
Potentially Violent Employees: Minimizing Risk in the Workplace

Dinah Payne, J.D., MBA
Professor of Management
University of New Orleans
dmpayne@uno.edu

•••

Augusta C. Yrle, Ed.D.
(author for correspondence)
Professor of Management
Department of Management
University of New Orleans
2000 Lakeshore Drive
New Orleans, LA 70148
yrle_a@bellsouth.net
acyrle@uno.edu

•••

Michael D. Malone, J.D.
Senior Partner
Malone, Thompson &
Summers L.L.C.
Columbia, South Carolina
malone@mtslawfirm.com

•••

Sandra J. Hartman, Ph.D.
Professor of Management
University of New Orleans
shartman@uno.edu

An unfortunate “fact” of 21st Century American life is the widespread appearance of violence and incivility throughout society and in the workplace. In this paper, we suggest that violence in the workplace is a phenomenon with which managers, as agents of their employing organizations, will be confronted throughout the foreseeable future. We summarize what is known about workplace violence: what constitutes violence and potential violence, what are the characteristics of potential perpetrators, what kinds of behaviors serve as identifiers, how to deal with the targets of violence, and how to deal with the potentially violent individuals themselves. Our attention has been directed to the practicing manager, and we have used what is known about workplace violence and those who are potential aggressors to develop ideas for the manager to use proactively in preventing workplace violence where possible and in combating it when it occurs.

Keywords: Discipline, termination, prevention, legal risk, violence.

In December of 1997, professional basketball player Latrell Sprewell of the Golden State Warriors, decided that he had taken all he was going to take from Coach P. J. Carlissimo. In response to Carlissimo's comment during a passing drill that Sprewell should make crisper passes, Sprewell grabbed Carlissimo by the throat, wrestled him to the ground and choked him. Sprewell's teammates pulled him off of Carlissimo, and Sprewell retreated to the locker room as the team continued its practice. Fifteen minutes later, Sprewell emerged from the locker room, struck Carlissimo, and threatened to kill him. Sprewell and his \$32 million contract were terminated (Associated Press, 1998, Chronology of Latrell Sprewell).

In a less well-known case that was litigated in California, a college professor's behavior came under scrutiny. In that case, the professor objected to the appointment of the new college president; he subsequently published a campus newspaper which had several writings and illustrations which allegedly violated the then current policy against workplace violence. At issue was the policy's prohibition against workplace violence, "which includes, but is not limited to, making written, physical, or visual contact with verbal threats of violent behavior overtones" (Professor's Writings Did Not Violate Workplace Violence Policy, 2001, p. 1). The court found that this provision of the policy was not constitutionally valid: "While threats are not protected speech, speech with some violent overtones would not be offensive to a reasonable person and, thus, would be within the zone of protected speech." (Professor's Writings Did Not Violate Workplace Violence Policy, 2001, and Bauer v. Sampson, Nos. 99-56964 and 00-55408, 9th Cir. August 15, 2001).

Several reports and statistics are available to show the magnitude of the problem of violence in the workplace (U.S. Department of Justice—Federal Bureau of Investigation, June, 2001). The increase in workplace violence, including on-the-job suicides and murders, has caused the National Center for Disease Control to designate workplace violence a national disease epidemic (Laplaca, 2001). In light of this information, coupled with the fact that workers spend about one-third of their time on the job associating with people they did not necessarily choose as companions, it is not surprising that stress levels are soaring. Reisenauer (2002a) reports on the results of a survey that stress leads to physical violence in one of 10 work environments. Additionally, almost half of the 1,305 people surveyed indicated that yelling and verbal abuse is common at work, while attacks on inanimate objects was even more common, with 14 percent of the respondents indicating that machinery or equipment had been damaged by an angry co-worker. This stress also led to other potentially destructive behaviors, such as crying, skipping lunch to finish work, and working more than 12 hours a day to finish a job. These behaviors have been described as "potentially destructive" because they are not only harmful to the person who engages in them, but are potentially harmful to co-workers, as well: "Think of it as a biological warfare missile attack that pollutes the surrounding atmosphere with a kind of poisonous emotional virus", Reisenauer, 2002a, p. B4).

