



In The Workplace Prevention

**AWARENESS
ALERTNESS
ACTION**



EMPLOYEE GUIDE

BOOK 345

A MESSAGE FROM THE VIOLENCE IN THE WORKPLACE COMMITTEE

Following a series of external and internal threats to the safety and security of BART employees, this committee was formed to develop policies and procedures to address the prevention and intervention of violence in the workplace. The committee is under the direction of the Joint Labor Management Committee (JLMC) and is composed of two (2) representatives from each of the five (5) Unions plus two (2) non-represented employees. The members of the committee are listed below. The Violence in the Workplace Committee held its first meeting in May, 1995. The committee established the following statement as its mission:

“BART Labor and Management are committed to maintaining a safe work environment for its employees. BART Labor and Management recognize that violence in the workplace is a critical issue and is further committed to developing and implementing training programs, establishing prevention methods and instituting physical plant changes to enhance employee personal safety at the workplace.”

The Violence in the Workplace Committee's long-term goal is:

“To develop a comprehensive Violence in the Workplace document for BART.”

Violence in the Workplace Committee Members (Present and Former)

Jayne Faria, ATU (Former)	J.R. Thomas, SEIU
Patsy Lyles, ATU	Carlos Wilkerson, SEIU (Former)
Judy Anguella, ATU	Rose Sandoval, SEIU
Maria Castillo, AFSCME	Lynette Toney, SEIU (Former)
Cheryl Simien, AFSCME	Cathy Griffin, BPMA
Jim McHenry, BARTSPA (Former)	Nelton Joe, BPMA
Heather Hawkins, BARTSPA (Former)	Les Morgan, BPOA
Barbara George, Non-Represented, Chair	Kory Frost, BPOA
Lee Kirk, Non-Represented	John Kelly, BPOA (Former)
Jo Olmes, Non-Represented (Former)	Fred Crabtree, BPOA (Former)
Richard Pasini, Safety Dept. Representative	

This pamphlet, the policies, implementation procedures and security measures described herein are the product of several months of discussion, review and recommendation from this collaborative group of labor and management representatives. Any changes to these policies will require the prior approval of the Joint Labor Management Committee.

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VIOLENCE IN THE WORKPLACE

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VIOLENCE IN THE WORKPLACE



Introduction

There is every evidence that violence in our society is increasing at alarming rates. The National Institute of Occupational Safety and Health reports that homicide is the leading cause of workplace death for women and the second leading cause of death for men in the workplace. Recent studies suggest that one out of every four employees was attacked, threatened or harassed at work in the last year. The following headlines help demonstrate the problem nationally:

- "Gunman Shoots and Kills 8, Wounds 10 in San Francisco Law Offices" (*July, 1993*)
- "Fort Knox Worker Kills 3, Wounds 2, Shoots Self" (*October, 1993*)
- "Disgruntled Former Electronics Employee Kills 3, Wounds 5 in Southern California Shooting" (*February, 1994*)
- "Employee Kills 2, Wounds 2 in Richmond, California Social Security Office When Informed of Impending Discharge" (*March, 1995*)
- "Five People Killed, 6 Injured in Shooting at the AFSCME, Local 532 Offices in Ft. Lauderdale, Florida" (*February, 1996*)

The potential for this kind of violence exists in every workforce, even here at BART. The following incidents involving District employees are only a few examples of the types of incidents that happen to BART employees:

- A lone station agent is verbally threatened by an emotionally unstable patron in the early morning hours.
- A train operator is threatened by a disgruntled patron wielding a knife when asked to stop cutting the train seats.
- An individual attempting to rob an automated fare machine pulls a gun on a station agent when questioned about the activity.
- A female employee tells her co-worker that she is afraid her estranged husband is going to kill her.

- An employee is heard saying at his discharge hearing that he is going to get even with the person responsible for causing him to lose his job.
- A train operator is threatened by an on-board patron while walking through the train at the turn-back.

BART police crime statistics indicate that there were two reported threatening or violent incidents per month over the past four years. There is no question that BART employees are being exposed to threats of violence and verbal or physical assaults at an alarming frequency as the above examples illustrate.

This document is designed to increase your awareness of the growing problem of workplace violence, and to provide you with action steps for dealing with potential violence in your workplace.

NOTE: For purposes of this document, “employees” refer to both labor and management at all levels of the organization.



AWARENESS:

TYPES OF WORKPLACE VIOLENCE/THREATS

Violence can be categorized as either internal or external. Internal violence comes from within the organization and is generally perpetrated by current or former employees. External violence is usually perpetrated by robbers or customers. Cal-OSHA describes three types of violence. However, it is important to keep in mind that a particular occupation or workplace may be subject to more than one type.

