

Active Assailant Risk

Episode 2

Workplace violence and threat other than shooters

Dave Rapp:

Thank you for joining us for Marsh's podcast on active assailant risk. I'm Dave Rapp, your host. I'm currently the Casualty Advisory Practice Leader for Southern California, based in Los Angeles. Prior to joining Marsh, I was the US Risk Manager for Westfield Shopping Centers for eight years.

As we think about the topic of active assailant, it's a risk we don't think about often — it's not easily quantifiable, and it's not a daily event in our individual worlds...but it does, unfortunately, happen far too often in the broader world. As risk professionals, we tend to focus on the things that occur more often within our companies; however, I think it's an important topic to bring to light and to have a conversation around what active assailant risk is and what we can do to better manage it.

This podcast is four episodes, and in each I'll be joined by experts on specific topics of:

- Threat assessment and preparation
- Workplace violence and threat other than shooters
- Crisis management and emergency response programs
- Claims management and mitigation considerations

In today's session, we're going to focus on workplace violence, and joining me is Jonathan Frost with Marsh Advisory. Jonathan, welcome to the podcast.

Jonathan Frost:

Thanks, Dave. It's good to be here.

Dave Rapp:

I think you'll find Jonathan's experiences and insights informative. Jonathan, if you could, for our listeners, just give us a quick background on your experiences.

Jonathan Frost:

Yeah, absolutely. So I've been in the security field for more than 20 years in one way or another. I started off as a young Marine back in the late '90s where I helped do security for the President and the First Family up at Camp David, where I got my start. And I segued that into a career in law enforcement that lasted about 11 and a half years. And then I switched back into the security field where I ended up working for a utility company helping run their security program before joining Marsh back in 2020. So, during that time, I've had a lot of opportunities to see some different avenues and some different areas where security's used and gained a lot of valuable training such as that surrounding active violence training and Train The Trainer courses.

Dave Rapp:

And so your role at Marsh presently, just real quick for the listeners, outline what you're principally focused on now with your time with Marsh.

Jonathan Frost:

Yeah, so right now, myself and a couple others, we help run the security consulting practice here at Marsh. It's our responsibility to come in and help some of our clients out with their security programs, everything from doing a full security vulnerability assessment where we look at policies and procedures, the way the employees interact with the physical environment, and then an actual walkthrough of the physical sites, as well as just advising on general security practices and questions.

Dave Rapp:

Cool, very much. Thank you for that background. So as we move into the topic of workplace violence, I just want to share for our listeners some statistics I came across around workplace violence in general. I thought

some of these are sobering to me and underscore the risk that exists, and part of that is active assailant, for sure, but also just other things come into play here. Interestingly, over two million people a year experience some form of workplace violence, and one in seven employees really don't feel all that safe in their own workplace. Moreover, healthcare workers make up 50% of the victims of such workplace violence crimes. Almost half of school teachers report at some point that they've been attacked in the workplace, a pretty sobering statistic there. In total, workplace violence, it's estimated results in over \$130 billion in cost and actual lost productivity every year.

So that's pretty significant if you stop and think about the risk. And I think many times for us risk management professionals, we're aware of it, but we don't think about it all that much because maybe it hasn't happened on our watch in our own companies, kind of a thing. Jonathan, I know that when we've talked about definitionally what constitutes workplace violence versus an active assailant, could you for the listeners walk through your view in terms of the difference between active assailant and workplace violence and what the types of defined workplace violence categories there are?

Jonathan Frost:

Yeah, so workplace violence is, really, I mean, it kind of lays it out to us as it being any act or threat of physical violence, harassment, intimidation, or other threatening disruptive behavior that actually occurs on the work site. So this can range from anything from verbal abuse to physical assaults to an incident causing death. That's workplace violence, and it's defined in four different categories. So you've got criminal intent. Type two is a customer-client relationship, type three is a worker on worker, and type four is a personal relationship. So the criminal intent is exactly that. It's some kind of violent incident. The perpetrator doesn't really have a relationship with the business or its employees. It usually has to do with some other kind of crime such as a robbery, shoplifting or trespassing.

We've all seen those smash and grabs where people were coming in and just ransacking stores and then an employee would try to intervene or a security guard would try to intervene and become a victim of that type of violence. And that criminal intent also covers acts of terrorism. That would also fall into that category. So the type two, the customer and client, that's when the

violent person has a legitimate relationship with the business. A customer, client, a patient on caregiver issue in the hospital, a student at a school or something to that effect becomes violent while being served by the business. Worker on worker is violence that's an employee or past employee of the business that ends up attacks or threatens other employees or past employees in the workplace. And then we've got the personal relationship. That's where the person or the perpetrator knows or has some kind of a relationship with the business or the intended victim. A lot of the times you'll see domestic violence issues at home spill over into the workplace, and that's where that falls in with that personal relationship aspect.

Dave Rapp:

What's your experience, your views on high stress positions being more or less prevalent when it comes to workplace violence? And I think, again, medical professionals, law enforcement, event coordinators, airline pilots, things like that, air traffic controllers, you hear in the news that those positions are "stressful". Do you see any correlation between the stress level of a work environment and then the related incident level of workplace violence? Or is that also hard to analyze and predict?

Jonathan Frost:

I think it's hard to analyze, but I definitely believe that stress plays an overall factor in it. The stress of maybe losing one's job or losing a position can definitely trigger some anger or some outburst to push somebody over the edge. So stress is definitely a factor because even people that aren't in those positions, law enforcement and healthcare, which are incredibly stressful, or piloting, still are dealing with large amounts of stress at home, whether it be because they aren't able to find a job or aren't able to pay bills or because of other medical reasons. So stress really plays a factor, I believe, no matter what form it comes in.

