



Layoffs & Firings When Violence is a Concern

“...An individual who is going to become violent in the workplace plans how they will carry out the retribution...”

| By Bruce T. Blythe

There are no methods that can completely and accurately predict who is going to become violent in the workplace and who is not. However, the guidelines in this article provide important and defensible considerations for assessing the *likelihood* of workplace violence. EA professionals should know their boundaries in working with threatening cases based on training, expertise, professional code of conduct, confidentiality laws, dual relationship issues, and legal defensibility.

It’s important to note that only 36% of workplace assailants commit suicide. This means that 64% aren’t suicidal enough to kill themselves following their violent acts. Furthermore, most people who *are* suicidal are *not* homicidal, especially in the workplace. As a result, while the suicide paradigm is worthy of assessment consideration, it is not an accurate or unilateral *predictor* of intended workplace violence.

The recommendations that follow will assist the EA professional in helping corporate clients determine the extent of “controls” to put in place to deal with potentially violent situations.

Standardized Testing Doesn’t Work

Standardized psychological tests are not reliable or valid tools

for predicting which persons will be violent. The capability simply doesn’t exist to pick the “needle out of the haystack” through psychological tests and fitness-for-duty exams.

Tests like the Minnesota Multiphasic Personality Inventory (MMPI) can tell if someone is depressed, having bizarre thoughts, and trending toward sociopathic tendencies. However, such tests will *not* predict who is going to become violent. In most cases, someone who is enraged enough to become violent in the workplace would *not* be willing to cooperate with a psychological/psychiatric exam. This means that other methods need to be incorporated.

Methods to Determine Who is Likeliest to Become Violent

◆ *An assessment of potential violence needs to consider the psychological makeup and behavioral tendencies of the threatening person.* Questions about anger issues, sense of entitlement, depression and/or suicide are important.

➤ *How does the individual cope with problems?* Does the person engage in poor judgment, perseverance about violent methods to resolve a personal issue, or exhibit negative coping skills?

➤ *Does the individual have a mental health issue?* If so, is he/she being treated for it? Paranoia, delusions and bipolar disorder are common. This is **not** to say that all people with mental health problems are violent – rather, that it **can** be a contributing factor.

➤ *Does the individual use alcohol or other drugs?* Substance abuse is correlated with many violent offenders.

➤ *Is the individual socially withdrawn?* Isolation, non-communication and social withdrawal are traits common among mass shooters and bombers, e.g., Boston, Sandy Hook, Virginia Tech U., Columbine, etc.

➤ *Does the individual have a violent background?* A history of violence is a solid predictor of future violence, especially if the person felt empowered by previous acts of violence, including domestic violence. Has a criminal background check been conducted? Recent acts of violence are most pertinent.

➤ *Has hostile behavior gotten worse?* Are potential prerequisites to serious workplace violence becoming increasingly problematic, e.g., harassment, bullying, threats, intimidation, verbal and/or physical abuse, sense of entitlement, insubordination, isolation, etc?

◆ ***Assess the “context” and evolving situation.***

➤ *How does the individual feel he/she is being treated in the workplace?* Threatening individuals almost always feel unfairly treated. Are there job problems, especially insubordination? Does the individual overly identify with his/her job position? What is the perceived severity of unjust treatment? How long has the person endured the undesired situation?

➤ *Have there been serious losses in the individual’s life, e.g., divorce, bankruptcy, loss (or anticipated loss) of job, serious health issues, etc?* How has the individual tried to resolve the provoking situation? What are the motives for justifying a potentially violent resolution? What could be changed in the environment to defuse potential violence?

◆ ***Threats and communication of violent intent are often exhibited before workplace violence is perpetrated.***

➤ *Which co-workers are most familiar with this individual?* It is important to talk with anyone who may have knowledge about an individual’s comments, written content, or non-verbal actions that would indicate potential workplace violence. Bear in mind that informants may resist providing information. Union workers and co-workers may have mixed loyalties. Stress the importance of confidentiality. Work at putting them at ease during interviews.