The cost of violence in the workplace to employers is also high: between \$6.4 billion and \$36 billion are lost as a result of low productivity, damaged public

image, payment of damages, insurance, and other costs associated with heightened security (Rugala, 2004). Additionally, there are a number of negative employee behaviors that may be set off by violent employees: tardiness for work itself or for meetings, absenteeism, turnover, subversion of management authority or other aggressive behavior incited by the original violence.

For each year in the period 1993-1999, an average of more than 1.6 million non-fatal assaults occurred at work—between eight and 10 percent of these committed by co-workers. During the same period for each year, an average of 900 homicides occurred at work—between five and 10 percent of these homicides were committed by co-workers (Rugala, 2004, p. 12).

Although extreme acts of violence, such as homicide, are less likely to happen in a work environment, lesser forms of violence have a much higher probability of occurring. Violent actions take place in many organizations, and these types of activities persist in creating a negative impact on employee well-being and productivity. Over time, the media have sensationalized workplace homicides, as was made clear in the melodramatic coverage of the workplace shootings in Hawaii and in Seattle several years ago. But, the media have paid little attention to violent activities and other disruptive behavior as well as threatened violence or brutality which can serve as precursors to more serious aggression and related problems, if not properly addressed. This lack of attention has left many persons, including human resource professionals, with the impression that if workplace homicides are not occurring, then there is no real problem with hostile behavior in their particular workplace. Therefore, many employers do not sense a need to address the issue and have failed to develop appropriate policies and procedures (Long Island Coalition for Workplace Violence Awareness and Prevention, 1996). What steps can an organization take with regard to prevention of workplace violence? We turn to a review of what is known about violence and its prevention and use this material as the basis for recommendations for managers.

What Is “Violence”

“Workplace Violence” is an issue that has gained relevance and serious scrutiny among human resource professionals. The media’s sensational coverage of workplace homicides, coupled with the appetite of HR professionals for new frontiers, has generated new-found attention for what has been an age-old problem, albeit one that our previously discussed reports and statistics indicate is on the rise.

The media tends not to report the lesser acts of violence such as hitting, pushing, kicking, holding, bumping, or impeding the movement of another person. Nor does the media find newsworthy acts of violence against property which may include: slashed tires, broken windshields, damaged or stolen tools and equipment, vandalism, altering or deleting computer data, etc. “Threats” against persons or property are categorized as violent acts by some data collectors and “precursors to violence” by others. This distinction is largely academic. Whether there is an actual act of physical violence or merely a threat, the responsible employer must treat the “lesser violence” situation as serious and must take appropriate steps to

eliminate the unacceptable conduct. The Federal 7th Circuit Court of Appeals held that an employer does not have to wait for violence to actually erupt before taking action: “an employer need not tolerate the continued presence of an employee who has terrified his co-workers merely because the technical elements of an assault are not present” (SDR News Briefs, 2002, and *Merhab v. Illinois State Toll Highway Authority*, 267 F3d 710, 7th Cir., 2001).

It is imperative that employers have in place a policy which communicates the following message:

The Company Will Not Tolerate Direct or Indirect Threats or Violent Acts toward Persons or Property. All Threats and Violent Acts Must Be Reported Immediately to Human Resources.

It is also essential that employers *strictly* enforce this “zero tolerance” policy.

Legal Models for Understanding the Employer’s Obligation in a Situation Involving Violence or Threatened Violence

Among the theories of recovery which can arise when workplace violence situations occur are the closely related torts of “supervision” and “retention.” For example, the supervision theory of liability was recognized by the South Carolina Supreme Court in *Degenhart v. Knights of Columbus*, 420 S.E.2d 495 (S.C. 1992). In *Degenhart*, the court found that an employer could be held liable for supervision if (1) the employee intentionally harms another party while on the employer’s property or while using the employer’s equipment; (2) the employer knew or should have known that it had the ability to control the employee; and (3) that the employer knew or should have known of the necessity and opportunity to exercise such control. The “supervision” and “retention” tort issues and the legal requirements attached to these concerns can be satisfied by (1) adopting and adhering to a workplace violence policy and prevention program, (2) communicating the policy on a continual basis, and (3) providing ongoing training to all employees, supervisors, and managers. These provisions guarantee that neither employees nor supervisory personnel can use the defense of “not being informed” in a court of law or in any similar hearing (Rugala, 2004,15).

