include:

- Intimidating, harassing, bullying, belligerent, or other inappropriate and aggressive behavior.
- Numerous conflicts with customers, co-workers, or supervisors
- Bringing a weapon to the workplace, making idle threats to harm someone
- Statements showing fascination with workplace violence or indicating desperation over personal problems
- Direct or veiled threats of harm
- Substance abuse
- Extreme change in normal behaviors

Here are 4 ways to protect your business from workplace violence and avoid liability:

Pre-Employment Screening

It all starts here. If you don't want to get sued, be extra careful who you hire. Start by establishing standardized pre-employment screening guidelines that comply with state laws including:

- Provide verbal notification of your intent to run a background check in accordance with Public Law 91-508, Title VI, Section 606 of the Fair Credit Reporting Act (FCRA)
- Obtain written authorization to search background information including financial, medical, criminal, prior employment, drug testing, personality evaluation, education and mode of living checks such as neighbor interviews and character references (section 604 of FCRA). Inform applicant that they are entitled to a copy of any results.
- Avoid discrimination claims under the civil rights act of 1964, and most equal opportunity employment statutes, by consistently screening candidates in appropriate employment class and giving them the same forms and test(s) based upon a candidate's qualifications to perform the job.

Start with awareness and training

Establish a workplace violence prevention committee headed up by a manager. Responsible employees should know how to recognize and report incidents of violence, intimidating, threatening and disruptive behavior. They need phone numbers ready for quick reference during an emergency. They should also know how to defuse volatile situations and deal with hostile persons including how to manage anger as well as techniques to resolve conflicts such as stress management and relaxation techniques.

Employees should also be trained in threat assessments so they can effectively determine the seriousness of a potentially violent situation and know how to best intervene. Depending on the size of your company, you might want to create a Threat Assessment Team that works with management to assess the potential for workplace violence, as well as develop and execute a plan to address it. This may include people from employee relations, law enforcement and/or security.

To research solutions visit the US Dept of Labor's Occupational Safety & Health Administrations' website at <http://www.osha.gov/SLTC/workplaceviolence/>

Plan for long-term security

Maintaining a safe work place is part of any good prevention program. There are a variety of ways to help ensure safety, such as employee photo identification badges, guard services, and individual coded key cards for access to buildings and grounds. Different measures may be

appropriate for different locations and work settings and plans can include procedures for:

- Calling for help or medical assistance
- Notifying proper authorities
- Emergency escape routes
- Safe places for hiding
- Accounting for all employees in an evacuation
- Debriefing participants to identify lessons learned

Visit <http://www.workplaceviolence911.com> for more information and resources

Alternative Dispute Resolution (ADR)

This kind of program is aimed at eliminating "at risk" behaviors and is most effective applied as a preventative measure in resolving disputes when a conflict has been identified early and one of the following techniques is used: ombudspersons, facilitation, mediation, interest-based problem solving, and peer review. ADR can prevent escalation of conflict into violence with early detection and resolution.

Your first and best line of defense is to run thorough background checks on your potential employees, and consider updating those checks for every few years of employment. Larger companies also have a need to synchronize their personnel with security and safety policies and develop far more sophisticated response procedures in order to minimize workplace violence and reduce potential lawsuits. **tw**



Cathy Taylor is a marketing consultant based in Southern California with over 25 years experience. She specializes in internet marketing, strategy and plan development, as well as management of communications and public relations programs for small business sectors. She can be reached at Creative Communications: creative-com@cox.net or by visiting www.internet-marketing-small-business.com.



APSCREEN
APPLICANT SCREENING COMPANY OF AMERICA

*The world's leading
full-service Consumer
Reporting Agency
since 1980*

DO YOU REALLY KNOW WHO YOU ARE HIRING?

Eliminate Frauds and Criminals
APSCREEN practically invented
Employment Screening

ARE YOU A LANDLORD LOOKING TO RENT OR LEASE PROPERTY?

APSCREEN provides consumer
Credit Reports and
Business Credit Profiles

DO YOU NEED TO LOCATE MISSING EMPLOYEES?

For HR and Benefit Administrators
Try our quick **Employee
Locator** service

FREE National Sex Offender Registry

CALL US TODAY
1 800 327-8732
www.APSCREEN.com