



OSHA'S NEW INITIATIVE AGAINST WORKPLACE VIOLENCE

According to the latest statistics, an astounding two million workers in America are the victims of workplace violence each year, and workplace violence now ranks among the top four causes of workplace deaths. In 2010, 18 percent of U.S. workplace fatalities were the result of workplace violence. Compare that to 14 percent of U.S. workplace fatalities caused by falls.

In an effort to address the increasing incidence of workplace deaths due to violence, the incidence of workplace violence in general, and to protect workers from workplace violence, the United States Occupational Safety & Health Administration (OSHA) recently launched an initiative against workplace violence and has identified numerous industries and businesses with a high potential for workplace violence. Such businesses include those where workers exchange money with the public, workers who work at night, and health care and social workers who deliver services to the public.

In accordance with the new directive, OSHA will conduct planned inspections of these businesses to determine whether employers are taking sufficient preventive steps to reduce the risk of workplace violence. To address and prevent potential incidents of workplace violence, OSHA recommends that employers take the following actions:

- regularly conduct hazard analyses,
- implement engineering controls (e.g., alarm systems, metal detectors, closed-circuit video recording, lighting, etc.) and administrative procedures (e.g., establishing relationships with local law enforcement agencies, reporting of assaults, etc.),
- enforce policies that require employees to use proper personal protective equipment in appropriate circumstances, and
- establish written programs to protect employees from workplace violence.

OSHA's new directive on workplace violence makes it clear that employers will be cited if they do not take precautionary steps to protect their employees from the potential harm of workplace violence. As such, all employers should evaluate their own potential for workplace violence and consider the feasibility of the following preventive steps:

- create and communicate a written policy on workplace violence and procedures to be followed in response to a violent incident,
- complete a workplace hazard assessment and security analysis,
- create a complaint mechanism for reporting threats or concerns of violence, and
- develop a response team for immediate care of victims of workplace violence.



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Employers who put these action items into place can reduce their exposure and, more importantly, protect their employees. They also put themselves in the best position to successfully defend against OSHA allegations or complaints relating to workplace violence.

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Remember that these legal principles may change and vary widely in their application to specific factual circumstances. You should consult with counsel about your individual circumstances. For further information regarding these issues, contact:

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