Type I: (External Violence)

The individual has no legitimate business relationship to the workplace and usually enters the affected workplace to commit a robbery or other criminal act. Employees who have face-to-face contact and exchange money with the public, work late at night and into the early morning hours, and work alone or in very small numbers, are at greatest risk of a Type I event. While the assailant may feign being a customer as a pretext to enter the area, he or she has no legitimate business relationship to the workplace.



Type I events represent the most common type of fatal event in California and 60% of all workplace homicides.

Type II: (External Violence)

The individual is either the recipient, or the object of a service provided by the affected workplace or the victim, e.g., the assailant is a current or former client, customer, or passenger.

Type II events involve fatal or nonfatal injuries to individuals who provide services to the public. These events involve assaults on public safety personnel, municipal bus or railway drivers, health care and social service providers, teachers, sales personnel, and other public or private service sector employees who provide professional, public safety, administrative or business services to the public. In 1993, Type II events accounted for 30% of workplace homicides.

Type III: (Internal Violence)

The individual has some employment-related involvements with the affected workplace. Usually this involves an assault by a current or former employee, supervisor or manager; by a current or former spouse or lover; a relative or friend; or some other person who has a dispute with an employee of the workplace.

Most commonly, the primary target of a Type III event is a co-employee, a supervisor or manager of the assailant. In committing a Type III assault, an individual may be seeking revenge for what he or she perceives as unfair treatment by a co-employee, supervisor or manager.

Increasingly, Type III events involve domestic or romantic disputes in which an employee is threatened in their workplace by an individual with whom they have a personal relationship outside of work.

Type III events account for a much smaller proportion of fatal workplace injuries in California, only 10% of workplace homicides. However, these events often attract significant media attention and are incorrectly characterized by many as representing “the workplace violence problem.” In fact, it is their media visibility which makes them appear much more common than they actually are.

Existing data indicate that a significant number of Type III events resulting in nonfatal injury, or in no physical injury at all. Indeed, the most prevalent Type III event may involve threats and other types of verbal harassment.

CAUSES OF WORKPLACE VIOLENCE

Internal:

Although it may seem intolerable for there to be any “reason” for workplace violence, in recent years, current and former employees have become frustrated and angry enough to resort to violence. There are many conditions which may cause employee frustration and anger:

- An unstable economy.
- Widespread job layoffs.
- Insensitive terminations.
- Pressure for increased productivity.
- Psychological instability.
- Lack of individual responsibility.

These conditions can lead to stress, conflicts, and possible workplace violence. Obsessive love affairs and domestic disputes that spill over into the workplace can also cause violence.

External:

These are conditions which place you at a higher risk of crime and violence from outside the organization. Cal-OSHA suggests that if more than one of the following factors are present, the employer is a high risk employer and employees performing these tasks are considered to be at risk of potential violence and should be protected accordingly:

- Exchange of money and face to face contact with the public.
 - Working alone, or in very small numbers, at night and during early morning hours.
 - Availability of valued items, e.g., money.
 - Guarding money or valuable property or possessions.
 - Performing public safety functions in the community.
 - Working with clients, or customers known or suspected to have a history of violence.
 - Employees with a history of assaults or who exhibit belligerent, intimidating and threatening behavior to others.
-

These conditions make you vulnerable to violence out of sheer coincidence. During a robbery, for example, a victim happens to be the person on duty in the station the robber decided to target. Often, there is no motive for external violence. It's just senseless.

Customer/patrons may resort to violence for a variety of reasons which may include:

- They aren't satisfied with a service or product
- They have to wait
- Mistakes are made
- Promises aren't kept
- Personal problems



ALERTNESS:

WARNING SIGNS OF POTENTIAL VIOLENCE

Both you and the District can take steps to prevent workplace violence. The fact that BART is conducting this training and providing you with this pamphlet shows the District takes the issue of workplace violence very seriously.

Individually, you can take action to prevent violence as well. Know the warning signs, report any violent or potentially violent behavior and learn to effectively deal with stress and conflicts. These are all ways you can personally prevent violence.

Most cases of workplace violence don't just happen. The best way to identify potential violence is to recognize the warning signs. Perpetrators often leave a series of clues. For example, the postal carrier who killed 14 people in Royal Oaks, Michigan in 1991 had threatened to shoot people after an arbitrator ruled against his labor complaint. A gunman in Dearborn, Michigan was clearly upset over losing a promotion and had voiced his intention to commit violence. The discharged employee at the Richmond, California Social Security office had threatened to kill his supervisor if he was fired.