In further examining the “retention” issue, the courts have held that the employer faces possible liability if the employer negligently fails to appropriately investigate and/or discipline an employee when the employer knows or should have known about the employee’s violent behavior. However, the risk of supervision and retention can be greatly reduced if employers consistently do the following:

- (1) Promptly and thoroughly investigate all complaints or acts of misconduct;
- (2) Take appropriate action based on the results of the investigations.

Focusing on the outcome of the investigation, Solomon (2001) maintains that the appropriate action is to take affirmative steps to discipline or to terminate

employees who have engaged in activities which indicate that the employees pose a risk to other persons or property.

The theory of law giving rise to liability for sexual harassment also has merit in dealing with violence in the workplace: the idea of providing a written policy, noted above, has its origins in what has been done to prepare organizations to deal effectively with claims of sexual harassment by employees—sexual harassment is regarded as a form of violence in the workplace (Roberts and Mann, 2000). Like incidences of violence or potential violence, the classic sexual harassment situation is a “he said, she said,” no witness, hostile environment scenario in which the employer is unable to conclude what, if anything, occurred. In order to avoid or minimize liability, the employer must immediately commence an investigation and take effective steps to prevent a recurrence of the alleged conduct (Repa, 2005).

The role of workers’ compensation in situations in which an employee is injured on the job by a co-worker or a third party can also be very significant as a source of legal liability for the employer. The criteria for determining whether the injury is compensable under workers’ compensation have been designated as: (1) accident; (2) arising out of employment; and (3) arising in the course of employment (*Doe v. South Carolina State Hospital*, 328 S.E.2d 652 (1985)).

In addition to accidents, the second category of compensable injuries includes long-term physical stress when it results in physical damage unforeseen by either the employer or the employee. One such example is hearing damage caused by high-frequency sound transmissions not normally detected by humans. Consequently, the employer’s failure to provide protective hearing devices would be attributed to an injury arising out of employment rather than to accident or negligence.

Since claims arising out of employment and those stemming from the course of employment tend to overlap, the same workers’ compensation criteria apply. That is, if the employer satisfied all of the standards for a safe work environment, workers’ compensation normally would provide the exclusive remedy for injuries sustained. Therefore, workplace assaults are compensable under workers’ compensation where the issue which results in the dispute involves the work itself, or the work which brought the victim and the actor together and created the conditions which led to the assault. The assault may be attributable to co-workers and third parties such as visitors, intruders, delivery personnel from other companies, union personnel, or even relatives or spouses of co-workers. Workplace injuries which are purely personal in nature and unrelated to the employment, however, are *not* compensable under workers’ compensation (*Cyrus v. Miller Tire Service*, 38 S.E.2d 761 (S.C. 1946)). It should be noted that each state’s case and statutory law should be consulted to determine specific legal standards.

Proactive Management of Potentially Violent Employees

Proactive management styles would dictate that the employer try to stop workplace violence from occurring initially. Lester and Maccone (2001) suggest that the employer know who the potential perpetrators of violence are as a start. A

properly worded employment application form will elicit data which should provide enough historical information to permit the employer to provide some balanced insight into the candidate's qualifications, experience, and work history. Chavez (2004) recommends that employers have their application forms reviewed periodically by competent labor counsel. An important question to ask the candidate is whether he has ever been convicted of, or pled guilty or no contest to a crime other than a minor traffic offense and, if so, to provide details. Another important question to ask is whether the candidate has ever been terminated or asked to resign from any position.

Furthermore, candidates need to be directed within the application form to account for gaps in employment. In addition, candidates should be instructed to provide complete answers and to utilize additional sheets of paper if necessary. At the end of the application form, there typically appears a certification paragraph through which the candidate attests that the information provided in the application form is true, complete, and not intended to mislead the employer (Chavez, 2004).

Once the application form has been properly completed, the employer's task is to carefully analyze the information provided and to verify, to the extent possible, all of the information set forth in the document. The practice of accepting resumes from candidates without requiring them to complete an employment application is a mistake. Why? Because the employee controls the content when he prepares a resume. Naturally, the employee is going to avoid providing information which casts him in a less than flattering light (Long Island Coalition for Workplace Violence Awareness and Prevention, 1996).

