



**Workplace Violence Prevention
Symposium 2018**
March 6-7, 2018
Savannah, GA
workplaceviolence.blr.com

Day 1 | March 6, 2017

Registration & Breakfast

7:00 a.m. – 7:55 a.m.

Welcome Remarks

7:55 a.m.

Keynote Presentation: Polite to Death

Presented by: Dethra Giles, ExecuPrep

8 a.m. – 9 a.m.

In this session, we will explore how many of our policies, enforcement, and language may encourage employees and leaders to be "polite" as opposed to proactive when signs or incidents of workplace violence occur in the workplace. This is the manager who suspects an employee of gang activity but doesn't want to be "that manager" so they don't report concerns to the proper place. Or the IT professional who has seen hate speech or activity on the company network but doesn't want people to think the company is spying on them so they say nothing. Or even the employee who witnessed a "minor" domestic violence event but chose to stay out of her coworker's family business. People are afraid to offend, so they don't report; failure to report can lead to workplace violence issues. This session will discuss the ways employers can teach their employees to report when necessary, even when it seems easier not to.

'It Didn't Need to Happen': How Employment Screening Practices, Security Perimeters, and Workforce Training Can Minimize Workplace Violence Risks and Liability

Presented by: Marilyn Moran, FordHarrison

9:10 a.m. – 10:10 a.m.

Workplace violence isn't always preventable, but there are many things employers can do to minimize their risks. Using examples ripped from the headlines, this session will examine what employers facing negligent hiring and other legal claims might have done differently to minimize the threat of violent acts from taking place in their warehouses, offices, and other work locations. Our presenters, a security expert, a victims' rights attorney, and employment attorney, will shed light on the importance of pre-hire employment screening practices, setting up and maintaining sound security perimeters as well as entry and access points, and training employees on how to handle a situation where someone requests entry who isn't authorized for access. You'll learn:

- How to take full advantage of pre-employment screening practices permitted under the law
- Recommendations on the types of pre-screening practices that may help weed out prospective hires at risk to commit violent acts
- When an employer's inaction or inadequate action in the vetting process could lead to negligent hiring and other legal claims
- Examples of preventable security breaches that resulted in employer liability
- Training tips to ensure that employees know who not to let into the building
- And more

Refreshments & Networking Break

10:10 a.m. – 10:30 a.m.

Packing Heat: Your Organization's Duty to Ensure Worker Safety While Respecting Legal Bounds Under States' Gun Control and Concealed-Carry Laws

Presented by: Jeffrey Zisner, CPP, AEGIS Security & Investigations Inc.

10:30 a.m. – 11:30 a.m.

Does your state law prevent your company from banning employees from bringing weapons onto the premises? Currently, dozens of state laws provide some sort of employee protection when taking guns to work. How far, though, do those rights extend? This session will explore the types of protections to which workers are entitled for exercising their right to carry a gun on your property under applicable state laws, and what you can do to ensure that they comply with your internal policies designed to maintain a safe, healthful work environment. You'll learn:

- Mistakes employers have made that increased their liability for violating employees' rights under state-based concealed-carry laws
- Legal steps to take if employees overstep the rights afforded to them under such laws
- How state gun control laws factor into organizational security-risk policy development

Panel Discussion: Political Protests, Evangelization, and Intolerance: When Conflicting Ideological Beliefs Can Lead to Workplace Violence

Presented by: Dethra Giles, ExecuPrep; Jim Sawyer, CHS-IV, CPP, Seattle Children's; Raquelle Solon, FEI Behavioral Health; Donna Clark-Love, Consultant

11:40 a.m. – 12:40 p.m.

Employees have the right to voice opinions tied to political, religious, socio-economic, and other issues, but to what extent should they be allowed to do so in the workplace? Is there evidence tying one's proclivity for protesting and evangelizing to a propensity for violence? If so, what are signs that an employee is engaging in ideological intolerance that could escalate to violence? This session, featuring a criminal profiler, an organizational psychologist, and an employment attorney, will examine incidents where activist's or zealot's views played a role in an attacker's violent acts. Were there clues in social media posts or through other communications those workers engaged in? If so, what were the employer's legal rights to monitor and respond to the threats? And, how can you strike a balance between respecting employees' personal views and limiting speech and other conduct that could escalate into violence?

