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A look at workplace Violence

Amanda Marie Wichern

7 May 2004

“Each week in the United States, an average of 20 workers are murdered and 18,000 are assaulted while at work. These staggering figures should not be an accepted cost of doing business in our society—nor should death or injury be an inevitable result of one’s chosen occupation” (NIOSH, 1996, p. 1). The purpose of this document is to look at the statistics provided by several sources and examine whether or not violence is a part of the workplace.

NIOSH defines workplace violence as “any physical assault, threatening behavior, or verbal abuse occurring in the workplace...includes but not limited to: beating, stabbing, shootings, rapes, suicides, and suicide attempts, and psychological traumas such as threats, obscene phone calls, and intimidation or harassment of any nature including being followed, sworn at or shouted at” (Anderson & Stamper, 2001, p. 71). This definition is an all-encompassing guideline used to label acts in the workplace as violent. It is rational to assume that if all acts, as defined above, were reported then management and other teams helping with the identification and recording of workplace violence, would be completely overwhelmed

NIOSH focuses on what needs additional research and added prevention. It is a generally accepted concept throughout the article that no single plan for the deterrence of workplace violence will work for all individuals and/or workplaces. Taking the previous into account, the article identifies the need to switch from reactive to proactive or preventative measures. “The circumstances of workplace violence also vary and may included robbery-associated violence; violence by disgruntled clients, customers, patients, inmates, etc.; violence by coworkers, employees, or employers; and domestic violence that finds its way into the workplace” (NIOSH, 1995, p. 3). In other words, the

preventative measures must be comprehensive, dealing with all facets of possible violence in the workplace. This statement also identifies and instills the realization and fear that violence in the workplace can come from any direction. This is why the need is so great to have in place appropriate steps to deal with these issues when they arise.

### Literature Review

#### Nonfatal Violence

Nonfatal workplace violence research is extremely limited. What little there is focuses on high risk jobs. These include frequent contact with the public, late or all night hours, regular money exchange, and regular travel required by the source of employment. It has been estimated by the Bureau of Labor Statistics (BLS) in their Annual Survey of Occupational Injuries and Illnesses (ASOII) "that 22,400 workplace assaults occurred in 1992; these represented 1% of all cases involving days away from work. Unlike homicides, nonfatal workplace assaults are distributed almost equally between men (44%) and women (56%)" (NIOSH, 1995, p 19-20). "The source of injury in 45% of the cases was a health care patient, with another 31% described as *other person* and 6% as *coworker or former coworker*" (NIOSH, 1995, p 20). BLS records data by source of injury so if someone uses a knife for example, then it is listed under tools.

NIOSH also included estimates from the Northwestern National Life Insurance Company but cautioned that "the estimate for assaults was based on only 3% of the sample of 600, or 15 workers who reported having been attacked" (NIOSH, 1995, p 21). NIOSH also integrated research from the National Crime Victimization Survey (NCVS). This survey is a good source to find unreported incidents of workplace violence because the data collection includes participants of ages twelve and older and includes 100,000

persons. The NCVS found that on average a year, between 1987-1992, approximately 1 million individuals were assaulted (NIOSH, 1995).

A study done by Toscano and Weber states that “nonfatal assaults were primarily encounters between patients and nursing staff in health care institutions” (1992, p 46). They also state that the leading cause of nonfatal workplace assaults was “hitting and kicking.” In comparison to fatal assaults in the workplace only 3% of nonfatal assaults were committed using a gun (Toscano & Weber, 1992, p 46).

“As a result of workplace victimization, approximately half a million workers lost 1.75 million days of work annually (an average of 3.5 days per crime) and victims lost more than \$55 million in wages, not including days covered by sick or annual leave. As a result of the 16% of victimizations in which injuries were incurred, 876,800 workdays were lost annually and \$16 million were lost in wages, not including days covered by sick or annual leave” (NIOSH, 1995, p 23). NIOSH also points out that in cases of nonfatal injury the BLS found that the average number of days away from work as a result of an injury was 5 (NIOSH, 1995).

### Discussion

There is very little data done on nonfatal injuries. That which has been done focuses more on physical assault. More research needs to be done on verbal attacks and other forms of nonphysical assaults. It is my hypothesis that the nonviolent assaults far out number those with physical contact. I also believe that these nonfatal attacks are highly unreported. It is my opinion, by viewing the data that I have available, that the majority of injuries reported in the data that I used were serious ones that required approximately ten to thirty plus days off to recover. I believe that it is important not only

so that businesses may improve production but for the employees' mental and physical health, that such things as taunting and swearing at an individual receive more attention.