Employers should painstakingly check a candidate's references and make every effort to verify information which the candidate provides in the application form and resume. Too many employers either fail to complete this fundamental task or do so in haphazard fashion. The result can be the selection of a marginal or problem employee, and/or extraordinary exposure stemming from a hiring claim. Employers should carefully document efforts to verify information provided by candidates. Depending on the nature and scope of the vacant position, employers should consider whether the use of criminal background checks would further its interests (Safety and Health Topics: Workplace Violence, n.d.). For example, it would be wise to conduct criminal background checks before making a final selection for a position which will require employees to enter the homes of customers.

Reisenauer (2002b) has suggested a number of techniques that can be used to prevent such violence before it erupts. A flexible approach to decreasing employee stress through the availability of flexible work hours and/or increased benefits can reduce the tendencies toward violence by removing sources of stress, like child or health care worries. Personality screenings, appropriately supported, may reduce the number of potentially aggressive or violent employees even hired by the organization. Finally, Reisenauer (2002b) suggests that firms should look to each other for any new, innovative method of decreasing employee stress and increasing the opportunities for appropriate "venting" avenues of stress or frustration.

Morgan, Lewis and Bockius LLP (2001) have also developed a series of guidelines to assist a firm in establishing a violence free workplace. Their “workplace violence prevention program” has several components. First and second, the firm should be very careful when hiring, by thoroughly reviewing prospective employees’ applications and by performing a careful pre-employment screening involving drug testing and reference checks (all with advice from counsel to assure legal compliance with state and federal regulations). The firm should also express their commitment to a violence-free workplace through development and dissemination of a written policy, which should include rules forbidding violent acts, threats, or weapons, and emphasizing the “zero-tolerance” policy against violence. The policy also should provide a protocol for reporting violent incidents and other hostile or disruptive behavior.

Next in the progression is that a threat assessment team should be put in place to deal with violent incidents; this team could also be used to conduct an assessment of the hazards of violence in the workplace (USDA Handbook on Workplace Violence: Prevention and Response, 2001, p. 5). Optimal persons who should be included on the team include the director of human resources, an employment lawyer, in-house counsel (if applicable), security personnel, a psychologist or other mental health professional (as a liaison for any Employee Assistance Program in place), and local law enforcement personnel (contingent on the circumstances). Depending on the size and nature of the organization, the threat assessment team may be a formal group which convenes whenever an act of violence occurs or a threat is communicated. For other organizations, the chief executive or the individual responsible for human resources management may simply contact some or all of the above persons in order to develop an appropriate course of action.

A final key point in this plan is prevention: a training program should be established to alert employees and to help them recognize the likelihood of potential violence and to provide a course of action if symptoms of disruptive behavior are present or when violent behavior actually occurs. Implementing security measures also is suggested as a means of lowering the potential for workplace violence and possibly reducing the severity of such behavior. Employee assistance programs should provide a confidential avenue of dialogue for troubled employees, thereby reducing the stress likely to give rise to violence. Finally, a prompt response should be made to all reports of violence in the workplace, and detailed records should be kept to document the employee’s transgression and the employer’s response to stop the violence, to prevent further disruptive behavior, and to protect other employees (Violence in the Workplace, n.d.).

What steps should an employer take in preventing a recurrence (or escalation) of workplace violence? The following employer actions may be appropriate, depending on the particular circumstances: contacting law enforcement, termination, suspension (with or without pay), or removal from the workplace— with or without pay. Additionally, enrollment in an employee assistance program and completion of the recommended program could be a condition of continued employment. Employers could also require fitness for duty evaluation or the employee may simply be reassigned, reprimanded, or demoted. As noted above, it

is not necessary to wait until violence has actually erupted. It is acceptable, and in many cases it may be preferable, to initiate action rather than to react to situations where violence has been threatened, and/or to take action against a potentially or actually hostile employee (SDR News Briefs, 2002, and *Merhab v. Illinois State Toll Highway Authority*, 267 F3d 710, 7th Cir., 2001).

