

PART IV

Case Studies and Practice Exercises

These case studies have been prepared to provide specific risk and threat factors for examination and to create useful learning tools. They are intended to provide assistance to organization planners as they develop workplace violence prevention programs and assess their readiness to handle these types of situations. The characters in the case studies are fictional and have been created for educational purposes. No reference to any individual, living or dead, is intended or should be inferred.

Case Studies

Introduction

The call comes in.

Someone's being stalked – two employees get into a shoving match – a woman flees a violently abusive mate – a sometimes-disoriented employee keeps showing up at coworkers' homes – a supervisor's constant abuse infuriates a subordinate – an employee in a fit of rage destroys company property – a fired employee makes a direct threat.

These are just a few examples of the types of incidents that can happen in the workplace.

How each employer responds to these reports will differ, not only among different organizations, but sometimes within the same organization, depending upon the circumstances of each situation. Even in organizations with highly structured, well-thought-out procedures in place, the handling will have to depend on:

- The nature of the incident;
- The circumstances surrounding the incident;
- Who is available to respond;
- Who has the skills to deal with the particular situation.

What has been learned from many years of experience in the American workplace is that the most effective way to handle these situations is to take a team approach, rather than having one manager, function or office handle situations alone.

Not using a team approach is laden with problems. In some cases of workplace homicide, it became apparent that the situation got out of control because human resources managers did not inform security about a problem employee, coworkers were not warned about the threatening behavior of an ex-employee, or one specialist felt he had to "go it alone" in handling the situation. Also, presenting all cases to a team to consider lessens the chance that one person's denial of reality could result in a failure to act.

A team allows for the linking of multiple disciplines and experience-bases for use in the examination and management of potentially dangerous circumstances. Where available, management, human resources, employee assistance program, security, union, legal, and psychological service representatives should be considered for inclusion on the team. In cases where the full range of resources are not part of the organization, outside consultants are often pre-identified and join the team when critical cases are being handled. This would typically be the case in smaller organizations without in-house attorneys, psychologists, security personnel, or threat management professionals.

Employers should have plans in place ahead of time so that emergency and non-emergency situations can be dealt with as soon as possible. However, it is also necessary to build the maximum amount of flexibility possible into any plan.

Basic Concepts

Since organizations and situations differ, a list of specific steps or procedures to follow in all workplaces would be inappropriate and impractical. However, there are some basic concepts that all employers should keep in mind when formulating a strategy to address workplace violence:

- Respond promptly to immediate dangers to personnel and the workplace.
- Investigate threats and other reported incidents.
- Take threats and threatening behavior seriously; employees may not step forward with their concerns if they think that management will dismiss their worries.
- Deal with the issue of what may appear to be frivolous allegations (and concerns based on misunderstandings) by responding to each report seriously and objectively.
- Take disciplinary actions when warranted.
- Support victims and other affected workers after an incident.
- Attempt to bring the work environment back to normal after an incident.

Forming the team's approach

For any kind of team to work well in actual tasks, be it in sports or crisis management, it is important that the team develop its approach to common situations. In all teams, including those formed to lead organizations' responses in situations involving workplace violence, training and group practice are key factors to real-world success. It is important that a workplace violence management team discuss possible situations and workable solutions before being assembled for actual situations. This allows for coordination and feasibility issues to be worked out in advance.

How to Use the Case Studies

These case studies have been prepared to provide specific risk and threat factors for examination and to create useful learning tools. They are intended to provide assistance to organization planners as they develop workplace violence prevention programs and assess their readiness to handle these types of situations. The characters in the case studies are fictional and have been created for educational purposes. No reference to any individual, living or dead, is intended or should be inferred.

As you read the case studies keep in mind that there is no one correct way to handle each situation. The case studies should not be taken as specific models of how to handle certain types of situations.

Rather, they should be a starting point for a discussion and exploration of how a team approach can be instituted and adapted to the specific needs of each organization. A successfully used alternative may not be useful in other instances, and there are probably several different approaches that could be equally useful. Each group in its discussions should strive to identify several workable approaches.

Questions for discussion

The case studies are intended to raise questions such as:

1. Do we agree with the approach the employer took in the case study?
2. If not, why wouldn't that approach work for us?
3. What other approaches would work for us?
4. Do we have adequate resources to handle such a situation?

Questions for program evaluation

Establish a system to evaluate the effectiveness of a response in actual situations that arise so that procedures can be changed as necessary. Ask the following questions after reviewing each of the case studies and after planning how your organization would respond to the same or a similar situation:

1. Does our workplace violence prevention program have a process for evaluating the effectiveness of the team's approach following an incident?
2. Would our written policy statement and written procedures limit our ability to easily adopt a more effective course of action in the future, if an evaluation of our response showed that a change in procedures was necessary?
3. Do we have plans to test our response procedures and capability through practice exercises and preparedness drills, and to change procedures if necessary?

Case Study 1 - “A Threat”

The Incident

A top executive of a major company telephoned the Director of Security and explained that he had just received a threatening message. The message was constructed from words and letters cut out of a magazine and glued to a piece of paper. The message indicated that the executive would be killed. Later, the same executive received a dead cockroach taped to an index card with a straight pin through the body. The message written on the card was, “ . . . This could be you . . . ”.

Incident Response

The Company’s president, Director of Security, and Corporate Counsel immediately conferred and reviewed the facts regarding the situation and developed a course of action. They concluded that other law enforcement agencies should be brought into the case. They also decided that special physical security measures must be taken immediately to protect the executive.

Investigation

The Company had a total population of over 21,000 people, which included employees, visitors, and guests. The executive could not narrow the list of suspects. Over the next several months, the executive received numerous unsolicited items in the mail at his office and home. The U.S. Postal Inspector was contacted to assist in the case. The original requests for the unsolicited items were retrieved and handwriting samples obtained. The investigator compared the sample with thousands of notes and documents written by employees.

Approximately a year later, several employees expressed concern over receiving harassing unsolicited items in the mail. The original requests were obtained and it was concluded that they were made by the same individual. The employees were asked to list the individuals that they believed to be the most likely suspect. One name appeared on all the lists. The investigator obtained previously prepared handwritten documents and the handwriting appeared to be that of the same person. The information was turned over to a special investigative team with another law enforcement agency who brought the individual in for questioning. The individual denied writing the threatening notes or being responsible for the harassing mail. Finally, the individual relented and provided the handwriting samples, then returned to his desk at his office where he then committed suicide. The suicide note explained why the harassing mail and threatening note were sent. The individual also explained in the suicide note that he had never met the executive or even knew what he looked like.

Conclusion

Although it cannot be determined if anything could have changed the outcome of this tragic event, there are many lessons that can be learned that may avert future incidents.

Lessons Learned

1. The Company was faced with heavy competition and was downsizing. Employees were being asked to do more with less. Some incidents of workplace violence involve companies that are downsizing or that have recently done so.
2. The employee was dedicated and hard working, and proud of his work. Employees who commit workplace violence are not always underachievers.
3. Many times top executives become the target of a disgruntled employee because they are seen as the company or corporate image.
4. It is important to actively pursue cases of workplace violence.
5. Once the person is identified, immediate action should be taken to assess his or her actions.
6. If an incident does occur, it is important to consider all victims and their families. Use the services of a priest or clergy. Decide how you are going to inform coworkers.

Case Study 2 - “Horseplay or Fighting?”

The Incident

On Monday afternoon, a member of the organization’s newly established Incident Response Team was visited by a supervisor who wanted to discuss a situation in his section. The Friday before he had been walking to his car after work and noticed a group of employees congregating under a tree on the premises. They were obviously enjoying a few beers and were grilling meat on a small charcoal barbecue. They called him over and he accepted one of the offered beers and took a seat in the shade.

About an hour later, two of the workers began to horse around and show off their boxing skills. One employee misjudged his aim and, instead of merely coming close, actually made contact and bloodied the other worker’s nose. The injured worker swore and started throwing blows as if intending to cause harm. The two were pulled apart and everyone told them to cool down. The gathering continued and during the banter back and forth the bloodied employee had commented, “You’re lucky they pulled me off, or I’d have kicked your butt.” Everyone laughed.

