UNIVERSITY OF MARYLAND
SCHOOL OF NURSING

Workplace Violence: the US Perspective

Jane Lipscomb, Professor
Work and Health Research Center
University of Maryland, USA

Current Context for WV Prevention Initiatives in the U.S.

- Declining unionization
  - 8% of private sector workers
  - 12-13% of public sector workers
- Historical disconnect between OHS and security/law enforcement
- Anti-regulatory environment with very limited enforcement of existing legislation
- High unemployment/poor economy
- New Administration!!!

WV Definitions (U.S. Government)

- **NIOSH Current Intelligence Bulletin # 57 (1996)**
  - Violent acts, including physical assaults and threats of assault, directed toward persons at work or on duty.
- **Bureau of Justice Statistics, National Crime Victimization Survey (2001)**
  - Victimizations measured violent crimes - rape and sexual assault, robbery, aggravated assault, simple assault - that occurred while working or on duty.
  - Household respondents working during the week prior to the interview.
- **Bureau of Labor Statistics (Employer) Survey of Workplace Violence Prevention (2005)**
  - Violent acts directed towards a person at work or on duty (i.e. physical assaults, threats of assault, harassment, intimidation, or bullying).
  - Workplace violence can occur at the workplace, on official travel, at field locations, and at client's homes or workplaces.

U.S. Federal Policy

- 1989 - NIOSH publishes data reporting that homicide is the 3rd leading cause of occupational injury death overall, #1 among women.
- 1992 – OSHA "letter of interpretation" stating that OSHA General Duty Clause includes WV as a recognized hazard in high risk worksites.
- 1996 – 2000 - OSHA publishes Guidelines for the prevention of violence in health care and social service settings, "late night retail" and taxicab services.
- Currently no federal standard or legislation

Current Federal Workplace Laws: Regarding Harassment

- **Current discrimination laws require only that employees be treated equally.**
- **Employees who belong to a protected group are only protected from being fired because of their race, sex, etc., or if they are fired for opposing discrimination.**
- **If they are fired unjustly for any other reason, they have no protection**.

Source: American Civil Liberties Union

WV Typology (CAL-OSHA, 1993)

- Type I – unknown perpetrator, criminal motive
- Type II – patient, client, customer as perpetrator
- Type III – coworker, supervisor as perpetrator
- Type IV – intimate partner perpetrator

Useful for assessing prevention strategies

U. S. State Legislative Initiatives

(Howard & Jenkins, 2008)

- 3 states passed laws since 1990 mandating engineering and administrative controls to protect convenience stores workers from violent crimes (T1).

- At least 5 states have passed laws (1998-2008) requiring some aspect of violence prevention program in health care (T2).

State Legislative Initiatives (T3)

- At least 13 states have introduced workplace bullying and interpersonal conflict legislation since 2003.
  - Project on Workplace Bullying and Discrimination (Yamada, Boston MA)
  - Model law to provide legal redress for workers and employer incentives for prevention.

State Legislative Initiatives (T4)

- 10 states have legislation permitting an employer to seek a temporary restraining order against one its employees;

- 9 additional states have considered legislation since 2003;