Table 1
Profiles of Individuals Who Are Prone to Violence

	Characteristics	Actions	Experiences
Making direct or veiled threats		X	
Having a history of violent behavior, including a family history of violence	X		
Abusing alcohol or drugs		X	
Being fascinated with guns or other weapons and talking about them at work (Despite South Carolina's "Concealed weapons" statute, employers are legally permitted to ban weapons in the workplace except in truly exceptional circumstances)	X		
Experiencing serious personal/family problems, such as divorce, death of a close friend or relative, bankruptcy			X
Demonstrating significant changes in behavior—mood swings, outbursts, insubordination		X	
Manifesting deterioration of work performance (good employee starts to have performance problems)			X
Being a loner	X		
Becoming paranoid about others	X		
Experiencing anger but not having an outlet to vent the anger			X
Frequent disputes with supervisors or co-workers		X	
Routinely violating company policies		X	
Harassing (sexually or otherwise) co-workers		X	
Rejecting authority	X		
Blaming others for problems	X		
Loss of job or impending loss of job			X

The various responses outlined above are *not* mutually exclusive. If the act which results in disciplinary action is a threat made by an employee against someone, then the employer should promptly notify the target(s) of the threat so that they can take steps to protect themselves. Moreover, depending on the particular circumstances of the “threat” situation, the employer may determine that it is appropriate to provide worksite security for the target(s) of the threat. The employer should also explore the possibility of obtaining injunctive relief (restraining order) and/or encouraging the target(s) to do so (Strategic Employer Responses to Domestic Violence, n.d.).

Precursors to Violence

Profile of the Potentially Violent Employee

Psychologists who have studied workplace violence have developed “profiles” of individuals who are prone to violent acts. While profiles tend to vary, there are certain characteristics, actions, and experiences which consistently appear on many of the profiles (Baron, 1993). Chavez (2004) maintains that when a potentially violent individual encounters an event that might be considered annoying or inconvenient, it may act as the catalyst that sets that person off. For example, events such as frustration on the job, combined with an argument at home, a traffic jam on the way to work, or an unpleasant encounter with an incompetent boss may push an unstable person over the edge. Table 1, on previous page, can be used by managers in evaluating the potential for violence among individuals when there is any reason to consider that violence is a possibility. Violence in the workplace is often preceded by warning signs that fit the profiles presented here.

What threats could serve as a “red flag” to managers? Table 2, on the next page, illustrates examples of “Direct” and “Indirect” threats which should trigger an inquiry and an appropriate response on the part of the prudent employer. Direct threats usually are made in person and follow a confrontation. Conversely, indirect threats typically are made to co-workers who are not involved in the dispute.

Investigation

How does management respond if indicators such as those in Table 2 suggest that there is potential for violence or, worse yet, that a violent act has occurred? There are several key questions to ask the individual to whom the comment or threat was directed to ascertain if that person feels threatened or was in fact threatened and whether there should be corrective disciplinary or legal action taken. First, ask the victim if the statement caused him/her to be fearful for his/her safety or the safety of others? Second, ask the person subjected to the questionable behavior if he/she was made nervous or uncomfortable by the statement or behavior. Finally, inquire of the person receiving the unwanted language or action whether the statement or behavior created a threatening environment for him/her or for others (Violence in the Workplace—News, n.d.). Note, again, the tie of these ideas to the sexual harassment literature.

Table 2
Direct and Indirect Threats That Should Trigger an Inquiry

Direct	Indirect
You'll be sorry	He'll get his
I'll make you regret this	I'll get him back
If I go down, you'll go with me	He won't know what hit him
Fire me and there will be hell to pay	He'll find out what a mistake he made
Don't turn your back	He'll be sorry
You'd better be looking over your shoulder	He'll know he should have picked on someone else
I'll kill you	He'll regret treating me this way
You won't get away with this	
Let's talk outside	

The nature of the comments, as well as descriptions of behaviors and language, added to characteristics and experiences of the potential perpetrator should raise alarm signals to alert the employer that something is wrong. The employer has both legal and moral obligations to protect three readily identifiable sets of persons, (as well as others, depending upon the situation): (1) the employer him/herself, (2) the threatened employees, the potentially threatened employees or the actually injured employees and, finally, (3) the threatening or violent employee him/herself.