A threat is the clearest indicator that violence will follow. There are three types of threats:

- Direct threats:

"I'll get even with him."

- Veiled Threats:

"This place would shut down for days if the mainframe crashed and the backups were damaged."



-
- Conditional threats:

“If they try to fire me, somebody’s going to get hurt.”

There are other signs that may accompany a threat. A potentially violent person:

- Is unusually argumentative.
- Doesn't cooperate well with others.
- Has a problem with authority figures.
- Frequently blames others for his or her problems.
- Displays marked changes in work patterns.
- Demonstrates extreme or bizarre behaviors.
- Frequently appears depressed.
- Is involved in drug or alcohol abuse.
- Has a history of violence.
- Has a history of acting in a threatening or intimidating manner.
- Has an unreasonable belief that he/she is the only worker being singled out.
- Displays a significant change in behavior, appearance or demeanor.

Keep in mind that a potentially violent person may not exhibit all these signs. Likewise, it is important not to make a hasty judgment about someone. For example, a co-worker who is having a bad day may appear frustrated, but that does not necessarily mean he or she will return the next day and become violent. Use your common sense, and avoid stereotyping people.

NOTE: A layoff or discharge from employment is an especially vulnerable time for all employees. It is, therefore, important that all employees become aware of the red flags to watch for, particularly among employees who have been or being terminated from employment.

ACTION:

WHAT TO DO!

Act of Violence (Internal or External Violence)

If the situation escalates to a person throwing objects, screaming or appearing to be out of control, call BART Police and notify your supervisor. Do not attempt to control the person yourself, **don't put yourself in danger**.

If you are faced with a patron or employee with a gun or other weapon, don't resist. If he or she wants your money, give it to him or her. Follow these tips if you have been the victim of an attack or have witnessed one:

- Call BART Police (464-7000), your building security or 9-1-1.
- Carefully and accurately describe the act and the attacker.
- Do not change anything at the scene where the violence occurred.
- Do not clean up, reset furniture or touch any objects handled by the attacker.
- In the event of rape, do not wash yourself or change clothes until a doctor has completed an exam.

If it was not an attack that would warrant a call to the police, notify your supervisor or the designated person in charge, immediately.

Direct Threat of Violence (Internal or External Violence)

If you observe, or are the target of, a direct threat of violence, notify your supervisor and try to talk the person into calming down, if possible. Empathize and sympathize. Ask the person what you can do to help him or her, if the threat is directed at someone else. Make sure you understand their position by restating what it is they are upset about. Focus on the behavior, not the person. If the situation is directed at you or has gone beyond the level of reasoning with the person, call BART Police immediately.

Indirect Threat of Violence (Internal Violence)

The best protection against internal violence is to report **all** threats or behaviors that you believe could lead to an outburst. If a person has made an indirect threat against you or someone else or you have discovered written references to violence, notify your supervisor.

To diffuse angry and potentially violent situations/individuals:

- Apologize for inconveniences.
- Try to control your emotions.
- Don't argue.
- Don't accuse.
- Empathize and sympathize.
- Explain things you can do to help.
- Ignore sarcastic remarks/personal attacks.
- Call BART Police for help when necessary.

Summary

Although workplace violence is increasing, you can decrease the odds that you'll be a victim. Keep in mind that verbal threats are as much a form of violence as physical attacks. Don't ignore angry outbursts. Know that workplace stress and conflicts can cause a violent incident. Protect yourself from external or outside violence by following the tips provided.

Most importantly, report any violence that occurs in your workplace. By informing your supervisor of potentially dangerous persons, you could save many lives – including your own.

“WHAT TO DO” GUIDE

The following guidelines are meant to be a step-by-step guide for employees and supervisors in response to various types of incidents.

Act of Violence (Throwing objects, screaming, out of control behavior, incidents involving weapons at work)

- ✓ **Call BART Police at 464-7000.**
- ✓ Call 9-1-1 if off property or act involves a physical injury.
- ✓ Notify supervisor or delegated authority as soon as possible.
- ✓ Contact a union representative, if appropriate.
- ✓ Complete the Threat Incident Report and submit to the Violence in the Workplace Coordinator.

Direct Threat of Violence (Verbal or written)

- ✓ **Call BART Police at 464-7000.**
- ✓ Notify supervisor or delegated authority as soon as possible.
- ✓ Contact a union representative, if appropriate.
- ✓ Complete the Threat Incident Report and submit to the Violence in the Workplace Coordinator.