These nonphysical attacks however do not receive a lot of attention because, in my opinion, the majority of workers take verbal banter for granted and try to ignore it when it does happen. It also is not sensational. The impact on society is greater when one can report the number of incidents where a customer tried to choke an employee or the number of times cab drivers have been stabbed with a knife than how many times a peer refers to someone in a derogatory way.

### Fatal Violence

NIOSH presents that most violence occurs by strangers. "...47% of all murder victims in 1993 were related to or acquainted with their assailants, whereas the majority of workplace homicides (because they are robbery-related) are believed to occur among persons not known to one another" (NIOSH, 1995, p. 3). "More than half (56%) of workplace homicides occurred in retail trade and service industries" (NIOSH, 1995, p. 3). NIOSH data includes that composed by the National Traumatic Occupational Fatalities (NTOF) Surveillance System which collects its data from death certificates. This data includes all fifty States and all workers 16 years of age and older. The information is collected when the "*injury at work*" is marked on the death certificate (NIOSH 1995). The article does not discuss limitations of the death certificate but refers one to the study done by Castillo and Jenkins, 1994.

The research in the article provided by NIOSH, discusses several different variables: Fatal injury: sex, age, race, geographic distribution, method, industry and occupation. "The leading cause of occupational injury death varied by sex, with

homicides accounting for 11% of all occupational injury deaths among male workers and 42% among female workers” (NIOSH, 1995, p. 7). The research has found that for both males and female most of the homicides occurred in the retail trade. Males were also subjected to homicide in public administration and transportation/communication/public utilities. When looking at age, the research found that “the largest number of workplace homicides occurred among workers aged 25 to 34” (NIOSH, 1995, p 8). The *rate* of homicides in the workplace does increase with age but this is because of the few individuals employed as the age increases. According to the data on race, 73% of workplace homicide victims are white. “The largest number of homicides and the highest rate per 100,000 workers occurred in the South and the West” (NIOSH, 1995, p 8).

Firearms had the highest percent of use at 76, followed by an instrument used for cutting or piercing at 12%, strangulation at 1.9%, and all other methods at 9.4% (NIOSH, 1995). As far as industry goes, retail stores have both the highest number and the highest rates of homicide; more specifically, liquor stores and gas stations. However, taxi cab drivers are shown to still have the highest rate and number among specific industries and occupational job hazards, such as homicide. When looking at occupations sheriff/bailiff followed taxi cab drivers. NIOSH points out that the Bureau of Labor Statistics (BLS) found the same high-risk demographic and occupational groups as NIOSH. BLS also identifies that 73%-82% of all homicides in the workplace are attributed to robbery or other crimes (NIOSH, 1995).

Riedel points out that “workplace violence and homicide has received comparatively little attention from criminologists and criminal justice researchers. Because public health practitioners and scholars focus on prevention, the question of

preventing workplace violence is part of the larger problem of preventing occupational injuries and fatalities” (Riedel, p 2). This study focuses on the importance of linking several data sources together so that workplace violence maybe better understood. Riedel points out that most criminologist only look at data collected by law enforcement agencies that, more often than not, leave out information that links a homicide to a workplace incident.

When comparing workplace homicides and other homicides, Riedel found (when using z-scores to be comparable) that “although the annual frequency of total homicides is over twenty-two times the number of workplace homicides, the two series are parallel for nine years” (Riedel, p 3). Riedel also found that workplace homicides are approximately 4.5% of all homicides. This study goes on to discuss various literature that was used to formulate hypothesis for the study and provide additional information. Some of this information includes a discussion on classification of workplace violence, gender, race/ethnicity, age, and other factors.

The classification of workplace violence includes three types of workplace homicides that were developed by the California Department of Industrial Relations. Type 1 is when “the agent has no legitimate business relationship to the workplace and usually enters the affected workplace to commit a robbery or other criminal act” (Riedel, p 4-5). The second type of homicide in the workplace is classified by the agent being “either the recipient, or the object, of a service provided by the affected workplace or the victim” (Riedel, p 6). Finally, type three is described as “the agent has some employment-related involvement with the affected workplace” (Riedel, p 6). The last category includes the idea of “going postal.”



