

# Managing the Regulatory Environment

## ADA's Guidelines for Practice Success™ (GPS™)

### ADA Tip Sheet on Workplace Violence

The Occupational Safety and Health Administration (OSHA) is a division of the Department of Labor and responsible for overseeing laws that require employers to provide their employees with working conditions that are free of known dangers. OSHA sets and enforces protective workplace safety and health standards and provides information, training and assistance to workers and employers.

In 1996, OSHA issued "[Guidelines for Preventing Workplace Violence for Healthcare and Social Service Workers](#)," a report that revealed that more assaults occur in the healthcare and social services industries than in any other industry. The Guidelines, which are voluntary and not an enforceable standard, encourage management, including healthcare managers, to affirm a policy that "places as much importance on employee safety and health as on serving the patient or client."

The [General Duty Clause](#) of the Occupational Safety and Health Act (OSHA) of 1970 requires employers to provide employees with a workplace that "is free from recognizable hazards that are causing or likely to cause death or serious harm to employees." Essentially, that enforceable standard advises that employers can be cited for violating the General Duty Clause for failing to prevent or abate any recognized likelihood of workplace violence at their establishment.

Workplace violence can mean more than inflicting bodily harm to someone while they're on the job; it can also be interpreted to mean allowing a person to direct language or actions that make another person uncomfortable occur while in the workplace. OSHA maintains specific [Occupational Injury and Illness Recording and Reporting Requirements](#) that require employers to maintain a log that details information on any injury that requires more than simple first aid. Injuries recorded there might include lost-time incidents, those that modify job performance or that cause loss of consciousness. Be aware that any injury that causes three or more employees to be hospitalized must be reported to OSHA within eight hours.

- According to the Guidelines, employers should conduct a risk assessment to assess which of the steps below are appropriate for their workplace:
- ✓ provide staff training and education in the early warnings and prevention of workplace violence
  - train workers to appropriately identify hazardous situations and manage patients and/or family members who may become agitated
  - provide appropriate responses in emergencies
  - make structural and procedural changes that protect employees from enraged clients. use bright and effective lighting
  - use curved mirrors at hallway intersections
  - allow for two exits in a room and arrange furniture to prevent entrapment
  - provide adequate staffing, particularly during times of increased patient activity and during restraining procedures
  - provide enclosures, deep service counters, or bullet-resistant glass to protect staff
  - establish communications with the local police
  - install metal detectors to identify concealed weapons
  - install alarm systems and panic buttons
  - set up "time out" or seclusion rooms

- ✓ keep records of threatening or violent workplace incidents
- ✓ conduct surveys to determine if employees feel threatened
  - solicit employee input to reduce the threat of violence
- ✓ establish post-incident response procedures for victims and witnesses of violence

Readers are also encouraged to review the [ADA Tip Sheet on Employee-on-Employee Violence](#) for additional information.

**Resources:**

OSHA [Guidelines for Preventing Workplace Violence for Healthcare and Social Service Workers](#)  
OSHA [General Duty Clause](#)  
OSHA [Occupational Injury and Illness Recording and Reporting Requirements](#)  
ADA [Tip Sheet on Employee-on-Employee Violence](#)

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