This morning at work, the supervisor had heard the workers teasing that employee about being “beaten up.” This seemed to be taken in good humor at first, but one of the men kept laughing about it and telling all the employees who had missed the fun about what had happened. Over a few hours a number of the other employees had told him to “drop it already,” but he seemed unwilling to do so. The supervisor noticed the butt of the jokes seeming to get more and more sullen about the ribbing. One of the other employees came up to the supervisor and warned him that if he didn’t do something there might be trouble.

The supervisor talked to the harasser and told him to knock it off, which ended the teasing. The other employees seemed to appreciate the intervention. The supervisor mentioned the situation while having lunch with the Human Resources Manager. He was surprised when the Human Resources Manager said that the “I’d have kicked your butt” comment on the prior Friday was a violation of the company policy against verbal threats and that he wanted the employee fired under the “Zero Tolerance” clause of the workplace violence policy.

The supervisor felt that this was ridiculous and wanted the Incident Response Team to decide what should be done.

Incident Response

The Incident Response Team met and considered the situation. Some members argued that “Zero Tolerance” required firing of both the employees whose horseplay had gone too far. Others argued that the situation simply had been a brief spate of alcohol-fueled temper that had resolved itself before the gathering had broken up.

There was also a lot of debate over the supervisor allowing the employees to drink on the premises after work, as well as his own participation in the drinking. The legal advisor to the team said that any threat, no matter how unlikely to be carried out, should result in firing. Otherwise, the managers involved might be personally liable if the situation ever developed into violence.

The discussion also involved the conduct of the worker who could not let up teasing on Monday. The team also considered that the “boxing” itself possibly violated the company’s rule against horseplay. The Industrial Relations member of the Incident Response Team said that, due to the after-hours nature of the activity, and the fact that a supervisor had failed to prevent the horseplay, there would be no way any discipline would go uncontested by the union.

After listening to all views, the organization’s senior executive separately called in the two employees from the Friday incident. They were both surprised that anyone would think that the words spoken could have been mistaken for anything but good-natured ribbing. Both said that they continued to have a good relationship and thought the whole matter overblown. They also agreed that the employee who kept bringing up the incident on Monday was a loudmouth whom no one took seriously, and that the supervisor’s verbal correction had been all that was necessary.

Resolution

It was decided that the entire section would be retrained on the company house rules relating to remaining after hours on premises, and the alcohol and horseplay prohibitions. The supervisor met with senior managers who pointed out how his lack of proper supervision had set the stage for what could have become a major liability for the company, either through fist-fights or vehicle accidents arising from employees being allowed to drink on premises before driving home. He acknowledged his failures and accepted the written reprimand without dispute.

The employee who had made the “kicked your butt” comment was verbally counseled that such comments, even in jest to friends, could be misconstrued by others and cause concern.

The employee who had taunted his coworker on Monday, was counseled to consider how his words could have been irritating to everyone he worked with. He apologized and said he would not do it again.

Questions for Discussion

1. Will “Zero Tolerance” in your organization require firing of all violators of your workplace violence or safe workplace policy?
2. Are your supervisors properly enforcing work rules in order to prevent situations conducive to potential violence or other injury?
3. Does your Incident Response Team consist of diverse disciplines and perspectives to allow for all aspects of situations to be addressed?
4. Does your team have a single leader who can listen to conflicting views of members and make decisions as to what course of action to take in the absence of consensus?

Case Study 3 - “Sexual Assault”

The Incident

A female employee came into the office of the Director of Security and reported that a male coworker had sexually assaulted her.

Incident Response

The Incident Response Team was not activated.

Investigation

The female employee explained that while the two employees were leaving a work area, the male coworker turned off the lights, reached both arms around her and grabbed her breasts. The male coworker was interviewed and denied intentionally touching her breasts. He did admit he might have brushed against her breast with his elbow. Both employees indicated that they had been working together for approximately one year. They also both admitted that they had a close working and personal relationship on and off the job. They indicated that they had lunch together on a daily basis and had met outside the workplace at a cocktail lounge for drinks. They also admitted that they had hugged and kissed each other in the past.

Conclusion

There was insufficient evidence to prove sexual assault and the matter was turned over to the Equal Employment Opportunity (EEO) and Sexual Harassment personnel in the Human Resources Office for further determination.

Lessons Learned

1. The EEO Manager wanted the case turned over to their office; however, it was important to treat the incident as a criminal matter. A copy of the investigation was sent to them after the investigation was completed. It is much more difficult to bring criminal charges of sexual assault/ harassment if the investigation is not conducted by a trained criminal investigator.
2. Although 50% of marriages start in the workplace, companies should discourage employees from having a personal relationship at work.

Case Study 4 - “Drug and Alcohol Problem”

The Incident

A female employee, who had been sent home for being under the influence, struck her manager on the side of the head with a board, pulled out a knife, and threatened to cause bodily harm.

Incident Response

The Incident Response Team was not activated.

Investigation

On Friday, a female employee was sent home by her supervisor because she appeared to be intoxicated. The female employee returned to work on Monday and walked into the manager’s office and proclaimed that she was drunk and asked what he was going to do about it. The female picked up a board off the manager’s desk and struck him on the side of his head. She then pulled out her knife and threatened to cause him bodily harm. The manager was able to escape from his office. As he ran down the corridor, the female was in close pursuit, waving the knife in the air, and screaming unintelligible utterances. As the manager passed a set of double metal doors, he stopped, closed the doors, held them closed with his foot, and called out for help. While waiting for the police to arrive, the female employee continually jabbed the knife blade through the crack in the doors in an attempt to cut the manager. The police arrived and arrested the female employee.

During the court hearing and her appeal for wrongful dismissal, the employee admitted to being addicted to illegal drugs and to being an alcoholic. She claimed that her father had sexually abused her as a child. The female’s representative also claimed that the inappropriate behavior by her supervisor and manager, combined with the illegal drug and alcohol abuse, caused her to flashback to her childhood, resulting in her violent behavior. The expert witnesses supported this concept and the judge ordered the company to reinstate the female to her original position. A sexual harassment case was opened against the manager, who left his position. The case is under appeal.

Conclusion

Legal experts say that once the employee declares that she is an alcoholic and asks for help, she falls into a protected class under the Americans with Disabilities Act and must be treated as such.

Items for Consideration

1. When employees are told they cannot work because it appears that they are under the influence of alcohol or an illegal substance, the company should not let them drive by themselves. The company should arrange for a family member or friend to pick them up or have a taxi take them home. If the employee is involved in an accident after being sent home, there may be significant legal issues raised.

2. Supervisors and managers who believe an employee may become violent should use a conference room or keep objects that can be used as weapons off their desks or behind them.
3. Behavioral psychologists indicate that many times a person's outward behavior is their way of asking for help. Supervisors and managers need to understand their role and responsibilities when handling such cases. Legal experts indicate that an employee must declare they are an alcoholic or have a condition that falls into one of the protected classes under the Americans with Disabilities Act prior to the commission of the crime or violation of company policy in order to be protected under ADA.
4. The Threat Assessment Team should get involved in the early stages, even after an incident has occurred, to provide the necessary advice.

Case Study 5 - “Gun Threat”

The Incident

On Friday afternoon, several employees reported to their supervisor that an employee told them that he was going to bring in a gun with a silencer and shoot someone.

Incident Response

Immediate action was required. Therefore, the Incident Response Team was not activated.

Investigation

An employee who had worked for the company for over 25 years became upset with rumors being spread by coworkers. The employee told a group of coworkers that he was going to bring in a gun with a silencer and shoot someone. Several coworkers provided statements to that effect. When interviewed by the Corporate Director of Security, the witnesses denied making any such statements. The employee was interviewed and freely admitted to making the statements; however the employee indicated that he did not mean the threats seriously. The employee just wanted the other employees to stop spreading rumors.

Conclusion

Intimidation or the threat of violence violates various laws. In this case, the employee was not charged criminally; however, the matter was handled administratively.

Items for Consideration

1. It is important that businesses have a clear policy regarding these types of threats and intimidation.
2. Businesses must consider each case on the material facts and weigh all aggravating and mitigating factors. When do you terminate an employee with over 25 years of service?
3. What can businesses do to help the employee?

Case Study 6 - “Threat from a Termination”

The Incident

The Human Resources Manager received a call from a supervisor who had just completed a firing meeting. The supervisor said that at the time the employee was notified of the termination, which was prompted by six no-show, no-call incidents over a five-week period, the employee became visibly angry and said, “You can’t fire me! You sure as hell can be terminated, though!”