- States vary in whether the employer can request protection on behalf of the employer, employee and whether the threatened employee must be notified.
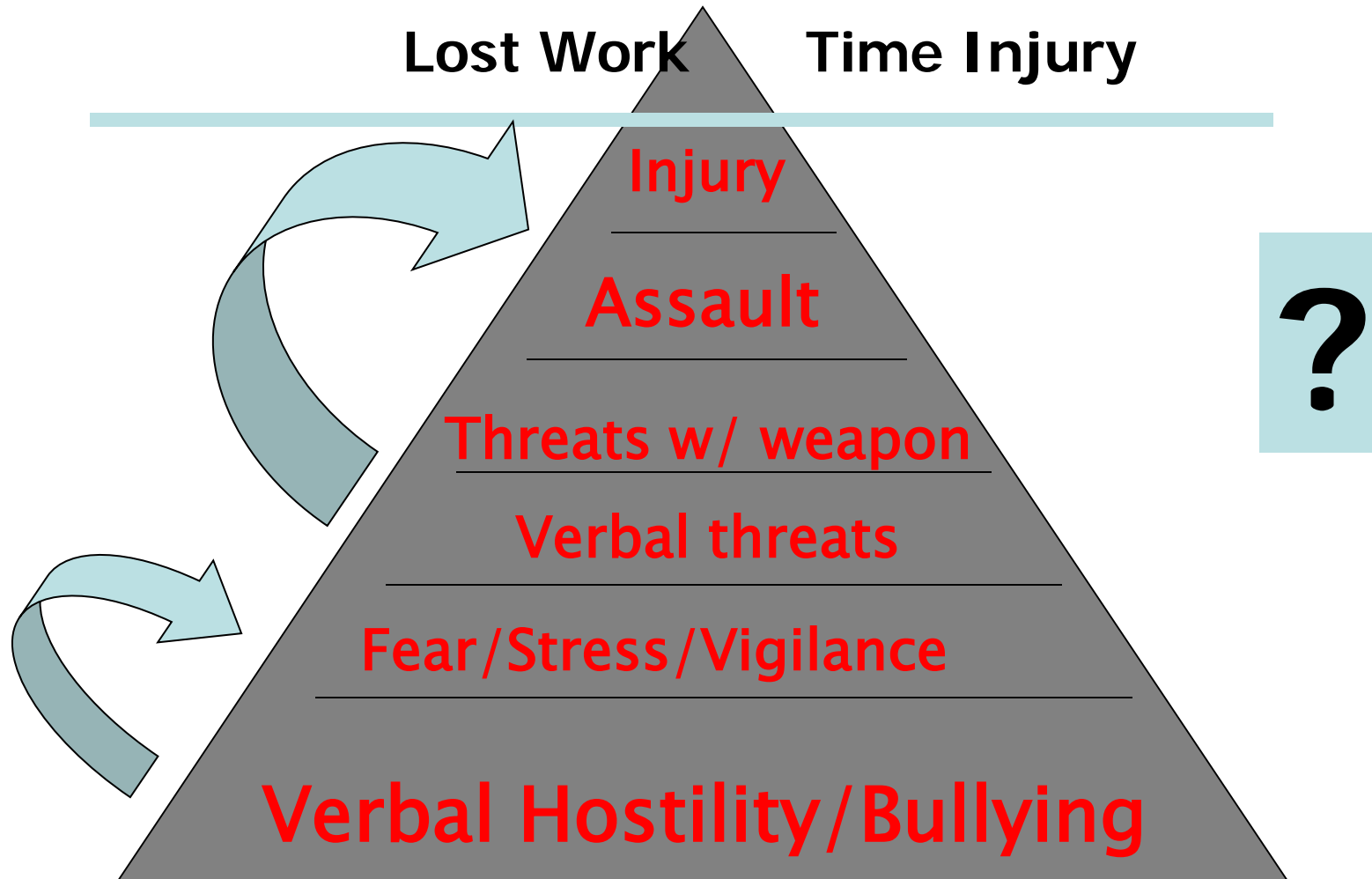
OSHA Violence Prevention Guidelines (1993/1996)

- Management Commitment and Employee Involvement
- Worksite Analysis
- Hazard Prevention and Control
- Training and Education
- Recordkeeping and Evaluation

Magnitude of the Problem in U.S.

- ~ 600 homicides/year (BLS, 2007)
- 1.7 million victimizations/yr. among public & private sector workers (Duhart, 2002)
- 60% of non-fatal assaults resulting in lost work days in the healthcare sector (BLS, 2007)
- Up to 100% of staff report verbal/physical assault/year in acute care, varying by setting (Bensley 1997, May 2002)
- Rate of victimization 3 X higher in public vs. private sector