The study found that workplace homicides are more often the result of a robbery (Type I) and the assailants are more likely to be a stranger. The study also found that altercations do not have a significant causal relationship with workplace homicides in either Type II or Type III. In conclusion, when looking at types of workplace homicides the study found that female/altercations do “increase the odds of workplace homicides by a factor of 3.867” (Riedel, p 18), however it is difficult to look at intimate partners as assailants because of the first two findings that show that the attacker is more likely a stranger and that altercations are not a significant factor.

The second factor that the study looked at was gender. The study found “that 14.8% of females were workplace homicide victims compared to 16.1% of females who were victims of other homicides. Riedel also found that “women were more frequently attacked by knives” (Riedel, p 18). However, when comparing to other homicides, women in workplace homicides were only slightly more likely to be attacked with a knife. The study also looked at the presence of a handgun increasing the likelihood a homicide and found this to be true too.

When looking at race/ethnicity, the hypothesis that “nonwhites in comparison to whites will have a greater likelihood of being that victim of workplace homicides than other homicides” (Riedel, p 8) was only partially supported because “blacks have a higher percentage of other homicides (29.2%) than workplace homicides (10.2%)” (p 19). However, the study does point out that “while the odds for white victims were high, the odds for Asians and other races were even higher” (p 19). This is partly due to the locations and times these individuals tend to work.

Next the study looked at the age factor and hypothesized that victims of workplace homicides are older than non-workplace homicide victims and secondly that the victims would more likely be 65 years of age and older. The study found that “the mean age of workplace homicides was 39.9 compared to 30.2 for other homicide victims (Riedel, p 19). As for being over 65 years of age, this study found that is was not a significant factor, which is different than previous research.

Lastly the study looked at education in comparison with the number of victims. Riedel hypothesized that “some college education is not significant for workplace homicides” and “the likelihood of more than one victim is not significant for workplace homicides” (Riedel, p 13) in comparison to other homicides. He found that some college education “actually increases the odds of workplace homicides by 2.510. For workplace victims, 41.7% had some college while this was true for only 15.4% of other homicide victims” (Riedel, p 21).

Riedel's study used a combined data source from law enforcement and vital statistics. As a conclusion one could say that an Asian female in her mid 30s with some college education is at greatest risk for workplace homicides when compared to other homicides. Whereas NIOSH's study shows that fatal injury at work, including homicide, is highest for white males, 24-34, living in the South or West, and working in public transportation, service, or retail.

### Discussion

Fatal violence in the workplace is indeed very important to look at when researching violence in the workplace. This is important because in order to run a company, industry, or organization well, ones employees must feel safe at work. I find it

vital that research is continued when looking at homicides in association with high risk jobs such as a taxi cab driver and a third shift gas station attendant. I hypothesize that a large number of homicides occur in facilities that have no or very limited security systems and I feel that it is reasonable to believe that if a convenient store takes away the possibility of a successful robbery, then they also deter a possible homicide. Robberies are opportunistic crimes as pointed out in the article by Linda Micco: *Night Retailers Take Stock of Workers Safety*, in 1997.

#### Laws, Policies, and Procedures

*State and Labor Legislation Enacted in 2002* is a comprehensive listing of labor changes categorized by state. This article includes state changes in areas such as wages, family issues, workplace violence and security, whistleblowers, and other laws. For the purposes of this paper only change in workplace violence and security will be looked at.

California: "State residents have the right to be free from any violence, or intimidation by threat of violence, committed because of their race, color, religion, ancestry, national origin, political affiliation, sex, sexual orientation, age disability, or position in a labor dispute, or because another person perceives them to have one or more of those characteristics" (Nelson, 2003, p 8). They also extended the deadline for a person to file a complaint if the person filing does not know their "aggressor" up to 3 years.

Florida: Required screening by ordinance of all individuals hired into security and public safety fields. Screenings are also required now in fields such as contractors, vendors, and delivery personnel (Nelson, 2003, p10).

Guam: Taskforce has been established to improve safety in the workplace  
(Nelson, 2003, p 10).

New Jersey: Taskforce has been established to improve safety in the workplace  
(Nelson, 2003, p 17).

Virginia: "Any employee who, in good faith with reasonable cause and with out malice, truthfully reports threatening conduct by a person employed at the same workplace will be immune from all civil liability that might otherwise be incurred or imposed as the result of making such a report" (Nelson, 2003, p 22).

The preceding is a list of states/territories who are taking steps toward reducing violence in the workplace and making it easier for a victim to seek out help. OSHA provides information for industries, organizations, etc. who wish to take action against work place violence. In order for violence in the workplace to decline, both State and organizations must work together.