The supervisor had told the employee to calm down and offered that “we all say things we don’t mean.” The employee did appear to calm down, but stood and said, “You’re taking away the only thing I have left. And I’ll see you tomorrow morning at your house and then you’ll know what it’s like.”

The supervisor was very afraid. She asked the Human Resources Manager what to do.

Incident Response

The Human Resources Manager immediately contacted the company threat management team, which consisted only of herself, the Operations Vice President, and President. They interviewed the supervisor and a number of other workers. They learned the following:

- The supervisor had talked several times with the employee about the attendance situation. The employee was a 40-year-old former school teacher who at first was apologetic about missing his shifts, but became increasingly sullen at each subsequent counseling. His hygiene and appearance had begun to suffer, and it was rumored that he was living in his car. There had also been a few complaints about him being extremely abrupt with visitors whom he was supposed to serve.
- When given a last-chance warning letter, the employee had merely crumpled the paper and left it on the supervisor’s desk before walking out and slamming the door.
- The supervisor noted that she believed that the employee’s wife had recently left and taken their three children to the Mainland. The employee was himself from the Mainland, but no one really knew exactly where.
- He had mentioned to an employee recently that he wondered what the last thing had been on the mind of someone who had committed suicide by jumping off the Pali.
- The supervisor lived about five miles away from the last known residence of the employee. She was married and had two small children. A year ago she had hosted a party at her home for her employees and the fired employee had spent much of the evening playing with her children.

- The supervisor said that a week earlier there had been a story on the national news about a triple murder at a workplace on the mainland which had ended with the gunman, a former worker, being shot and killed by the police. The supervisor said that the fired employee had commented that this was probably a pretty good way to go and had said, "I hope that doesn't hurt too bad." Another employee, reporting about the same situation, said that the fired coworker had noted that he could see how somebody could get so fed up with his boss that he would "come back with a gun." He had ended the conversation by saying that he had always wanted a quick death himself, "like from a police sniper."
- Another employee reported receiving a call from the fired employee in which he was told to stay home tomorrow and that he could keep the binoculars loaned to him by the fired employee. In the same call, the fired employee appeared at times incoherent but did mention that the recent divorce had forced him to lose his home. He also said that without his job he would not be able to make his child support payments and he knew his wife would retaliate by preventing their children from visiting him during their next school break. The call ended with the fired employee asking his friend to tell his kids that he had always tried his best.
- The company called the police and was told by the responding officers that the circumstances did not yet amount to a crime and at this point there was little that could be done. The police did confirm that the employee had purchased a shotgun one week earlier.
- The Incident Response Team consulted with a Threat Assessment Professional who pointed out that the employee exhibited a number of extremely serious warning signs and pre-incident indicators: a) he had suffered a series of recent significant losses (family, job, home); b) he had exhibited an interest in, and identification with, a recent workplace murderer; c) he had exhibited an interest in suicide; d) he had discussed being killed himself; e) he had indicated deep despair over his current situation; f) he had given away a personal object, and seemed to be settling his affairs; g) he had issued a non-conditional statement of intent to harm; and h) he had made a recent firearm purchase, coinciding with his likely termination. The Threat Assessment Professional also noted that the employee was familiar with his supervisor's home and family.

Based on a number of recommendations, the organization did the following:

- The company arranged with the police department to have uniformed special duty officers stationed at the company premises around the clock for seven days. Extension of the coverage would be considered as the situation developed.
- The company sent the supervisor and her family to stay at a hotel for a week and agreed to pay the expenses.

- The company engaged the services of an investigative firm to conduct surveillance of the supervisor's home by remote video.
- The supervisor's neighbors were advised that a problem individual might be visiting the supervisor's home. They were given a description of the fired employee and his vehicle and were asked to call the investigators or the police if he was spotted in the area.
- The local police district commander was contacted and it was agreed that for the next two days increased patrols of the supervisor's neighborhood would be attempted as other calls for service allowed.
- Attempts were made to contact the fired employee's ex-wife to obtain any information she might have regarding likely locations where the employee could be found.
- A psychologist with experience dealing with violence was retained to assist with any further contact from the former employee or to assist any current employees who might be experiencing anxiety over the situation.

Resolution

The next morning a neighbor getting his newspaper noticed a strange car pull up and park half a block away from the supervisor's home; the driver was a lone male. The neighbor noted the license number and upon going indoors confirmed that it was the fired employee's vehicle. He called the police and the investigation company. Arriving police officers saw the man walking up the driveway of the supervisor's home with a golf bag slung over his shoulder and carrying an ax. They ordered him to halt and, when he brandished the ax at them, they fired a beanbag round, disarming him. They found a loaded shotgun in the golf bag. He subsequently confessed that he had intended to break down the door with the ax and murder his supervisor and her family. He was convicted of attempted murder and weapons charges and was incarcerated.

Questions for Discussion

1. Would your organization have moved as rapidly to assess and manage this kind of situation, or would the prevailing attitude have been that the employee was simply "blowing off steam" and the organization should simply "wait and see?"
2. Has your organization identified a Threat Assessment Professional who is experienced in assessing information about troubling situations? What about a psychological/psychiatric resource for advice and counseling?
3. Would your organization be willing to take measures to assure an employee's safety if a work-related threat extended off-premises?
4. Has your organization identified the resources available through local law enforcement to assist in situations such as this?
5. What else would your organization do if confronted with this situation?
6. What would your organization do to monitor the situation in the future?

Case Study 7 - “Random Vandalism or Retaliation?”

The Incident

The Human Resources Manager for the organization receives a visit from a female employee. Later, as the employee leaves for lunch, she finds her car, in the office parking lot, damaged by numerous dents on all four doors. It is evident from clear impressions of muddy boot soles on parts of the damage areas, that someone had been kicking the car. The woman had recently been the victim of a serious long-term sexual harassment that had been investigated by the organization. The result had been the firing, two days earlier, of the senior manager who had coerced the woman into a sexual relationship. The Human Resources Manager had met that morning with the fired manager to complete certain required separation paperwork.

The woman employee said that she remembered once hearing the former manager boasting of damaging the car of someone who had cut him off in traffic, *after he had pulled the elderly driver from the car and slapped him around*. The woman employee is afraid that the former manager is responsible for the damage to her car, and also fears that he will harm her as well.

The woman says that, when she first brought the matter to her present supervisor, she was told that there was nothing about the situation that the organization could do and that there was no connection to the workplace. Besides, says her manager, because no articulated threat had been made, she should call a body shop and not the Incident Response Team.

The woman, remembering a briefing given on Workplace Violence to all employees, did not accept this response and went to the Human Resources Manager. She says that she thinks she is being retaliated against for providing a truthful statement in the company’s sexual harassment investigation and is primarily concerned for her safety.

Incident Response

The Human Resources Manager speaks with the members of the Incident Response Team. As a result of their conference, the following occurs:

- An experienced investigator is contacted to conduct an investigation of the vandalism.
- The police are called and a report is made of possible Criminal Property Damage.

- The Human Resources Manager speaks to other employees formerly supervised by the fired manager. They confirm that he had frequently spoken of angry confrontations he had initiated when subordinates had frustrated him. Two of the employees reported that he had threatened to “teach them a lesson” if they ever crossed him. Both reported that they felt physically threatened by his words and menacing manner.
- A background research firm conducts a check of public records in the locations where the former manager has lived in the past.
- The organization’s Chief of Security conducts a security briefing for the woman employee. As a courtesy, a security survey is made of her residence, which is in an apartment complex with excellent access controls, CCTV cameras and twenty-four hour security guards who monitor the main building entrance. Grills and gates secure the parking garage.
- The woman changes her unlisted telephone number and she is given a new extension number at work.
- The organization sends a letter to the former manager informing him that he may no longer visit the facility. He is told that all contact between himself and the company should be through the Human Resources Manager.
- The woman’s parking stall is changed to another located closer to the parking garage elevators and directly under view of the building security cameras.
- The building security guards are instructed to escort the woman to and from her parking stall if she requests.
- The woman is referred to the organization’s EAP provider for counseling and support. She attends a few sessions, and appreciates having a sympathetic professional with whom she can confidentially confide her thoughts and feelings.

Resolution

Upon receiving the letter, the fired manager leaves an angry voice mail message for the Human Resources Manager. While not containing any overt threat, it does transmit one piece of welcome news. He says they don’t have to worry about him coming back to their lousy building since he’s gotten a much better job on another island.