➤ *Do informants (incorrectly) think they’re in trouble?* Informants must understand they are **not** being investigated. Explain *how* the information will be used,

and *extent* the information provided will remain confidential or anonymous. Skilled interviewers, like former FBI agents, are capable of getting valuable information from informants, but it has to be conducted in a proper manner.

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◆ ***Premeditated acts of violence in the workplace involve visualization of retribution by the potential perpetrator.*** What thoughts of vengeance is the individual rehearsing in his/her mind? What plans does the individual have for carrying out the mental visualizations of retribution? How would the individual reasonably carry it out?

While the rest of us walk away mad and finally resolve perceived injustices through socially acceptable methods, an individual who is going to become violent in the workplace *plans* how they will carry out the retribution and

prepares with the resources and knowledge necessary to commit the violent act. Stalking or target planning is not uncommon. Does the person have access to the targeted individual(s) and capability to utilize the intended weapon(s) of choice? Does the individual have a concealed weapon permit and/or registered weapons, especially assault rifles?

◆ ***Communication is one of the best methods for assessing and defusing threatening individuals.***

➤ Beyond the confidential responsibility of EAP, the threat professional should be positioned as a “conduit of information.” In this role, the intervening professional would serve to hear and understand the threatening individual’s concerns and pass this information back to the employer. Once this pipeline is properly established, a wealth of threat assessment information can be collected and defusing strategies implemented.

Document, Document, Document

EA professionals are concerned about liability when involved with hostile situations. Recognize that *any* degree of involvement puts the EAP in a position of potential liability. “*Are we defensible*” if a lawsuit, OSHA or management investigation, or public outrage occurs? Protect yourself. Don’t extend yourself beyond your training, education and experience. Refer to qualified professionals, as appropriate. Then document your decisions and actions in a manner that passes the reasonable person test.

Anticipate

A threat management team needs to be in place, consisting minimally of Human Resources (HR), legal, and security. EAP could also be included on the team, especially when behavioral health issues are involved. The team should consider contingencies by anticipating “what if?” scenarios. *What if the threatening employee comes to a termination meeting carrying a bag? What if he storms out of the meeting room abruptly? What if he returns to the workplace after being terminated? What if he doesn't find a job before his money runs out?*

If appropriate, hold the meeting with the potentially violent employee in an off-site location such as a hotel. It's harder for an individual to carry out a premeditated plan in unfamiliar surroundings away from the worksite. If gun usage is a concern, consider utilizing a frequent flyer club at a local airport (to accommodate management's “travel schedule”). TSA will allow airline-issued passes for reserved conference rooms inside the airport security perimeter.

Consider having law enforcement or security guard present and plan actions for anticipated contingencies. Implement a safe escape strategy. Sit at a large table with the table in between staff and the potentially violent employee. Prearrange chairs so management is seated closest to the door. Other considerations include:

➤ *Prepare a term sheet (ahead of time) for review with the threatening employee.* Use the term sheet to keep the conversation on track. Build the individual's sense of dignity by saying good things, such as: “I'm sorry you're being let go because I understand you're a very hard worker.”

➤ *Stress what the company can do for the employee.* Remember that every worker wants to feel successful, accepted, significant, and fairly treated. Be prepared to listen. Threatening individuals almost always feel unfairly treated. Strive to understand his/her concerns and look for opportunities to establish win-win solutions, when possible.

Summary

Plan each phase of the process before confronting the threatening individual. Identify potential reactions and establish contingency plans for each. EA professionals can complement the threat management process through behavioral health expertise, but know your boundaries and defer to appropriate professionals when appropriate.

Disclaimer

This article is not intended to be construed as legal advice, but is provided as an overview of good business practices. No written material can ever take the place of prudent judgment and decision-making. Remember that the ultimate decision in handling any threat of violence situation naturally rests with the management of the companies/organizations that

retain the EAP. Utilize professionals with appropriate expertise to assist, when appropriate. ❖

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