"Workplace violence is violence or the threat of violence against workers. It can occur at or outside the workplace and can range from threats and verbal abuse to physical assaults and homicide, one of the leading causes of job-related deaths" (OSHA, 2002, p1). OSHA is the major distributor of workplace violence preventative measures. Their fact sheet includes ideas about how employers can help employees and how employees can better help themselves. It includes ideas like safety education for employees and steps for employees to better deal with a violent situation. "It is critical to ensure that all employees know the policy and understand that all claims of workplace violence will be investigated and remedied promptly" (OSHA, 2002, p 1). Not only is this important for the employee to know but it is also important from the researcher's point of view. If

employees know that they can file a claim and be taken seriously then perhaps there can be better data collection so that researchers may better help organizations in preventing workplace violence.

The Supreme Court decision that takes away the use of Violence Against Women Act (VAWA) in connection to work-related violence places an unneeded limit on the prosecution of workplace violence. However, the Supreme Court stated that the civil rights remedy provisions were unconstitutional. This addition allowed individuals to directly sue the aggressor and even the company if they were aware of the volatile situation. This was considered unconstitutional under the Commerce Clause because “Congress (is not allowed to) regulate none economic, violent criminal conduct based entirely on the conduct’s total effect on interstate commerce” (Zachary, 2000, p 23). This limits Congress ability to pass discrimination statutes.

Even though the civil rights remedy in the VAWA was ruled unconstitutional there are several other options listed by Zachary that help protect individuals from workplace violence: *Intentional Infliction of Emotional Distress*. This can include incidents where employers do not investigate a workplace violence claims in the victim is forced to endure more emotional hardship. *Battery*. This can include hazing practices and other unwanted physical aggressions. *Sexual Harassment*. This includes unwanted physical, verbal, and other sexual behaviors. *Negligent Hiring, Supervision, or Retention*. This includes lack of thorough background check, including pre-employment history. “The key is whether an employer has or should have had awareness of an employee’s tendencies and whether or not the company failed to take appropriate action such as investigating or discharging a problem employee” (Zachary, 2000, p 25). Finally,

an individual is protected from termination, threat of termination, or intolerable working conditions because of *Jury Duty*. (Zachary, 2000).

This following article is meant for distribution to the employees of the University of California, Santa Cruz. The purpose of this article is to provide an example of an employer's action to reduce the level of workplace violence. Once laws are passed and policies are developed, making a plan of action is the next step in the reduction of workplace violence.

On page three the handbook makes it clear that UCSC has a "Zero Tolerance Standard with respect to acts of intimidation, threats of violence, or acts of violence relating to the workplace (violence which stems from an employment relationship) at the University of California, Santa Cruz" (p 3). This is an example of how to be up front and comforting to employees with respect to reporting incidents of workplace violence. Next the handbook goes on to define acts of intimidation, threat of violence, and acts of violence so that one may easily decide if he or she has been victim of one of these. After clearly defining the offenses the university provides examples of violations of the zero tolerance code. They then proceed to tell the reader that the most important thing is cooperation and that anyone accused of this violation will be thoroughly investigated. They have also listed consequences if found in violation of the code. After they established a clear understanding of what the policy is trying to do they then provide the employer/employees with a list of warning signs so that they may better identify workplace violence. Encouragement in reporting violent acts that one has witnessed is also emphasized. They then establish a risk assessment team. This team helps assess the workplace environment and is designed with prevention in mind.

Lastly, they discuss what to do in case of an incident. There is an outline of a department disaster preparedness plan designed to help personal survival strategies in case of an act of violence. This is followed up by how to manage the aftermath, the employees' responsibilities, the supervisors' responsibilities, and management responsibilities. The last page in the handbook offers a quick reference guide that employers or employees can refer to if they need to contact someone for assistance.

### Discussion

The previous are all examples of how the workforce has started to fight back against the threat of violence in the workplace. The only problem is the fact that not enough is being done. I believe that smaller workplaces that have a higher threat of violence, because of the expense of reducing risk factors associated with workplace violence, probably do not have a written policy as to what to do if violence occurs. However, until workplaces are mandated to follow guidelines such as those that are distributed by OSHA, businesses will try to keep costs down and avoid the need to spend man hours on violence prevention in the workplace.