The investigation into the vandalism proves inconclusive. A passerby recalls walking into the building an hour before the discovery of the damage and seeing no vandalism. The same man walked out as the woman was showing it to the Human Resources Manager, and is certain that the car was fine when he arrived. A check of the parking lot tickets and access computer records shows that only the fired manager exited the parking lot during the relevant time period.

Through records found in California it is discovered that the fired manager was arrested for beating an ex-lover when she tried to break up with him. He was not convicted of that crime, but in a plea arrangement he entered a deferred plea to a charge of harassment.

Although the Human Resources Manager does not receive any further communications from the former manager she does learn from friends on the other island that the former manager is indeed working there. No background inquiries were made to his former employer by his new employer.

The woman employee reports no further instances of vandalism. The woman expresses frustration with her own manager's initial reaction, but express great appreciation for the subsequent handling by the organization.

Questions for Discussion

1. Do you agree or disagree with the handling of this situation by the organization?
2. Do you think the position of the woman's current manager is appropriate for your organization: *short of incontrovertible proof of direct connection, the organization should do nothing to make an employee feel more secure?*
3. What else do you think the organization should have done in this situation?
4. Does your organization conduct thorough background checks of prospective employees?
5. Does your organization:
 - a) Stress SAFETY with all managers?
 - b) Promote upward reporting of employee safety and security concerns to the attention of the Threat Management Team or other responsible executives?

Case Study 8 - “Temporary Restraining Order”

The Incident

The supervisor of an outlying office of a mid-sized organization telephones the Threat Management Team coordinator at the headquarters office. The outlying office is located in a large shopping center. The supervisor tells the coordinator that a female employee has just told him that at the urging of relatives, and with misgivings, she has obtained a Temporary Restraining Order (TRO) to prevent her ex-husband from approaching within 300 feet of her. She revealed that he had frequently choked and beat her during their seven-year marriage. He is an ex-felon, presently on parole for an armed robbery.

She has recently left her ex-husband for the first time and is living with a cousin whose address her ex-husband does not know. He is, of course, familiar with her regular work site.

The employee had delivered the TRO to the local police station earlier that morning. She also said that the ex-husband used to have access to a number of guns owned by his friends. He had warned her on numerous occasions that if she ever told anyone about his violence he would find her and kill her. For that reason she is afraid that by starting the TRO process she will cause him to become enraged and carry out his threats. The police told the woman that they would try to serve the TRO on her ex-husband as soon as possible.

Incident Response

The Incident Response Team coordinator, who is the company's Human Resources Manager, calls an immediate meeting of the team.

While waiting for the team to assemble, the coordinator places a call to the outside threat assessment consultant on contract with the company. The consultant advises that the following steps should be immediately taken at the site:

- The woman should be asked for a copy of the TRO and any other court orders detailing the locations and person(s) from whom the ex-husband was ordered to stay away.
- The woman should be asked to supply a full description of the ex-husband, a recent photograph (if available), and a description of all vehicles he is known to use.
- The information obtained from the woman should be supplied to the security guards for the shopping center where the woman's office is located.

- The woman should be consulted with and directed to make herself available to her ex-husband as little as possible and to have no communication of any kind with him.
- The team should develop a plan for what callers or visitors will be told about the woman's presence or absence from her work site.

The threat assessment consultant agrees to remain available by telephone to the company.

The Incident Response Team meets and, in addition to the consultant's advice, decides on the following:

- The site manager is to be told to keep the main entry-door to the office locked. As the office where the woman works rarely has visitors who do not make advance appointments, the supervisor does not think this will be a problem. Because the door contains a narrow glass window, visitors with appointments can be seen and admitted.
- The office receptionist is to be told to call the police and the shopping center security force upon any appearance made by the ex-husband at or near the office. Callers are to be told that the woman is on vacation and that messages are being taken.
- The woman is to be offered an opportunity to work at another office site on the other side of the island. Her ex-husband is not familiar with this location.
- The other five employees of the office are to be briefed on the situation and are to take specific measures to safeguard information about their coworker and her transfer.
- Contact will be made with the police in order for the company or the woman to be notified once the ex-husband has been served with the TRO.

Resolution

The same day, the woman moved to another office of the company, located approximately 25 miles from her normal office. The office staff at that location was also briefed on the situation and given the information about the ex-husband's vehicles and description. A copy of the TRO was given to the second office manager. It specified that the ex-husband was to remain a distance of 100 yards away from the woman and her workplace (her regular work site address was listed).

At 7:30 the next morning, the Incident Response Team coordinator listened to voice mail left by the police the previous night advising that the ex-husband had been served the TRO. His demeanor had been angry.

At 8:00 a.m., the coordinator received a call from the manager of the first office. Arriving employees had spotted the ex-husband sitting in his car 50 yards from the entry to the office. They had called the police and shopping center security. When the police arrived, they spoke to the ex-husband and noticed the butt of a pistol protruding from under some papers on the front passenger seat. The ex-husband was arrested for violating the TRO and a loaded revolver was recovered from the vehicle, hidden beneath a copy of the TRO. The pistol was determined to have been stolen. He was also charged on the weapons-related offenses.

At a subsequent court hearing, a high bail was set. Later, the ex-husband's parole was revoked and he was convicted on a felony gun charge.

Questions for Discussion

1. What other steps might the Incident Response Team have taken to ensure the safety of the woman employee?
2. As is often the case, the TRO was of mixed value. In your opinion, was it the likely precipitator of the ex-husband's pre-attack behavior?
3. What alternatives to a TRO could have been used to facilitate the woman employee's safety?

Case Study 9 - “Behavioral Problem”

The Incident

A supervisor calls the Corporate Director of Safety/Security over the concern of an employee. The supervisor indicates that the employee had asked if their neighbors had called. When asked why, the employee had related a story about his neighbors who have a machine that can read his mind. The employee had told the supervisor that this matter needs to be reported because only the FBI is authorized to have such a machine.

Incident Response

The Assistant General Manager, Department Head, Corporate Director of Safety/Security, Corporate Counsel, and Director of Human Resources reviewed the facts regarding the situation and developed a course of action. The Incident Response Team concluded that the employee should be sent to his personal physician and should return with a letter from his physician stating that the employee “ . . . is not a threat to themselves or someone else . . . ”. Several months later, the employee returned to work with a letter from the doctor. The letter stated that it was the doctor’s opinion that returning to work would be good therapy for the employee. The company did not have an Employee Assistance Program (EAP), which made it difficult to handle.

Investigation

While interviewing the employee, it was found that the employee had thrown rocks at the neighbors’ house causing damage to the windows and roof. The employee explained that this was an attempt to stop them from using the mind reading machine. The employee seemed confused. He indicated that he was seeing a state chiropractor, who suggested that he move because of the neighbors, which he did.

Conclusion

The employee did return to work under close supervision and is doing well.

Lessons Learned

1. Employees should be treated with respect at all times.
2. When dealing with this type of situation, the individual can be unpredictable. It is important that trained staff handle such matters and consult with an expert in human behavior and risk assessment.
3. It is also very important to consider not only violations of company policy but also violations of criminal laws. Not taking appropriate action to correct behavioral problems is actually giving permission to continue with the actions.
4. It is very important to identify who is on the Incident Response Team and to activate the Incident Response Team as soon as a potential threat is identified.

Case Study 10 - “Stalking”

The Incident

A supervisor called the Human Resources Manager to request a meeting of the Incident Response Team for assistance in handling a situation he's just learned about. He had been counseling one of his employees about her frequent unscheduled absences, when she told him a chilling story of what she's been going through for the past year. She had broken up with her boyfriend a year ago and he's been stalking her ever since. He calls her several times a week and she hangs up immediately. He shows up wherever she goes on the weekends and just stares at her from a distance. He often parks his car down the block from her home and just sits there. He's made it known he has a gun.

Incident Response

This organization's plan calls for the initial involvement of the Security Director, Human Resources Manager, and Employee Assistance Program in cases involving stalking. The security officer, EAP counselor, and the Human Resources Manager met first with the supervisor and then with the employee and supervisor together. At the meeting with the employee, after learning as much of the background as possible, they gave her some initial suggestions.