Diffusing the Situation Before Violence Erupts

Laplaca (2001) recommends a list of suggested techniques designed to diffuse a possibly violent situation. She points out that the key to this approach is to recognize the “instigator” of the situation. In her analysis and interpretation, the instigator is not the potentially violent employee, but rather the manager as agent for the employer. The manager is the instigator because the employer is taking action against the possibly violent employee; that is, the employer is chastising or disciplining the erring employee. Because the employer has initiated the discussion, the employer has more control over the discussion. This idea of control is logical, since the employer knows already that some problem exists with an employee and knows what steps may be taken to ameliorate the situation. Generally, Laplaca (2001) suggests that the employer try to be in control of the response made to the disgruntled employee by apologizing that this action is being taken, allowing the person time to calm down, or simply by informing the disgruntled employee that the

employer will not deal with him until he has calmed down and can speak and act more rationally and calmly. She also advocates that the manager in the role of employer try to disengage personal feelings, and try to accept the knowledge that the manager is personally not the target of the violence. Thus, the manager is, in fact, an agent and merely represents the target of the firm or organization. Additionally, the employer carrying out a disciplinary action or conveying word of the action to the disruptive worker should try to develop body language habits that are designed to calm the worker: relaxation of the body, a stance similar to that of the employee, leaning against a desk or wall in a casual fashion are all body language signs of a calm and in-control employer.

Rugala (2004) recommends a number of verbal techniques which might help diffuse a potentially violent situation. There are three categories of verbal techniques that could be helpful. First, don't interrupt the angry employee, argue with him or tell him to calm down. Instead, try phrases that express understanding of the anger: "I can understand why you are upset," "I can tell you are really frustrated," or "That must have felt like a bad break!" These approaches could conceivably make a person feel less angry by allowing the person to feel that his behavior has at least been understood, if not accepted. Note, however, that it is important to focus upon understanding the employee's feelings rather than agreeing that what the employee did was correct. Agreeing that a potentially violent act was acceptable can, of course, have serious consequences in situations where litigation ensues.

A second verbal technique attempts to help the employee get beyond the present moment by asking future-oriented questions. "What would make this work for you?" "If you could have the ideal solution, what would it be?" "If we can't arrange the ideal solution, what can you live with?" These are all questions intended to divert attention for the source of the immediate answer and to give some sense of hope to the employee that he may still be able to help correct the situation he has caused. Finally, the employer could offer limited options to the employee to accept the role of a problem-solver. These language patterns are represented by phrases like these: "Here is a possibility ..." "There are a couple of ways we can go with this" (Rugala, 2004).

Disciplining with Dignity

Many of the more serious acts of workplace violence are the result of termination. One can only speculate whether the manner in which these termination decisions were communicated to the employee contributed to these incidents of violence. We strongly recommend, on the basis of all available information, that any manager, in the role of agent for the employer, handle disciplinary situations (including terminations) in such a fashion as to allow the employee to retain a sense of personal dignity. Addressing employee performance and conduct problems must *not* be viewed as an opportunity to demean the employee on a personal level. The focus of any disciplinary meeting, memo, or other communication should focus only on the employee's behavior/actions/performance (McGoey, 2005). In Table 3,

Table 3

Some Acceptable Options for Employers to Incorporate in Their Behaviors When it Becomes Necessary to Discipline Employees

Never raise your voice.

Investigate before disciplining the employee—don't jump to conclusions. Always discuss performance problems in a relatively private environment.

Do not suggest that the employee's performance is unacceptable in every facet. Remember that discipline is designed to teach and modify behavior—not to humiliate it.

Be prepared to explain the policy the employee may have violated. Focus on the misconduct—not on personal feelings.

Give the employee the opportunity to respond to management's conclusions about the problem and the appropriateness of the disciplinary action.

Be prepared to reassess the matter after the discussion with the employee.

Avoid the appearance of bullying the employee (i.e. the number of managers present at the meeting should be low).

Have at least two members of management present at all disciplinary meetings to avoid the appearance that the problem is personal.