Indirect Threat of Violence (Bizarre behavior, evidence of potential violence such as letters, voice mail, E-mail messages or poems referring to violence)

- ✓ Notify supervisor or delegated authority as soon as possible.
- ✓ Alert BART Police.
- ✓ Notify the Violence in the Workplace Coordinator.
- ✓ Contact a union representative, if appropriate.
- ✓ Complete the Threat Incident Report and submit to the Violence in the Workplace Coordinator.

External Intruders (Non-employee incidents)

- ✓ **Call BART Police at 464-7000.**
 - ✓ Complete the Threat Incident Report and submit to the Violence in the Workplace Coordinator.
-

REPORTING WORKPLACE VIOLENCE

Victim of Workplace Violence

"If you don't take them all seriously then the one time you get the threat that is a **real** threat, you won't be prepared for it, because you would have said 'well he's just like all the rest of the guys.' So you can't say that every threat is going to be a follow-through, but you can't say that this threat may not be."

It is crucial that any violence, verbal or physical, is reported to your supervisor. Don't ignore it. If the perpetrator actually commits the violence he or she threatened, the consequences can be devastating:



- Personal guilt if someone is killed or injured.
- Loss of life (yours and/or your co-workers).

BART has established this anti-violence policy. Don't fear any repercussions for reporting a threat or act of violence. You are only doing your job by following BART's policies. All information you report is protected by confidentiality rules to the extent allowed by law.

What to Report

Thoroughly report the actual behaviors or threats that were made. Just give the facts – where and when it happened, who witnessed it and what was said. An example might be:

- "Dave leaned over, pointed his finger at me and said 'Bob will soon realize that he can't treat me like this and get away with it,' " or:
- "Carl walked up to me, grabbed me by the arms and threw me against the door and said 'Why didn't you cover for me? They docked me three days pay.' "

Documentation

Make sure your report is documented. Although it might be someone else's responsibility to do this, take the initiative and make sure it gets done.

THREAT ASSESSMENT AND MANAGEMENT

Upon receiving notification regarding a threat, your supervisor will initiate an investigation and will report his or her findings to the Violence in the Workplace Coordinator. Sometimes the investigation involves separating a manner of speech from a real threat. What some people might say out of anger is not necessarily what they mean in reality. However, what some people say out of anger is EXACTLY what they mean in reality. If every threat isn't taken seriously, the consequences could be tragic. The information you report is taken seriously.



It is important to report a threat immediately because there is no way to know how quickly the person making the threat may act on the threat. Threats, threatening behavior, or acts of violence against employees, visitors, guests or other individuals by anyone on BART property will not be tolerated.

Violations of this policy may lead to disciplinary action within the provisions of your collective bargaining agreement. However, no provision of this document is intended, nor will it be used, to supersede existing collective bargaining agreements.

If an employee engages in any violation of the District's Operating Rules and Procedures, he or she shall be removed from the premises as quickly as safety permits, and shall remain off the property pending the outcome of an investigation. The District will respond appropriately. This could include appropriate training, counseling, reassignment of job duties, suspension or termination of employment or criminal prosecution of the person responsible.

A Violence in the Workplace Coordinator has been assigned the responsibility of administering the District's policies and procedures pertaining to violence involving BART employees. An oversight committee, called the Threat Assessment Team, made up of representatives from labor and management and from many departments within the District, may assist in the investigation and

follow-up concerning threats or violent incidents. The Threat of Violence Incident Reporting Form must be forwarded to the Violence in the Workplace Coordinator within 24 hours. In all cases, the employee's rights as well as the safety and security of all concerned will be considered. No existing District policy, practice or procedure will prohibit any decision designed to protect the safety and security of District employees. Other options might include recommendations for corrective action or referrals to the Employee Assistance or Trauma Response programs.

All District employees are responsible for notifying their supervisor of any threats they have witnessed or received. Even without an actual threat, personnel should also report any behavior they have witnessed which they regard as threatening or violent, when that behavior is job related or might be carried out. If you are in doubt about who to notify, or if your supervisor is not available, contact the Violence in the Workplace Coordinator.

Any employee who obtains a protective or restraining order listing various District locations as protected areas, must provide a copy of the order for the Violence in the Workplace Coordinator and BART Police. The information contained in the order will be handled with sensitivity and confidentiality.



SUPPORT OPTIONS

Stress Management

Typically, perpetrators of workplace violence have been disgruntled and “stressed out” employees. If you can recognize when you or other employees are stressed and know how to respond, you will be better able to prevent it from escalating.

Stress is a psychological or physical tension created by some action or situation. However, if the stresses of your daily life keep your body in this state of alert all the time, eventually your health can break down. Try these methods of dealing with stress:

- Talk more often about how you are feeling.
- Build better relationships with people.
- Take a few minutes periodically to stretch and relax your neck and shoulder muscles.