1. Contact the local police and file reports. Ask them to assess her security at home and make recommendations for improvements.
2. Log all future contacts with the stalker and clearly record the date, time, and the nature of the contact.
3. Let voice mail screen incoming phone calls.
4. Contact her phone company to report the situation.
5. Give permission to let her coworkers know what was going on (she would not agree to do this).
6. Vary her routines, e.g., go to different shops, take different routes, run errands at different times, report to work on a variable schedule.

The team then worked out the following plan:

1. The Human Resources Manager acted as coordinator of the response effort. He made a written report of the situation and kept it updated. He kept the team members, the supervisor, and the employee apprised of what the others were doing to resolve the situation. He also looked into the feasibility of relocating the employee to another work site.
2. The Security Director immediately reported the situation to the local police. With the employee's consent, she also called the police where the employee lived to learn what steps they could take to help the employee. She offered to coordinate and exchange information with them. The Security Director arranged for increased surveillance of the building and circulated photos of the stalker to all building guards with instructions to detain him if he showed up at the building.
3. The supervisor began to check the employee's voice mail in order to eliminate the number of times she would have to be exposed to the stalker's verbal harassment. He forwarded any non-harassing voice mail to a new voice mailbox established for the employee. The Security Director brought a tape recorder to the supervisor and showed him the best way to tape any future voice mail messages from the stalker. She also contacted the organization's phone company to arrange for its involvement in the case.
4. The Employee Assistance Program counselor provided support and counseling for both the employee and the supervisor throughout the time this was going on. He suggested local organizations that could help the employee. He also tried to convince her to tell coworkers about the situation.
5. The union arranged to sponsor a session on stalking in order to raise the consciousness of organization employees about the problem in general.

After a week, when the employee finally agreed to tell coworkers what was going on, the EAP counselor and Security Director jointly held a meeting with the whole work group to discuss any fears or concerns they had and give advice on how they could help with the situation.

Resolution

In this case, the employee's coworkers were supportive and wanted to help out. They volunteered to watch out for the stalker and to follow other security measures recommended by the Security Director. The stalker ended up in jail because he tried to break into the employee's home while armed with a gun. The Security Director believes that the local police were able to be more responsive in this situation because they had been working together with security on the case.

Questions for Discussion

1. Do you agree with the employer's approach in this case?
2. What would you do in a similar situation if your organization doesn't have security guards or a Security Director?
3. What would you do if coworkers were too afraid of the stalker to work in the same office with the employee?
4. What would you do if/when the stalker gets out of jail on bail or out on probation?
5. If the stalker had not precipitated his arrest, how long would your organization have been willing to continue supporting the employee with enhanced procedures?
6. Would your union and management have agreed to conduct stalking training for employees?

Case Study 11 - “Frightening Behavior”

The Incident

A supervisor contacts the Human Resources Office because one of his employees is making the other employees in the office uncomfortable. He said the employee does not seem to have engaged in any actionable misconduct but, because of the employer’s new workplace violence policy, and the workplace violence training he had just received, he thought he should at least mention what was going on. The employee was recently divorced and had been going through a difficult time for over two years and had made it clear that he was having financial problems which were causing him to be stressed out. He was irritable and aggressive in his speech much of the time. He would routinely talk about the number of guns he owned, not in the same sentence, but in the same general conversation in which he would mention that someone else was causing all of his problems.

Incident Response

At the first meeting with the supervisor, the Human Resources Supervisor and Employee Assistance Program (EAP) counselor suggested that, since this was a long-running situation rather than an immediate crisis, the supervisor would have time to do some fact-finding. They gave him several suggestions on how to do this while safeguarding the privacy of the employee (for example, request a confidential conversation with previous supervisors, go back for more information from coworkers who had registered complaints, and, if he was not already familiar with the employee’s personnel records, pull his file to see if there are any previous adverse actions in it). Two days later they had another meeting to discuss the case and strategize a plan of action.

The supervisor’s initial fact-finding showed that the employee’s coworkers attributed his aggressive behavior to the difficult divorce situation he had been going through, but they were nevertheless afraid of him. The supervisor did not learn any more specifics about why they were afraid, except that he was short-tempered, ill-mannered, and spoke a lot about his guns (although, according to the coworkers, in a matter-of-fact rather than in an intimidating manner).

After getting ideas from the Human Resources Supervisor and the EAP counselor, the supervisor sat down with the employee and discussed his behavior. He told the employee it was making everyone uncomfortable and that it must stop. He referred the employee to the EAP, setting a time and date to meet with the counselor.

Resolution

As a result of counseling by the supervisor and by the Employee Assistance Program counselor, the employee changed his behavior. He was unaware that his behavior had been scaring people. He learned new ways from the EAP to deal with people. He accepted the EAP referral to a therapist in the community to address underlying personal problems. Continued monitoring by the supervisor showed the employee's conduct improving to an acceptable level and remaining that way.

Questions for Discussion

1. Do you agree with the approach in this case?
2. Can you think of other situations that would lend themselves to this kind of low-key approach?
3. Does your organization have effective EAP training so that supervisors are comfortable in turning to the EAP for advice?

Case Study 12 - “Disruptive Behavior”

The Incident

After workplace violence training was conducted at the organization, during which early intervention was emphasized, an employee called the Employee Assistance Program (EAP) member of the workplace violence team for advice on dealing with his senior coworker. He said the coworker, who had been hired at a senior professional level six months earlier, was in the habit of shouting and making demeaning remarks to the other employees in the office. The senior coworker was skilled in twisting words around and manipulating situations to his advantage. For example, when employees would ask him for advice on a topic in his area of expertise, he would tell them to use their own common sense. Then when they finished the assignment, he would make demeaning remarks about them and speak loudly about how they had done their work the wrong way. At other times, he would demand rudely in a loud voice that they drop whatever they were working on and help him with his project. The employee said he had attempted to speak with his supervisor about the situation, but was told not to make a mountain out of a molehill.

Incident Response

The EAP Counselor met with the employee who had reported the situation. The employee described feelings of being overwhelmed and helpless. The demeaning remarks were becoming intolerable. The employee believed that attempts to resolve the issue with the coworker were futile. The fact that the supervisor minimized the situation further discouraged the employee. By the end of the meeting with the counselor, however, the employee was able to recognize that not saying anything was not helping and was actually allowing a bad situation to get worse.

At a subsequent meeting, the EAP counselor and the employee explored skills to address the situation in a respectful, reasonable, and responsible manner with both his supervisor and the abusive coworker. The counselor suggested using language such as:

- I don't like shouting. Please lower your voice.
- I don't like it when you put me down in front of my peers.
- It's demeaning when I am told that I am...
- I don't like it when you point your finger at me.
- I want to have a good working relationship with you.

The employee learned to focus on his personal professionalism and responsibility to establish and maintain reasonable boundaries and limits by using these types of firm and friendly “I-statements,” acknowledging that he heard and understood what the supervisor and coworker were saying, and repeating what he needed to communicate to them.

After practicing with the Employee Assistance Program (EAP) counselor, the employee was able to discuss the situation again with his supervisor. He described the situation in non-blaming terms, and he expressed his intentions to work at improving the situation. The supervisor acknowledged that the shouting was annoying, but again asked the employee not to make a mountain out of a molehill. The employee took a deep breath and said, “It may be a molehill, but nevertheless it is affecting my ability to get my work done efficiently.” Finally, the supervisor stated that he did not realize how disruptive the situation had become and agreed to monitor the situation.

The next time the coworker raised his voice, the employee used his newly acquired assertiveness skills and stated in a calm and quiet voice, “I don’t like to be shouted at. Please lower your voice.” When the coworker started shouting again, the employee restated in a calm voice, “I don’t like being shouted at. Please lower your voice.” The coworker stormed away.

Meanwhile, the supervisor began monitoring the situation. He noted that the abusive coworker’s conduct had improved with the newly assertive employee, but continued to be rude and demeaning toward the other employees. The supervisor consulted with the EAP counselor and Human Resources Supervisor. The counselor told him, generally, people don’t change unless they have a reason to change. The counselor added that the reasons people change can range from simple “I-statements,” such as those suggested above, to disciplinary actions. The Human Resources Supervisor discussed possible disciplinary options with the supervisor.

The supervisor then met with the abusive coworker who blamed the altercations on the others in the office. The supervisor responded, “I understand the others were stressed. I’m glad you understand that shouting, speaking in a demeaning manner, and rudely ordering people around is unprofessional and disrespectful. It is unacceptable behavior and will not be tolerated.” During the meeting, he also referred the employee to the Employee Assistance Program (EAP).