Workplace Violence Continuum

Lost Work Time Injury

Injury

Assault

Threats w/ weapon

Verbal threats

Fear/Stress/Vigilance
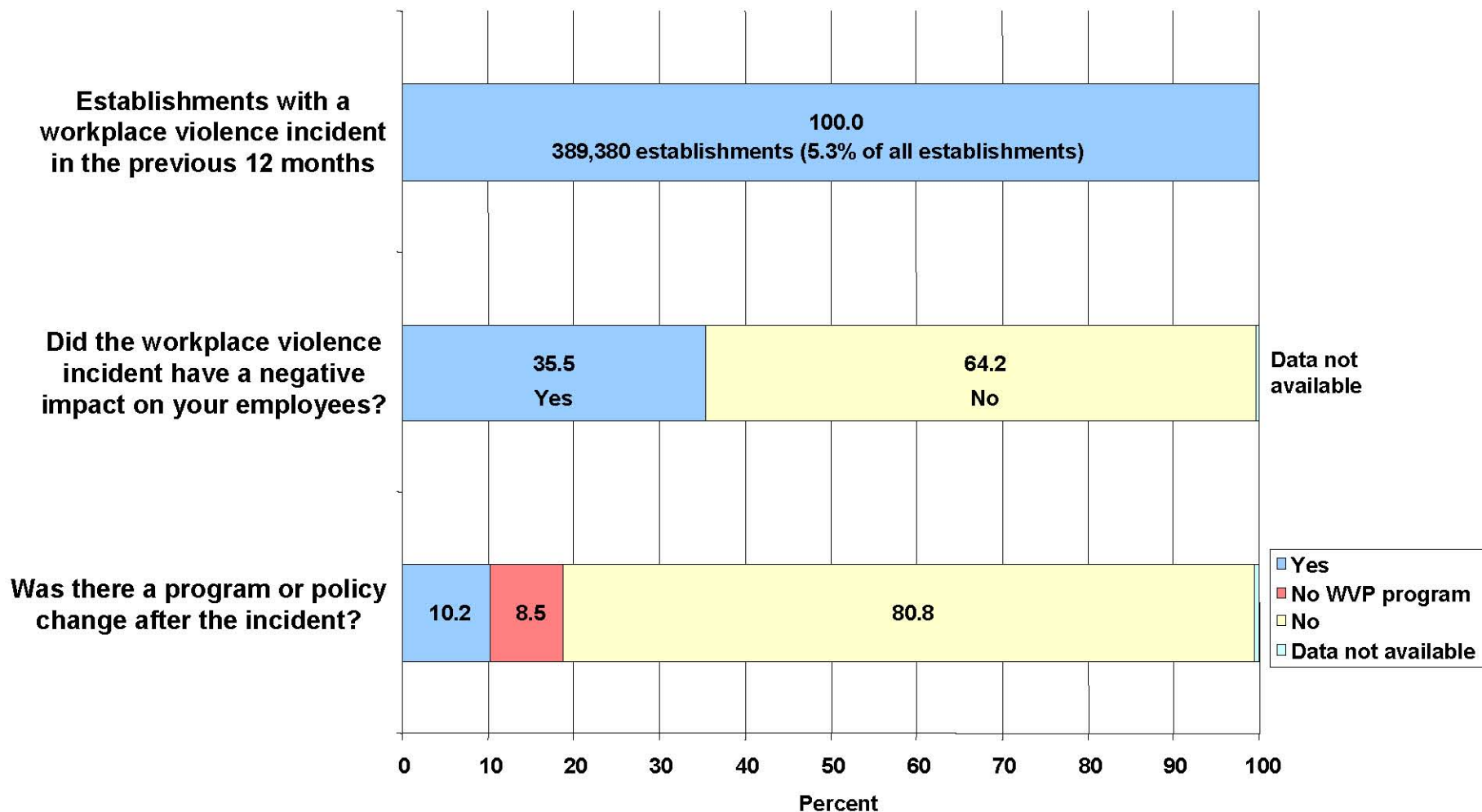
Verbal Hostility/Bullying

?

Risk Factors

- Contact with the public
- Exchange of money
- Delivery of passengers, goods, or services
- Having a mobile workplace (e.g. taxicab, police cruiser)
- Working with unstable or volatile persons in health care, social service, or criminal justice settings
- Working alone or in small numbers
- Working late at night or during early morning hours
- Working in high-crime areas
- Guarding valuable property or possessions
- Working in community-based settings