Networking Lunch

12:40 p.m. – 1:40 p.m.

Predictive Analytics, Big Data, and Wearables: Permissible Use Cases and Legal Bounds in Using Technology to Address Threat Assessments and Risk Management

Presented by: Barry Nixon, SHRM-SCP, National Institute for Prevention of Workplace Violence, Inc.

1:40 p.m. – 2:40 p.m.

Early warning signs of violent behavior may not be obvious. However, technological devices can provide some data predicting potential violence. Smart watches, fitness trackers, and other devices that measure heart rate, brain wave and other physiological conditions can provide evidence of a heightened risk for violent behavior. Big data and predictive analytics may also play a role in assessing individuals' propensity for violence—and most companies already have pre-hire assessments in place. But, does it make sense for an organization to engage in continuous screening of its workforce to gather and analyze whether there may be behavioral changes that could signal cause for concern? And if so, what are the privacy and other legal considerations the employer should factor in? This session will explore technology's growing role in predicting behaviors and provide insight into the legal ways in which organizations may use digital information as part of an ongoing workplace violence risk-management strategy.

Refreshments & Networking Break

2:40 p.m. – 2:55 p.m.

Cyberbullying, Stalking, and Other Electronic Harassment: Social Media Monitoring to Manage and Mitigate Risk of Online Conduct Escalating to Physical Violence

Presented by: Donna Clark-Love, Consultant

2:55 p.m. – 3:55 p.m.

Cyberbullying, stalking, and harassment occurs in many forms, including inappropriate emails, social media posts, and all-out verbal attacks designed to alienate, threaten, or humiliate victims. And, in extreme cases, they may escalate to physical violence. Employers have an obligation to ensure a safe and healthful work environment. That responsibility includes making sure the workplace is free from harassing, intimidating, and bullying conduct. But, how far can an employer go to monitor and mitigate the negative effects of these types of conduct? This session will explore how

instant messaging, Facebook posts, Twitter tweets, text messages, emails, and other forms of electronic communication may be used to foster hate and potential violence. You'll learn:

- Your legal rights to engage in social media monitoring and the legal bounds you should not cross
- Bullying warning signs and escalating risk factors that may suggest a link to future violence
- How to formulate a plan for dealing with cyberbullying and harassment impacting your workplace
- The game plan for dealing with the harasser and the alleged victim to mitigate potential violence
- When termination of a harasser is likely necessary—and what to do before, during, and after the discharge to protect onsite staff

Domestic Violence: An Employer's Role in Minimizing What Potentially Could Be Your Most Clear-and-Present Danger

Presented by: Johnny Lee, Peace@Work

4:00 p.m. – 5:00 p.m.

Following a National Intimate Partner and Sexual Violence Survey, the Centers for Disease Control and Prevention (CDC) recently noted that 1 in 4 women and 1 in 9 men were victims of physical violence, stalking, or sexual violence by an intimate partner. With the CDC classifying intimate partner violence (IPV) as widespread, workplaces are particularly vulnerable targets for vengeful, jealous, unstable, or angry individuals seeking to harm their partners—and anyone who gets in their way. It's highly likely that the perpetrator will know where the victim works, what time he or she arrives and leaves the office, as well as other details about the workplace's layout and security perimeter. It's important for employers to recognize the warning signs of IPV and to be prepared with appropriate IPV prevention and response-based strategies. This session will focus on:

- The many signs of domestic violence
- IPV prevention and intervention policy essentials
- How to train supervisors and managers to respond to situations involving domestic violence—and what they should be looking for even if no one complains about their fears
- What to do if an employee complains about being harassed or stalked
- Your legal responsibilities and rights when a protective order has been issued
- Steps you can take protect employees from a violent attack at the hands of a domestic violence offender

Day 2 | March 7, 2018

Breakfast

7 a.m. – 8 a.m.

Breakfast & Learn | Tools for Implementing Workplace Violence Prevention Once You Get Back to Work: Safety.BLR.com & HR.BLR.com

7:30 a.m. – 7:45 a.m.

Creating a Culture of Respect, Inclusiveness, and Support for Employees' Mental Health: Employee Assistance Programs, Workforce Training, and More

Presented by: Raquelle Solon, FEI Behavioral Health

8:00 a.m. – 9:00 a.m.