The coworker continued his rude and demeaning behavior to the other employees in spite of the supervisor’s efforts. The others, after observing the newly acquired confidence and calm of the employee who first raised the issue, requested similar training from the EAP. The supervisor met again with the EAP counselor and Human Resources Supervisor to strategize next steps.

Resolution

When all of the employees in the office started using assertive statements, the abusive coworker became more cooperative. However, it took a written reprimand, a short suspension, and several counseling sessions with the EAP counselor before he ceased his shouting and rude behavior altogether.

Questions for Discussion

1. Does your workplace violence training include communication skills to put a stop to disruptive behavior early on (including skills for convincing reluctant supervisors to act)?
2. How would your organization have proceeded with the case if the coworker had threatened the employee who spoke to him in an assertive way?
3. What recourse would the employee have had if the supervisor had refused to intervene?

Case Study 13 - “Psychological Problem”

The Incident

A Division administrator contacted Human Resources because of a female employee who was displaying memory lapses, sudden physical disability, disorientation, agitation, inability to focus and retain information, sudden arrival at coworkers' residences in a troubled state, threats to harm herself, and possession of a knife and a handgun while off-duty at the homes and in the presence of a coworker. The employee had been an unexpected overnight guest when she appeared at colleagues' homes in a troubled state. She has been disoriented to her surroundings, and unable to identify those with whom she regularly works. Colleagues have transported her to hospital emergency rooms, and to scheduled medical and mental health treatments. Coworkers are distressed about the potential threat posed to them by the employee.

Incident Response

The Human Resources Division contacted the Employee Assistance Program (EAP) for initial consultation. The EAP recommended bringing in a psychologist with threat assessment expertise to meet and help devise a response plan.

The initial meeting consisted of several representatives of Human Resources, the Division administrator, the EAP and the threat assessment psychologist. At this meeting, the background of the case and the employee was discussed. The employer revealed that the goal of the intervention was to devise a strategy which would enable the safe retention of the employee.

Administrator The Division administrator was tasked with providing the personnel file to the psychologist for review. He would also arrange for the employee to be evaluated by the psychologist for purposes of providing a plan of action based upon a mental health, or Fitness for Duty evaluation. He arranged for coworkers to have access to the EAP program in order to address their fears and consequent mental health needs.

Human Resources The Human Resources administrator contacted security in order to develop background information related to the employee. Information about the employee's criminal history of violence and weapons possession was desired. The Human Resources administrator also consulted with the Division administrator to make sure that the organization's policies and procedures were implemented. The Human Resources office articulated questions that they wanted answered by the Fitness for Duty evaluation.

Employee Assistance Program Timed to coincide with when the Fitness for Duty evaluation was being conducted, the EAP had a crisis debriefing session with all employees. The purpose of this debriefing was to address ongoing concerns of the employees, provide information that may lead to their reassurance that the organization was acting responsibly, and to provide linkage to individual counseling. The EAP also conducted individual short-term counseling and referrals for employees who expressed a need for these services. In a manner ensuring confidentiality, the EAP provided information to the threat assessment psychologist about behaviors of concern to these employees.

Threat Assessment Psychologist The psychologist interviewed selected administrative staff and learned the employer's goal was the safe retention of the employee. Information was developed that the employee had no criminal history. Initial information was that the employee had recently been evaluated for a stroke, but that the physical complaints of this employee had no known medical causation. A referral had then been made for psychological care.

The threat assessment psychologist met with the employee and gained access to her mental health files. It was learned that she became depressed and anxious, and started to have flashbacks and disconnected memories of her childhood. She had trance-like dissociative states. She was suspected of being a victim of sexual abuse as a child, as well as some other violence. Her psychiatrist prescribed a number of medications commonly used in treating depressive, panic, seizure and psychotic disorders.

Psychological testing was conducted, with results indicating the employee was not in touch with her emotions, that may overcontrol the way that she expressed her anger. Her profile indicated that she tended to be impulsive and act out in socially unacceptable ways. She showed a pattern of guilt and remorse and negative self-evaluation after her impulsive behavior, but she tended to repeat this behavior. People with her profile tend to feel tense, agitated and unable to manage their problems. They engage in compulsive behavior and set high standards for themselves and feel guilty when such standards are not met. The test results showed that she had superior intellectual functioning. While she has admitted to recent suicidal ideation, her test results did not suggest a tendency to express anger outwardly. Her pattern of test results suggests that she may have symptoms of a number of psychological conditions.

The psychologist interviewed the employee. She admitted hearing voices. She described these voices as coming from within her head and that the identity of the voice was known to be her. At times, the voices argue. She showed no evidence of obvious delusional beliefs. At times, her memory and concentration appeared lacking for someone of her intellectual capacity. She said that she did not understand why her employer was involved in her situation. She expressed apprehension that she may lose her job.

The employee expressed distress over her recent behavioral changes. She claimed that she finds herself at different locations without remembering the circumstances of her travel.

The employee denied any homicidal ideation, thoughts, intent or plans. She admitted to suicidal ideation in the past, the last time 2-3 months ago. Her plan had involved shooting herself and at least on one occasion, she had placed a gun to her head. She had thoughts about driving her car over a cliff, but she did not pursue this because the outcome was "not guaranteed."

She told the psychologist that a few months ago that she had attempted to acquire a handgun for target practice because she could not bring an unregistered weapon — which she possessed — to the range. She was unable to acquire one because she truthfully answered registration questions pertaining to her mental condition. She had, and may continue to have, access to two other weapons. She claimed that her husband's unregistered handgun was dismantled. She said that a second unregistered weapon had been in a safe deposit box, but that she then anonymously had mailed it to the police. When the psychologist expressed skepticism that she had mailed this weapon to the police, she then denied mailing it and claimed that she had thrown the gun into the ocean after contemplating killing herself. The employee revealed that she is an experienced shooter of weapons, having been trained to shoot by her father when she was aged four or five. She said that she knows that she can always go to a shooting range to use a weapon there.

The employee disclosed that she had increased her level of alcohol consumption over the past six months. She admitted that she had consumed one and a half beers before coming into the psychological interview in an attempt to manage her anxieties. While she denied any history of problems with alcohol or craving to drink, she revealed that a friend of hers had told her that her drinking was making matters worse. She denied any current abuse of illegal substances, but admitted smoking marijuana and using Ecstasy on several occasions while in college.

An interview with the employee's supervisor indicated that over the past few weeks, she had been doing well in her work. He felt that she was getting better. He was able to tolerate her occasionally taking sick leave because of episodes that she may experience. He considered her one of the best employees he ever had.

The psychologist completed his evaluation and wrote a detailed report on his findings.

Resolution

The Fitness for Duty documented the severity and variety of her psychological conditions, that the conditions would become noticeable on a periodic basis, and that this would prevent her from working during that time period. During acute episodes of her disorder, she was viewed as being unable to perform some or all of her work functions, duties and responsibilities.

During the period of time that her condition flared, she was considered to be a mild-substantial danger to hurt herself. The level of risk varied as a function of her fluctuating psychological course. Also elevating the risk level was the potential presence of handguns, the location and security of which were not adequately documented. While the employee denied any thoughts, intent or plan to hurt others, the presence of weapons was perceived to elevate the risk that others could be inadvertently hurt in any attempt to hurt herself. Additionally, others who might seek to disarm her could be injured in this process.

The report concluded that if the employer wanted to keep the employee working under these conditions, that coworkers should not transport her for medical care, but should call an ambulance and security if such care was needed. It was also recommended that the employee be directed to have her weapons secured by police authorities. The Employee Assistance Program was suggested as a resource that could be tasked with making recommendations regarding the employee gaining access to specialized treatment programs on the mainland, which programs could be helpful to the employee.

The employer was advised that a comprehensive risk management approach would also involve retaining a security firm that could develop additional information about the behavior, thinking and plans of the employee. The security firm could engage in surveillance or pretext contacts in order to aid in managing the case. The employer was informed that this approach could serve as an early warning system if the employee were engaged in active measures to plan an act of violence. Despite this recommendation, the employer decided against these measures.

The employer decided to retain the employee and to continue to provide accommodation. The employer provided time off for psychological care and discontinued the practice of employees providing transportation to psychological and medical care. The employee has been performing her duties well. Another employee decided to quit because she was so traumatized about being exposed to the behavior of her coworker.