(Collins and Cox 1987; Davis 1987; Davis et al. 1987; Kraus 1987; Lynch 1987; NIOSH 1993; Castillo and Jenkins 1994)
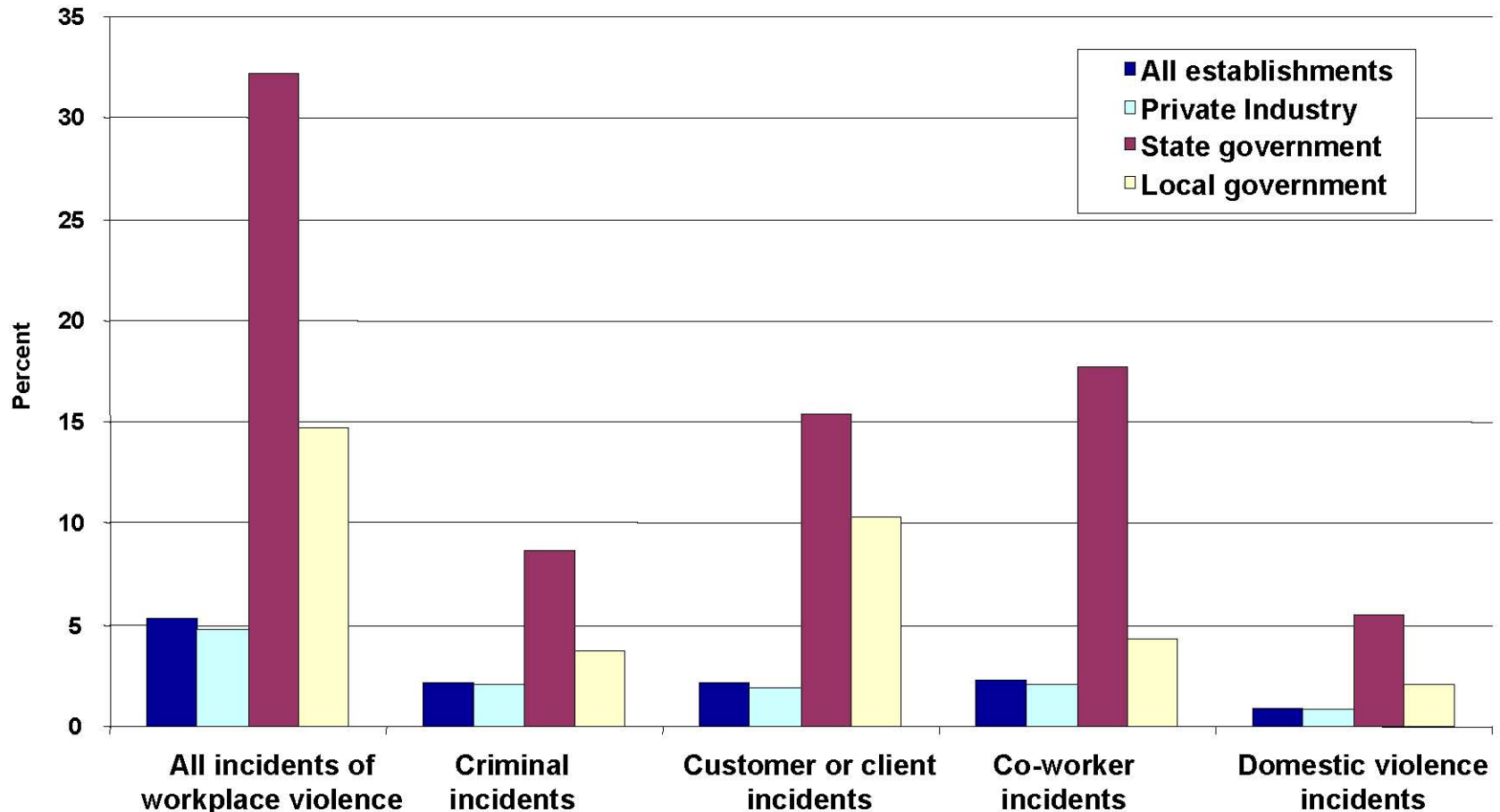
Establishments with workplace violence incidents in the previous 12 months and their impact on programs and employees, United States, 2005

Establishments with a workplace violence incident in the previous 12 months

100.0
389,380 establishments (5.3% of all establishments)

Did the workplace violence incident have a negative impact on your employees?

35.5
Yes

64.2
No

Data not available

Was there a program or policy change after the incident?