### Headlines and Examples

"Police officer killed, another wounded in a shooting" was a title published by KMOV area news for St. Louis, Missouri on January 31, 2004. This reached news stations state wide. Two officers shot, both wearing vests, both cautious of their surroundings, both understanding of the danger associated with their job, only one walks away. This is a classic example of an instance where all precautions can be taken but violence still occurs so not only must research look at preventions but also post procedures in case of an incident.

*Night Retailers Take Stock of Workers Safety*, Linda Micco, in 1997 wrote, “When Watkins looked up, he saw the customer had drawn a gun. As the young man—in a haze of alcohol and adrenaline—grabbed cash from the register, he also pulled the trigger. Then he did it again, and again, and again. Half an hour later, another customer found Watkins’ body curled on the floor” (Micco, 1997, p79). The robber later states that he never intended to shoot, a sudden movement, made by the victim, startled him. He got the idea because “(Watkins) was alone, and it looked so easy” (Micco, 1997, p 79). This occurred at a 7-Eleven. This article points out that it took twenty years after this incident for the government to finally step in and take action.

*Part of the Job: Violence in Public Libraries*, by Hannah McGrath & Anne Goulding looks at the conflicting statement of “Violence in public libraries?” No longer is workplace violence found in stores which remain open or services that deal with a high risk group, but also in areas that were once believed to be safe, secure, and even quiet. Librarians, because of the public nature of their job and facility in which they work in, are exposed to several different risk groups. For instance, they come in contact with alcoholics and drug users who used the library’s public restrooms. This can lead to a greater chance of violence in the workplace

### Discussion

These articles are just a few of the headlines designed to shock and frighten the public. What the public may not understand is the fact that these are exceptional cases and those that are anything but dramatic or shocking never reach print. It is important to remember the other 18,000 who are assaulted on average at work, according to NIOSH, and those who live their entire lives without being victimized at all.



### Discussion

There are several things that I found of note in the process of this research. More generally they included the data available to researchers, the acts considered under workplace violence, and the desire for preventative measures. These three major themes were constant through out the course of my research.

First, let me look at the data set available to me. The majority of data that I looked at came from NIOSH, Riedel, and the Bureau of Labor Statistics. I found that most of these articles took both number and rate combinations and used them together as more of a shock factor than a realistic comparison. An example used previously in this article, that dealt with age groups, stated that the highest number of homicides were victims were aged 25-34 (1,081 or .65%) but the highest rate of homicide victims were of the age 65 and older ( 734 or 1.83% ) (NIOSH, 1996, p. 7-9). When rates are used alone individuals in the older age group become afraid that they too might be victims of workplace homicide. Another use of shocking statistics in numbers used alone such as the 18,000 workers are assaulted without stating the total number of individuals in the workforce (NIOSH, 1996, p. 1). The only data set that used more than rates, real numbers, and percentages was that introduced by Riedel. His research took into account the disparities between the number of all homicides and those just committed in a workplace violence scope. This allowed for a better comparison between the two data sets. He also took information from "law enforcement" that often do not include workplace violence label in their reports and vital statistics that better identified the full scope of the problem.

The next major theme I noticed was the broad scope of events that were included under workplace violence. For example, I did not realize that if a 'domestic violence' act occurred at work, this assault could be labeled both domestic violence and workplace violence. Another factor that I realized is that accidental death and workplace homicides are included together. This is partly due to the fact that one should not have to accept death as a possibility in the workforce, therefore making it an aggressive act in nature even if caused by a falling object. Nor did I realize that a nurse in, say, the emergency room who is struck by a patient because the patient's mental capacity is not 100% can consider that act as workplace violence (Anderson & Stamper, 2001).

Finally, I would like to look at the desire for preventative measures. I agree that companies should have open door policies that encourage victims to report violent workplace events and those organizations should have a plan of action to better prevent/deal with these events. I also understand that the research done on this topic cries out for more policies and procedures. What I do not agree with is the underlying feeling that individuals are seeking a preventative measure to stop all workplace violence. While this would be an idealistic idea, it is not conceivable. While organizations like NIOSH and OSHA cry out for the need of better policies (which I do agree need to be improved upon) the nation will look at workplaces as a danger zone. It is my belief that until humans are replaced by machines, workplace violence will continue and will rise proportionately to the increase in population. I think that the most important factor is to help individuals identify warning signs, what to do if experiencing a violent act, and how to survive in the aftermath. New policies like more comprehensive background

evaluations can aid in the reduction of the unstable worker but probably will not help in the long run with the level of overall workplace violence.

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