Questions for Discussion

1. Do you agree with the employer's willingness to retain the employee?
2. Would your organization handle the situation differently? How?
3. Has your organization identified a threat assessment professional if a similar situation occurred in your organization?

Case Study 14 - “Harassing Behavior”

The Incident

A Division administrator contacted Human Resources because of a male employee who, for a period of four years, had engaged in harassing behavior that included threatening hand gestures, facial sneers, hitting another employee with a refrigerator door, being confrontational and intimidating others. In addition, the one employee had made racially derogatory remarks and was badgering and confrontational. The employee had a history of complaining about alleged mistreatment at his workplace. Eight formal internal complaints were documented about the behavior of four coworkers. In formal and informal complaints, he had claimed sexual harassment, reprisals, retaliation, hostile behavior, and racial harassment. He claimed there was a conspiracy against him. He said that he had received prank calls from a coworker. In about a four-month period, he had filed five complaints alleging coworkers had engaged in racial discrimination and lying. No complaints were sustained. Over a four-year span, few of his complaints resulted in coworkers being counseled about their behavior. Most of his complaints were not sustained.

His supervisor and coworkers started to complain about his behavior. He asked if he could get directives in writing. He was observed making extensive use of the telephone for personal calls. He yelled at a coworker. His continuous talking was interfering with other coworkers' productivity. He was tardy to work. His supervisor complained about the employee causing her stress. He was noted as moody, making threatening gestures (punching his fist into the palm of his hand), and recording his conversations with everyone by means of a tape recorder. He was asked to calm down as his voice escalated and got very loud. He was unwilling to work required overtime.

He asked a supervisor if he could bring a gun to work in order to protect himself. When he was told “no,” he asked if he could bring pepper spray to work. A coworker claimed that the employee confided that he carried a knife in his socks.

The employee was placed on leave with pay in order to conduct an investigation of his work environment. Three years later, the company sought to take action to resolve this situation.

Incident Response

The Human Resources Division contacted a psychologist with threat assessment expertise to meet and help devise a response plan.

The initial meeting consisted of a representative of the Human Resources office and the threat assessment psychologist. At this meeting, the background of the case and the employee was discussed. The employer revealed that the goal of the intervention was to devise a strategy which would enable the **safe return to work** of the employee.

Human Resources

The Human Resources administrator was tasked with providing the personnel file and other documents (including the complaint file) to the psychologist for review. He would also arrange for the employee to be evaluated by the psychologist for purposes of providing a plan of action based upon a mental health, or Fitness for Duty evaluation.

Threat Assessment Psychologist

The psychologist interviewed selected administrative staff and learned that the employer's goal was the safe return to work of the employee. The psychologist was provided information that the employer had sent the employee to a psychiatrist at the time he was removed from work status. The psychiatrist conducted one interview and performed no testing. The psychiatrist's report indicated that coworkers had anxiety about the employee's potential for dangerousness.

Psychological testing results indicated the employee may have tried to present a distorted and overly positive impression of himself, thereby limiting confidence in the psychological test results. His psychological test results showed that he desires to dominate in relationships and that he may have occasional exaggerated aggressive responses. He has strong need for attention and affection from others and he may fear that these needs will not be met if he is more honest and open about his attitudes. People with his profile are perfectionists and condemnation causes them considerable tension, especially if conveyed by persons in authority. There was no evidence that the employee suffered from disorders such as psychosis, depression, or anxiety disorders. He operated at a normal level of intellectual functioning. There was evidence that he may have various personality disorders.

The psychologist interviewed the employee, who was tense and cautious. He had an unusual affect, a prominent and intermittent facial grimace. He was articulate, deliberate and overtly cooperative. He denied any homicidal or suicidal ideation, thoughts, intent or plans. He claimed that he owned no weapons. He denied any intent to bring a firearm to work, claiming that he only wanted permission to carry a "pepper spray gun." The reason for this was his purported fear of a coworker. He denied telling this same coworker that he carried a knife on his person, or that he ever does carry a knife.

The employee showed no evidence of hallucinatory behavior or obvious delusional beliefs. He said that he had no problems with alcohol, and previously used it very rarely. He denied any current substance abuse, but admitted smoking marijuana while in high school. He does not take any medication.

The employee was asked if he would be willing to disavow any rights to gun ownership in order to return to work. Initially he responded by saying that he would have to consult with his union in order to not give up any rights. When told that some people are willing to disclaim such ownership rights in order to regain their position, he instructed this evaluator to write that he would do so.

The psychologist completed his evaluation and wrote a detailed report on his findings.

Resolution

The Fitness for Duty report documented that the employee currently showed evidence that he represents a low risk of present danger to himself or others. There was no recent or past specific threat. There was no known substance abuse or psychotic disorder. There was no known history of violence, other than a reported incident when he hit a co-worker with a refrigerator door. However, the request to bring a gun to work and allegations that he wore a knife on his person were concerns. It was suggested that if the employee was allowed to return to the workplace, it would be prudent to accept his offer to disavow any gun ownership rights by having him submit a statement to this effect to authorities.

The psychologist stated that because of the employee's personality disorder, he was likely to continue to have problems dealing tactfully with people. Training classes in anger management, stress management, and conflict resolution were suggested. However, the employer was warned that supervisory tactics would need to be employed to observe his work behavior and document whether or not he meets all requirements, including interpersonal comportment.

The threat assessment psychologist suggested to the employer that the services of a security firm be retained in order to develop more information on the criminal background and weapons ownership profile of the employee. The employer was advised that a comprehensive risk management approach would also involve the security firm engaging in surveillance or pretext contacts in order to aid in managing the case. The employer was informed that this approach could serve as an early warning system if the employee was engaged in active measures to plan an act of violence. Despite these recommendations, the employer decided against these measures.

The employer decided to retain the employee. The employer required the employee to attend extensive anger management training. The employee complained about this requirement and continues to be uncooperative with the employer.

Questions for Discussion

1. Do you agree with the employer's willingness to retain the employee?
2. Would your organization handle the situation differently? How?
3. Has your organization identified a threat assessment professional if a similar situation occurred in your organization?

Practice Exercises*

Introduction

This section contains exercises that will encourage you to utilize the information learned in the manual, and to think about the best ways to handle the issue of violence in the workplace.

How to Use the Practice Exercises

It would be helpful if you could use an experienced trainer who would ask you to work in small groups. First approach the exercise as a fellow employee. Then you might approach the exercise as a supervisor or manager.

For these exercises, follow the steps below.

1. Read the assigned exercises.
2. Discuss “Things to Think About” and formulate responses.
3. Have someone in your group take notes and present your responses to the larger group.
4. Ask your trainer for assistance when needed.

*From *Understanding and Responding to Violence in the Workplace*, U. S. Department of Health and Human Services, March 1997. Reproduced by U. S. Department of Commerce, National Technical Information Service, Springfield, VA 22161 (703) 605-6000.

Exercise 1: “Thank Goodness It’s Friday!”

You are sitting at your desk quietly winding up your work for the day. It's Friday afternoon and your thoughts turn to your plans for the weekend. Suddenly you are startled by some commotion you hear in the hall. You recognize the voices of your coworkers John and Sarah. Sarah is yelling at John to stop bothering her, that she is sick and tired of his sexual harassment. John is yelling back at her, telling her she's crazy and that he can't stand to be with her, much less sexually harass her. The screaming continues and you step out into the hall to try to intervene. About that time, John storms off saying to Sarah, "I hope you have a horrible weekend, I'll make sure that you do!"

Sarah is shaking and runs out the door. You start thinking about what you should do. All you really want to do is go home and forget this event. It will cool down by Monday. Something bothers you, though. You know that John is an avid gun collector and user and there have been rumors that he has hit his wife. Suddenly you are worried about Sarah.

THINGS TO THINK ABOUT:

1. Do you think you should get involved in this situation?
2. What are you going to do now?
3. Is John a violent person?

Exercise 2: “Helping Mary”

Mary is a coworker in your agency. She has been a valuable employee to your group and one of the most respected experts in her field. You notice lately, though, that she is more reserved and is absent quite a bit. You hear her quietly crying or having a fight with someone on the phone frequently. She is a bit jumpy while she is at work, always looking over her shoulder when she goes somewhere.