The "good cop/bad cop" strategy is not effective. Management's position with regard to the appropriate disciplinary action should be communicated as though it is fully supported by all members of management.

Allow the employee to resign in lieu of termination, if possible. (Note: For unemployment purposes, this generally will *not* make the ex-employee ineligible for unemployment benefits. The termination will still be characterized as an involuntary termination.)

In special unsatisfactory performance discharge situations, permit the employee to continue working while he searches for another job. It is generally accepted that an individual will have greater success in finding a job if he is currently employed. (This is possible only where there is no risk of sabotage.)

Permit the employee to return before or after normal business hours to clean out his desk unless doing so would pose a safety risk.

above, are several rules of thumb and options that allow employers to administer discipline in a professional manner and which will not operate to exacerbate what is already an unpleasant situation.

Conclusion

It may be an unfortunate "fact" of 21st century American life, but it appears that violence in the workplace is a phenomenon with which managers, as agents of

their employing organizations, will be confronted throughout the foreseeable future. In this paper, we have summarized what is known about workplace violence: what are the characteristics of potential perpetrators, what kinds of behaviors serve as potential identifiers, how to deal with potential targets of violence, and how to deal with the potentially violent individuals themselves. Our attention has been directed to the practicing manager, and we have used what is known about workplace violence and those who are potential aggressors to develop ideas for the manager to use proactively in preventing workplace violence where possible and in combating it when it occurs.

References

- The Associated Press (1998, March 4). "The Sprewell Incident: Chronology of Latrell Sprewell." Retrieved July 19, 2006, from http://www.canoe.ca/BasketballSprewell/spre2_mar4/html.
- Baron, S. A., Ph. D. (1993). *Violence in the Workplace, a Prevention and Management Guide for Business*, 89.
- Chavez, L. J. (2004, October). "Workplace Violence—Can We Do More to Prevent It?" *Human Resource Executive*, 1-2.
- Degenhart v. Knights of Columbus*, 420 S.E.2d 495 (S.C. 1992).
- Doe v. South Carolina State Hospital*, 328 S.E.2d 652 (1985).
- Cyrus v. Miller Tire Service*, 38 S.E.2d 761 (S.C. 1946).
- Laplaca, M. (2001). "Dealing With Anger at Work." *Manage*, 53(1), 4.
- Lester, M., and M. Maccone (2001, November 5). "Prevent Violence in the Workplace." *New Jersey Law Journal*.
- Long Island Coalition for Workplace Violence Awareness and Prevention*. (1996, February). Retrieved July 19, 2006, from http://www.osha.gov/workplace_violence/wrkplaceViolence.coalition.html.
- McGoey, C. (2005, March). "Workplace Violence at the Office?" *Crime Doctor*. Retrieved May 6, 2006, from <http://www.crimedoctor.com/workplace1.htm>.
- Merhab v. Illinois State Toll Highway Authority*, 267 F3d 710 (7th Cir. 2001).
- Morgan, Lewis, & Bockius, LLP. (2001, November). "Violence in the Workplace." *The Metropolitan Corporate Counsel*, (Northeast Edition), 24.