Workers may believe they'll be stigmatized for taking advantage of employee assistance program (EAP) services designed to help them cope with mental health-related issues. It's important to ensure that you promote the EAP in a positive light and that your underlying workplace culture knocks down barriers that might prevent employees from taking advantage of professional services available to help them manage legal, financial or family issues, alcoholism or drug addiction, and other difficult emotional issues they may face. This session will explore:

- Why employees may be more likely to accept mental health help through an EAP if it includes other offerings
- How to tell if an employee is in need of anger management, your role and legal limits
- The positive impact EAPs can have on helping employees better manage stress, anxiety, and other mental health issues that, in extreme circumstances, could fuel anger and potentially violence

- How to design your workplace culture to promote a healthful work-life balance for the entire workforce
- Signs that an employee may be struggling with emotional or mental health-related issues—and why training on what to look for is essential
- Managing legal obligations under the Americans with Disabilities Act concerning potential accommodations a troubled worker may need

Workplace Violence Prevention Plan Workshop: Designing and Updating Essential Policies, Recordkeeping, and Response Strategies

Presented by: Jim Sawyer, CHS-IV, CPP, CHPA, Seattle Children's

9:10 a.m. – 11:00 a.m.

Every workplace must be prepared at all times for incidents of workplace violence. Under OSHA's general duty clause, you have a fundamental duty to protect your employees—and your premises—from threats of violence. During this intensive session, you'll learn how to evaluate what to include in your organization's workplace violence prevention plan, based on your industry, worksite(s), and work environment. During Part I of this intensive workshop, you'll learn:

- Who should manage and maintain the organization's workplace violence prevention policy and who will serve as the internal investigator of incidents, such as bullying or harassment, which could escalate into workplace violence
- The many moving parts of assessing your workplace to determine potential threats, including the nature of the work performed, who you employ, and who your workers interact with on a daily basis, the physical work environment, including building ingress/egress and occupancy characteristics, and more
- Examples of multi-layered defensive plans that factor in employer and employee involvement
- Examples of zero-tolerance policy statements that underscore employers' commitment to keeping employees safe
- Essential workplace violence prevention procedures to include in your policy
- What your employee training on your workplace violence prevention policy should include
- Emergency response protocols in the event of an incident of workplace violence or potential violence, such as those involving armed intruders/active shooters, observations of suspicious packages or known bomb threats, and other threats
- What supplemental protocols to consider in planning that go beyond "Run. Hide. Fight." in the event of an active shooter
- Notification hierarchies and who should be where—when possible—when law enforcement arrives in the event workplace violence occurs
- Sample policy language and forms you can customize for your workplace, such as:
 - workplace violence prevention policy language
 - risk assessment questionnaires
 - workplace violence incident report forms
- A checklist for terminating workers legally and safely

***Bonus Take-Home Binder:** As an added benefit of attending WVPS 2018, you'll receive a binder containing essential workplace violence prevention policy documents, OSHA general duty clause requirements, and more that's yours to keep.*

Refreshments & Networking Break

11:00 a.m. – 11:15 a.m.

Group Exercises: How Would *Your* Workplace Respond to These Incidents of Harassment, Aggression, and Active Shooter Violence?

Presented by: Jeffrey Zisner, CPP, AEGIS Security & Investigations Inc.

11:15 a.m. – 12:15 p.m.

WVPS 2018 concludes by testing your knowledge of the key legal concepts and practical challenges you've learned about over the course of this event. You'll be presented with a series of fact patterns, illustrating the types of real-life situations other employers have faced concerning incidents of harassment, aggression, and active assailant violence. You'll deliberate with your conference peers on the best course of action to take and how to set responsive action into motion. You'll think about whether there are any current barriers in your own workplace to taking the action you now know is appropriate based on what you've learned. Then, you'll regroup with the facilitator who will provide information on how your responses differ or align with how the employers in the fact patterns acted and the effects

of those judgment calls. This group simulation is designed to highlight the importance of communicating and collaborating across different departments and disciplines when creating workplace policies and protocols, so you'll be well prepared for setting into motion what you've learned when you return to your office.

Conference adjourns

12:15 p.m.

Agenda and speakers subject to change