You ask her to lunch one day and voice your concern. Mary says she is having some problems at home but that they are nothing to worry about; she can handle them herself. Several weeks later you notice that Mary's fear has escalated. She rarely leaves the building. When she must leave, she moves quickly, always covering her face. She works erratic hours. Her fear is really beginning to affect everyone at work. You are all concerned for her but don't know what is going on. You begin to wonder if there is a real danger, both to Mary and to the rest of you who work with her.

THINGS TO THINK ABOUT:

1. Do you believe this is a situation that requires further action on your part? Why or why not?
2. What are the appropriate interventions in this situation? Think about those things that you and the other coworkers can do, what Mary's supervisor can do, what security staff can do, and what any other agency staff can do.
3. Are there other protections that should be considered for Mary and her coworkers?

Exercise 3: “The Unhappy Customer”

Your job in this Department is to assist recipients of substance abuse grants. It involves working with customers face-to-face each day. Since there are many recipients of these grants, it is impossible to know all of them personally. Due to recent budget cuts, some of the grantees have been eliminated.

Some of the discontinued recipients have been calling you. They are extremely upset and have even screamed at you. One even threatened to get even since you ruined his life. You ignore these calls and threats, attributing the behavior to the situation of losing their livelihoods. In fact, you actually feel sorry for them and decide you would also be upset if you lost your program.

One morning, you are sitting in your office and a man bursts in and starts waving a gun at you. You do not recognize him. He starts screaming, “It’s time to get even and don’t act like you don’t know what I’m talking about!”

THINGS TO THINK ABOUT:

1. Detail what you would do in this situation.
2. Could this situation have been prevented? If so, what are some of the preventative actions you and your Department could have taken?

Exercise 4: “The Burnt-Out Administrator”

In the last few months, your agency has undergone a re-organization. You are the computer network administrator and have been working very hard to reconfigure everyone’s computers. You have been putting in a lot of hours at night so you cause as little disruption as possible. You are starting to feel extremely stressed. Your attitude has been bad and you don’t particularly like coming to work. You tell yourself that this will end soon, after the new system is put in place.

One morning, after a particularly long night, you come in to work and sit down to read your email messages. There is a message from a very angry employee whose computer has crashed and she needs your help immediately. You walk around to her space and the woman starts to verbally attack you.

She screams, “YOU ARE SO STUPID! ONLY STUPID PEOPLE WOULD MESS UP A COMPUTER THE WAY YOU DID. WHY DON’T YOU GET A JOB THAT YOU CAN HANDLE? DON’T YOU FEEL ASHAMED FOR WHAT YOU HAVE DONE TO ME?”

THINGS TO THINK ABOUT:

1. What are your thoughts about this woman right now?
2. Based on these thoughts, how do you think you will respond to her?
3. What are some effective thoughts that would let you see this situation in a different light?
4. What are some things you can do to handle the stress you are feeling at work lately?

Exercise 5: “The Strange Visitor”

In the middle of the day, you leave your office to go the restroom. You notice that the back emergency door has been propped open to let in the cool breeze. Once you are in the restroom, you notice a woman acting very strange. She is talking to herself and seems to be agitated. You have never seen her before and she does not have an ID badge on. When you leave the restroom, she follows you to your office. She states she is a job applicant but no one will talk to her and she doesn't know where to go. Her voice starts to get more frantic.

You offer to take her to the personnel office but she refuses to cooperate and becomes belligerent. She begins to scream about how the government is out to get her. It becomes clear that this woman is going to be a problem. You wonder how she ever got past the guard.

THINGS TO THINK ABOUT:

1. Now that this situation has escalated, what are the best ways to intervene?
2. Would you be concerned about the physical security precautions in your building? Why or why not? If you are concerned, what would you do to address these concerns?

Exercise 6: “The Suspicious Caller”

You are a health care worker at the agency’s clinic in Wotakki. As you are filling out your patient charts one evening, you hear the phone ring at the nurse’s station and pick it up. The caller’s voice is muffled, as if he had a handkerchief over the receiver. You also think you hear traffic in the background so it makes it even harder to hear. He starts talking very quickly and says, “I DON’T LIKE WHAT YOU ARE DOING AT THAT CLINIC AND I WANT IT TO STOP. I HAVE A BOMB PLANTED IN THE BUILDING AND PLAN TO SET IT OFF VERY SOON. YOU WILL BE SORRY NOW FOR WHAT YOU DID!” He hangs up the phone.

THINGS TO THINK ABOUT:

1. What would you do now?
2. Based on this conversation, what information would you provide to law enforcement personnel?

Exercise 7: “Another Visit With John”

Monday morning

This morning you receive an anonymous note from a female employee in your Department who has accused John of sexual harassment. The note states that he has placed several calls to this employee’s home and asked her out on dates. The employee has refused and has asked John to stop calling her. The employee complaint was anonymous, but because you only have 25 female employees in your area, you have been able to narrow it down to five possibilities, based upon facts you received in the complaint. The complaint also alleges that while the female employee was standing at the copy machine, John rubbed up against her and made a comment about being physically attracted to her.

John is a 56-year old employee who has worked for the Government for 28 years. While John has not been a stellar employee, his performance has been adequate and he has received regular pay increases consistent with his longevity.

During the last five years, John has applied for two promotions and has been turned down both times. On those two occasions, he was disappointed that he was not chosen and made negative comments to his coworkers about affirmative action. However, it did not seem to have a significant impact on his work.

About six months ago, John and his wife of thirty years separated. They have three grown children, none of whom live in this area. While John didn’t really talk about his separation and the details, there were some quiet rumors that John was abusing his wife. In addition, there have been many rumors over the years that John has an alcohol problem. However, since he has a very good attendance record and his performance is adequate, his supervisors decided to respect his privacy and not look into the rumors.

John has only a few friends at work. In his spare time, he is an avid hunter and competitive pistol shooter. In fact, he has won several national awards in competitions sponsored by the NRA. To your knowledge, he has never brought a firearm into the workplace.

THINGS TO THINK ABOUT:

1. What are you going to do now?
2. Do you want to change any plans you made at the beginning of this training?

Next day 8:00 am

You read the complaint carefully again several times after not having slept well all night. You decide to contact the human resources office and speak to a special investigator who regularly conducts sexual harassment investigations. Since you do not know the identity of the complainant, it is impossible for you to conduct any interviews of that person. The human resources investigator calls John to come join you for a discussion.

9:00 am

John arrives and you and the investigator inform him that someone has complained about his behavior. You ask him if he will cooperate with the investigation. John expresses outrage that his reputation is being tarnished and demands to know the identity of the accuser. You tell him the complaint was anonymous, but he does not believe you. He insists that he is a good loyal employee with many years of services who is being unfairly maligned by some "bitch." This language and this type of behavior are fairly unusual for John.

Toward the end of the meeting with John, he becomes belligerent and says, "You have some nerve; I have worked here for 28 years and done a damn good job. Now, you have accused me of sexual harassment. This is outrageous." Then his face becomes beet red and he says, "I'll show all of you; nobody messes with me. I'm going to teach all of you a lesson you'll never forget!" With that, John bolts out of the meeting, walks out and grabs his coat, looks back and says, "I'll be back later, after I've taken care of a few things."

THINGS TO THINK ABOUT:

1. What would you do now?
2. Would you involve others at this point? What are the consequences if you do?
3. Do you think John has made a threat?
4. Do you think a request for a medical exam is appropriate at this time?

Exercise 8: “The Bickering Coworkers”

You are the supervisor of a large group of employees. Over the last few months, you notice that two of your employees, Bob and Ed, have not been getting along. They have been calling each other names and have been raising their voices at each other. You have ignored this up until now thinking, “Boys will be boys.” But the situation has escalated now and you are afraid one of them will harm the other. Coworkers are starting to complain that they are afraid and that they can’t concentrate with the disruptions. When you try to sit them down and talk to them, they are belligerent and tell you to stay out of the situation. They tell you this has nothing to do with work and they will handle it on their own. They get up and leave your office.

THINGS TO THINK ABOUT

1. Do you think this is a violent situation? Why or why not?
2. What would you do at this point?
3. Do you think disciplinary action is warranted? If so, identify the behavior or conduct that is inappropriate. What is your recommended action?
4. Would you consider terminating these employees if the behavior did not stop? If so, what precautions would you take to assure the safety of everyone involved?