10.2

8.5

80.8

Legend:
- Yes
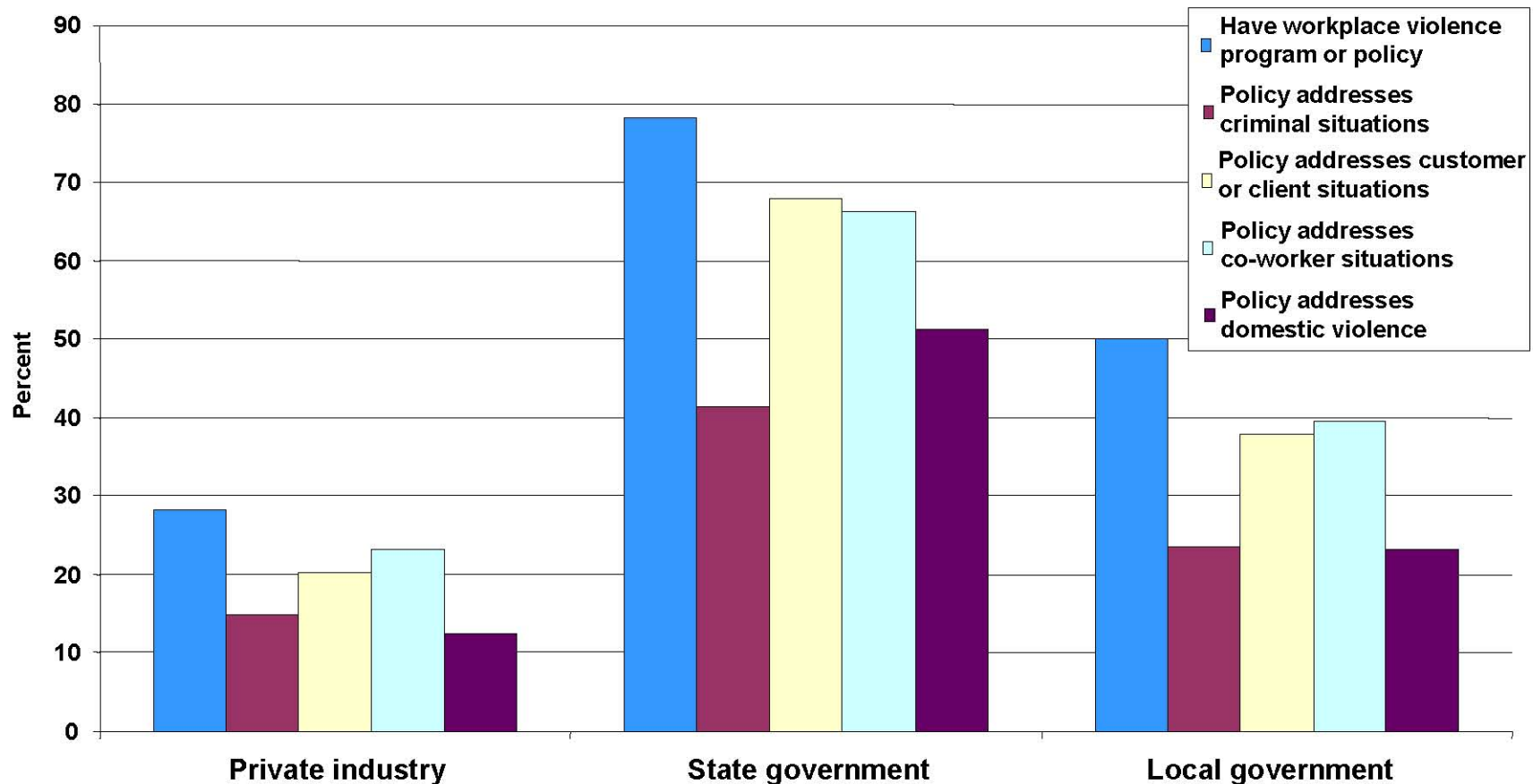- No WVP program
- No
- Data not available

Percent

Over 5 percent of all establishments experienced an incident of workplace violence in the last year. While one-third reported a negative impact on employees, only 10 percent changed their policy after the incident; almost 9 percent had no program or policy.