-
- “Preventing Workplace Violence.” (2005, September 21). *Workplace Violence—News*. Retrieved May 6, 2006, from <http://safety.blr.com>.
- “Professor’s Writings Did Not Violate Workplace Violence Policy.” (2001, October 3). *National Public Employment Reporter*, 5(6), 1.
- Reisenauer, T. (2002a). “A Look at Desk Rage, Part I.” *Everett Business Journal*, 5(2), B4-5.
- Reisenauer, T. (2002b). “Desk Ragers Part II, and Some Solutions.” *Everett Business Journal*, 5(3), B5-6.
- Repa, B. K. (2005). *Your Rights in the Workplace* (7th ed.). Berkeley: Nolo Publishing Company. 398-463.
- Roberts, B. S., and R. A. Mann (2000). “Sexual Harassment in the Workplace: A Primer.” *University of Akron Law Review*. Retrieved July 19, 2006, from <http://www3.uakron.edu>.
- Rugala, E. A. (Ed.). (2004, March 1). *Workplace Violence: Preventing It; Managing It*. U.S. Department of Justice—Federal Bureau of Investigation. Retrieved July 19, 2006, from <http://www.fbi.gov/page2/march04/violence030104.htm>.
- “Safety and Health Topics: Workplace Violence.” (2002, July 01). Retrieved May 4, 2006, from <http://www.osha.gov/SLTC/workplaceviolence/>.
- “SDR News Briefs.” (2002, April). *IOMA Security Director’s Report*, 8.
- Solomon, M. (2001, July 7). “Rage in the Workplace.” *Computerworld*, 30-32.
- “Strategic Employer Responses to Domestic Violence.” (n.d.). *Family Violence Prevention Fund*. Retrieved May 4, 2006, from <http://www.endabuse.org>.
- USDA Handbook on Workplace Violence: Prevention and Response*. (2001, October). Retrieved July 19, 2006, from <http://www.usda.gov/news/pubs/violence/wpv.htm>.
- U.S. Department of Justice—Federal Bureau of Investigation. (2001, June). *Workplace Violence: Issues in Response*. Retrieved April 30, 2006, from <http://www.fbi.gov/publications/violence.pdf>.
- “Violence in the Workplace.” (n.d.). *Personnel Manager*. Retrieved May 3, 2006, from <http://www.doi.gov>.

About the Authors

Dinah M. Payne, J.D., Professor

Department of Management, University of New Orleans

Dr. Payne earned a Juris Doctorate and an MBA from Loyola University New Orleans in 1986; she has been a member of the Louisiana Bar Association and the American Bar Association since 1986. She has taught and researched at the University of New Orleans since 1988.

Dinah Payne's teaching and research interests include topics in domestic and international business law, ethics, and management. She has participated in several study abroad programs, as a student and as a teacher, including the University of New Orleans' Innsbruck, Austria Summer School and the University of Pittsburgh's Semester at Sea Program. She has published extensively in the *Labor Law Journal* and the *Journal of Business Ethics*, among others.

Augusta C. Yrle, Ed.D., Professor

Department of Management, University of New Orleans

Dr. Yrle specializes in end-user computing, microcomputer applications, management, and organizational behavior. She holds a B.S. in Business Education, an M.Ed. in Secondary Education, and an Ed.D. from the University of New Orleans. Additionally, she earned an MBA from Loyola University in New Orleans.

Augusta Yrle has been on the faculty at the University of New Orleans since 1972 and is currently a Professor of Management. She has participated in consulting activities for a number of small businesses over the last 18 years.

She has been published in the *Journal of Business Ethics*, the *International Journal of Public Administration*, the *Public Administration Quarterly*, the *Journal of Small Business and Enterprise Development*, and the *International Association of Management Journal*.

Michael D. Malone, J.D.

Michael D. Malone is the senior partner at Malone, Thompson & Summers L.L.C. which limits its practice to representing management only and insurance carriers in labor and employment matters. Malone has been certified by the South Carolina Supreme Court as a Specialist in Labor & Employment Law. He is a frequent speaker and author on labor and employment law related topics. In addition to defending employers against charges of all types of discrimination, Malone's practice focuses on the delivery of practical and preventive employment law advice. He is admitted to practice before the United States District Court for the District of

South Carolina and the United States Court of Appeals for the Fourth Circuit. Malone, Thompson & Summers L.L.C. is a member of the Worklaw Network, a national network of management only employment law boutique firms.

Sandra J. Hartman, Ph.D., Professor
Department of Management, University of New Orleans

Dr. Hartman specializes in organizational behavior, employee motivation, leadership, and organizational politics. In 1997, she was the recipient of the Seraphia Leyda Fellowship for the University and was named Professor of the Year for the College of Business. She was named Researcher of the Year for 2000-2001. She also has served as president of the Southwest Academy of Management, and has been named Educator of the Year for the 2002-2003 academic year by that group. She holds a B.S. in Psychology from Purdue University, an M.S. in Psychology from Memphis State, an MBA from George Washington University, and a Ph.D. from Louisiana State University.

Sandra Hartman has been on the faculty at the University of New Orleans since 1981 and is currently a Professor of Management. She has worked in a wide variety of management positions over a 20-year period. Her jobs have ranged from managing construction crews to being a training director for *Playboy*.