

**R**eports of violence in the workplace are always shocking, sometimes horrifying. Most violent events happen seemingly at random; yet, they sometimes can be prevented by identifying and mitigating contributing factors, including those relating to the health care environment.

Although the US Occupational Safety and Health Administration (OSHA) does not have a specific standard for workplace violence, it may investigate incidents of workplace violence and can cite an employer under the Occupational Safety and Health Act's Section 5(a)(1), known as the General Duty Clause. Under the General Duty Clause, an employer is responsible for furnishing "to each of his employees employment and a place of employment which are free from recognized hazards that are causing or are likely to cause death or serious physical harm to his employees."

Although OSHA has detailed guidance on how to apply the General Duty Clause, it did not, until recently, provide published guidance on how the clause should be applied for incidents of workplace violence. For the first time, OSHA has issued a directive on this topic called Enforcement Procedures for Investigating or Inspecting Incidents of Workplace Violence.<sup>1</sup> It is intended to establish uniform procedures for OSHA field staff responding to incidents and complaints of work-

The directive highlights how the second type—violence directed at staff by patients or clients—is the primary focus of OSHA inspections and one that pertains the most to health care settings.

More than 80,000 health care workers were assaulted during a 15-month period in 2003–2004, according to an estimate determined by the National Electronic Injury Surveillance System (NEISS) Work Follow-Back Study.

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during the inspection and encourages the employer to address them. If the incident meets the four criteria listed above, OSHA will invoke its General Duty Clause and issue a citation, including a fine. According to OSHA, a press release may be issued about the citation to document what the problem was and what the employer should have been doing.

## Abatement Methods

After the OSHA inspection and possible citations, the employer's focus should turn to making workplace improvements to reduce the likelihood of violence occurring. In the hazard alert letter or citation, OSHA recommends feasible abatement methods pertaining to the hazards found during the inspection and notifies the health care organization when a follow-up inspection will occur.

Commonly recommended abatement methods include those shown in the box at right, "Violence Abatement Methods." The National Institute for Occupational Safety and Health publication *Workplace Violence Prevention Strategies and Research Needs*<sup>8</sup> notes that a multidisciplinary team approach to workplace violence prevention is needed: "The involvement of persons with diverse expertise and experience is especially critical due to the depth and complexity of [workplace violence] prevention. Such teamwork is crucial for planning, developing, and implementing programs . . ." The team should include management, union, human resources, safety and health, security, medical/psychology, legal, communications, and worker assistance, the publication says.



"It's an employer responsibility and an employee right to be in a safe working environment," an OSHA official says. "The more education and knowledge employers and employees have about these issues, the less likely they are to occur." ■

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## References

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