Percent of establishments experiencing an incident of workplace violence by type of incident and ownership, United States, 2005

All establishments
Private Industry
State government
Local government

Percent

All incidents of workplace violence
Criminal incidents
Customer or client incidents
Co-worker incidents
Domestic violence incidents

State governments experienced higher percentages of all types of workplace violence than did local governments or private industry. Thirty-two percent of State government establishments experienced some form of workplace violence in the previous 12 months.

Percent of establishments addressing different types of workplace violence, by ownership, United States, 2005

Legend:
- Have workplace violence program or policy
- Policy addresses criminal situations
- Policy addresses customer or client situations
- Policy addresses co-worker situations
- Policy addresses domestic violence

Categories: Private industry, State government, Local government

In establishments with a formal workplace violence prevention program or policy, more emphasis was placed on customer and co-worker violence. State governments placed more emphasis on domestic violence than did private industry or local government.

NIOSH-Funded WV Research/Findings: Lipscomb et al

- Evaluation of WV Prevention Interventions in Social Service Settings (R01 - 2002 - 2007)

- Evaluation of Organization Justice Intervention to Alleviate Type III WV in NYS (R01 2006-2011)

WV Staff Survey Findings: Addiction Treatment Centers (2006)

- 409 staff (77% response)
- Self administered, on site at 13 ATC
- WV measured by 3 scales
  - Verbal aggression
  - Client assault
  - Staff assault
- Violence prevention strategies (n=8)
  - 17% of variance in verbal aggression
- Background risk factors (n=6)
  - An additional 3% of variance

What workers have told us across settings and states

- Patient rights movement creates a huge challenge to staff protection

- Culture that WV is "part of the job"

- Resistance/reprisal for filing criminal charges against pt/client

- Inadequate staffing - very high risk situation
  - Increases patient agitation
  - Makes staff easy targets

- Lack of regulations results in lack of WVP programming, even in high risk settings

Survey of Coworker Violence in State Government (2008-9)

- E-mailed, web-based survey of unionized state government workers
- 7797 completed surveys (4 agencies)
- 74% response rate
- Survey content
  - 6 item NAQ (modified from Einarsen)
  - Subjective bullying
  - Physical assault (or threat)
  - Perpetrator of act, reporting, response, impact, overall work environment

Survey Populations (N = 7797)

- 40% Male
- 16% non-white
- Time in current job:
  - < 1 year (22%)
  - 1-5 years (25%)
  - > 5 years (53%)
- Bargaining unit
  - Professional (55%)
  - Non-professional (37%)
  - Management (7%)

Preliminary Survey Findings (1)

Negative Acts in Prior 6 Mos.

- humiliated or ridiculed   20-33%
- insulting/offensive remarks made   15-38%
- intimidated / threatening behavior   10-23%
- ignored or shunned   23-40%
- excessive teasing/sarcasm   10-21%
- shouted or raged at   15-27%
- reported at least one negative act   34-60%

Preliminary Survey Findings (2)

<u>Bullying</u>

"When abusive behavior is repeated over a period of time and when the victim experiences difficulties in defending him/herself"

- 9 - 15% "yes" to any

- 3 - 6% "yes", at least monthly
- Perpetrator: generally a top manager, immediate supervisor, or co-worker. Rarely was it a subordinate

Preliminary Survey Findings (3)

Physical Violence

Stalked or threatened with stalking
Pushed, hit, or kicked
Threatened with a weapon

- 1 – 5% at least one act of physical violence

- Perpetrator: most frequently immediate supervisor or co-worker. Rarely was it a top manager

Preliminary Survey Findings (3)

<u>Individuals' Responses</u>

- 15 potential responses listed separately

- Most frequent responses
    - "Told a colleague"   18 - 61%
    - "Told friends/family"   16 – 59%
    - "Reported it to a supervisor" 13 – 35%
    - "Told the person to stop"   11 – 29%
    - "Pretend it never happened"   14 - 34%

Frequency of response was related to severity and frequency of the T3 behaviors that were experienced

Preliminary Survey Findings (5)

<u>Impact on Individuals</u> *

- Negatively affected your work   18 - 58%
- Influenced intention to remain in job   17 – 21%
- Negatively affected you personally   21 – 22%

- Impact is related to severity and frequency of the T3 behaviors that were experienced

    * % who responded "very much" or "a lot"

Discussion