Remember that exercise, nutrition and the right amount of sleep are equally important in preventing stress.





Conflict Resolution

Conflicts and problems can be discussed and diffused before harassing or abusive behaviors develop. It is important to solve conflicts so that problems don't escalate into violent behavior. There are several ways to solve conflicts:

- Compromise
- Collaboration
- Avoidance

Compromising on an issue is one way to reach an agreement when both parties have competing goals. Each person gives up something in order to meet halfway. Collaborating on an issue will help you find innovative ways to resolve the conflict. Each person's position is clear, but an alternative solution is achieved.

You may want to avoid responding to the conflict at that particular moment if:

- The conflict is found to be trivial.
- Someone else would more effectively resolve the conflict.
- Both of you simply need time to cool off.

Violence in the Workplace Coordinator/ Threat Assessment Team

A Violence in the Workplace Coordinator (VWP) has been assigned to administer this program. If you are unsure about reporting an incident, if your supervisor is not available or the situation involves your supervisor, call the VWP Coordinator. The VWP Coordinator can also provide you with names and telephone numbers of members of the Threat Assessment Team, if you would like that information, call **464-6198**.

Employee Assistance Program

The Employee Assistance Program (EAP) provides emotional support and psychological counseling to District employees and their families. To take advantage of the five (5) free counseling visits per calendar year call **1-800-834-3773**. You will be referred to a counselor near your home to schedule an appointment. If you are attempting to deal with a difficult situation at work or at home, the EAP may be able to give you some guidance on how better to deal with the situation.

Trauma Response Program

Employees who have been accosted, threatened or have experienced any other type of seriously stressful incident in the course of doing his or her job, may be entitled to support under the Trauma Response program. This program is a combination of the Workers Compensation benefit program and the Employee Assistance Program. Employees eligible for Trauma Response will be referred to a specially trained counselor who will assist you in dealing with the aftermath of the incident.

When an event affects several people in a department or work area, group incident debriefing is available under the Trauma Response program. To take advantage of either individual or group counseling under the Trauma Response program call Employee Services at **464-6198**.



Employee Services

If you have questions about which benefit you are eligible for or other District support services, call Employee Services at **464-6198**.

Personal Health Plan

You may prefer to seek support outside of the options the District offers. Group or individual counseling may be available through your health plan. You will need to call your health plan to check benefits for the type of services you are seeking.

DEALING WITH HARRASSMENT OR VERBAL ABUSE

In an ideal work situation, your job would be a place where you could go, peacefully, do your work and go home. Unfortunately, this isn't always the case in today's world. It is becoming commonplace to encounter verbally abusive remarks such as sexual, ethnic or racial slurs, personal insults, or people who yell or use profanities in the workplace. The bearer of such abuse could be a patron or employee who 'loses it.' Whether on the phone or in person, verbal abuse can be troubling and disruptive to your sense of safety. By learning proper techniques for dealing with harassment and verbal abuse, the number of these incidents can be minimized. The following are a few suggestions for dealing with verbal abuse:

- **Pay Prompt Attention to these Situations.** This will prevent an unpleasant situation from getting worse. Making an angry or frustrated person wait will only aggravate the situation. **Don't ignore the harasser/verbal abuser.**
- **Focus on the Problem and its Resolution.** Provide an avenue for discussion with the upset person, so that the problem can be defined and resolved, if possible.
- **Invite the Person to Talk to You.** If you are faced with an angry person in an area surrounded by others, invite the person to continue the discussion in a less crowded area, where you are still visible to co-workers, if possible.
- **Really Listen to What the Person is Saying.** Don't fake your attention. Avoid making judgments about what the person is saying.
- **Validate the Person's Concerns.** Validation is not the same as accepting blame. Validation lets the person know you got their message. Offer to help.
- **Be Respectful and Refrain from Making Hostile or Sarcastic Remarks.** These responses will only encourage the angry person to see you as the problem. Use statements such as "I realize this is an upsetting situation. I'd like to help you resolve the problem but I need your cooperation to do that."
- **Don't Accept Abuse!** If it gets too intense, don't try to handle it alone, ask for help from your supervisor or call BART Police.



- **Don't Take the Remarks Personally.** Remember that people who are verbally abusive are often in some kind of distress and feel frustrated about finding help. Often abusive remarks are a reflection of the turmoil they are feeling internally.
- **Take Care of Yourself.** If you work in a situation where you frequently encounter harassment or verbal abuse, be sure to develop and use stress reducing habits such as exercise, meditation, eating well and getting enough rest.