Dave Rapp:

So as you talk to the clients that you work with, what's the general sense in terms of managing that stress level in the office and working to provide work-life balance? Are you seeing an increase, I guess, in level of conversation and sensitivity to that particular topic?

Jonathan Frost:

Yeah, I believe some. You've seen a lot of organizations start to really ramp up their employee assistance programs, which is big. It's important to have that kind of thing at home, especially coming back out of the pandemic. We worked with quite a few clients that wanted to prepare for that large influx of people that would be coming back to the office for those that had people return, and one of the things that we often recommended is making sure that they do have an employee assistance program and policies in place for that, such as making sure that they encourage reporting for those people involved in domestic incidents at home so that those situations don't spill over into the workplace.

Dave Rapp:

So then let's turn our focus then on discussing if there's any behavior patterns or indicators coming from an employee that might suggest that they're considering workplace violence or things that you should be concerned about. Can you walk our listeners through some of the warning signs, I guess, is the best way to put it, of somebody or an employee that you know might suspect of potentially committing a workplace violence act?

Jonathan Frost:

One thing to look for, which can be an indicator, is depression or withdrawal, where you've got an individual that was normally outgoing, that was always smiling and laughing, and all of a sudden they just do a 180. And it's completely out of a characteristic for them. Repeated issues at work, social media, there appears to be indicators in every one of these incidents that we see in the news of a social media post or a photo. Maybe there's increasing talks of problems at home, escalation of domestic problems into the workplace. Maybe it's happened once or twice. Maybe they're starting to talk about financial difficulties. "I can't lose my job, or I'll be out on the street." Stuff like that.

Maybe there's an increased talk about firearms or other dangerous weapons. Maybe there's an increased use of alcohol or drugs that weren't being used before. Increased absenteeism. Maybe a resistance or an overreaction to changes in policies and procedures at the workplace. Maybe you've started to see some repeated violations of company policies. Noticeably unstable emotional responses, so severe mood swings

or explosive outbursts of anger or rage without provocation can be some indicators as well.

Dave Rapp:

As a former risk manager, I've had experience in some of those, and in particular on the increasing conversations around firearms and things like that. I witnessed a couple of incidents in my prior role as a risk manager where that occurred exactly. And in fact, one employee actually had weapons on a property that we didn't know about until it became an issue. Now, there was no other related signs of potential workplace violence, but just the mere presence of a firearm on the property against company policy, was concerning enough kind of thing. So I think that's super important there.

And I agree, and it's hard to predict some of these things. If I'm a coworker sitting next to somebody who's exhibited some erratic behavior or scaled up their rhetoric around being disgruntled or noticeably emotional mood swings or whatever, what's your views around what companies can do around giving other employees an avenue to express concerns in a confidential manner in order to be able to address that? What's your views in terms of the importance of that and how that should go about?

Jonathan Frost:

Oh, it's definitely important because people oftentimes want to say things, but they also want to have a sense of anonymity. They don't want to be called out as the person that said something or started an investigation on a coworker. So having things like an anonymous email reporting system or some kind of an electronic system, or an anonymous texting, or even an anonymous letter in a drop box that obviously isn't being seen by any surveillance cameras on the property so that the anonymity can be maintained. But there's definitely some major importance in making sure that employees have that avenue where they know that their identity can be protected while also trying to get that information to the people that need to have it.

Dave Rapp:

Yeah, absolutely. So continuing along the lines of mitigating the risk, I think one of the other things that's important is making sure that the company has a zero tolerance policy around workplace violence, and that that policy is published and made available to all the

employees so that everybody understands that that's what's expected in terms of behavior at the company. I think that's super important.

What's your experience in terms of some of the other things about mitigating risk? Let's walk through those a little bit. What's your experience around background checks and employee screening in the pre-employment process? Is that effective in your view, in terms of uncovering potential issues?

Jonathan Frost:

Yeah, absolutely. Every organization needs to be doing its due diligence to make sure that its employees are properly screened to be working there. We talk oftentimes about background checks and making sure that criminal histories are checked. But it's also important, especially for those people in fiduciary roles, to make sure that credit checks are being done as well on a yearly basis, or at least close to it, because there's large stressors that come along with continuous changes in financial status, especially for people that are handling money day in and day out. It can become a huge temptation.

So making sure that those are done as part of a background check for certain individuals, not necessarily for everybody, but if that person is in accounting or is dealing with money or moving funds, it should definitely be done.

Dave Rapp:

You touched on employee assistance plans as being important, and counseling services are certainly important as well. Are there any tips or comment you can provide our listeners around the importance of those employee assistance plans and how best to implement them?

Jonathan Frost:

Yeah. When it comes to an employee assistance program, if it's not constantly being brought up at least annually or biannually, it's one of those things that can fall off to the side, because a lot of people don't need the EAP program until they really need it. But they may forget that it's even there or the options available.

So making sure that you have those available, whether it be flyers in a break room or part of the annual training, reminders at lunch and learns, things like that, to make sure that employees have the ability to reach

out to a company funded program is important. And making sure that it's written into the policies and procedures of the organization as well. And it's not just it's hot this month, let's touch on it and not talk about it again for two years.

Dave Rapp:

In my experience, having an internal wellness program, for lack of a better term, where lunch and learns are great, maybe the topic is proper nutrition, let's just say, for example, you bring in somebody to talk about that. Or maybe you bring in somebody how to deal with distress in the workplace or get yourself better organized or things like that. It's always interesting to me when you put those programs in place and there's an organic kind of living, breathing dynamic environment where the company embraces wellness as a general topic.

I think it helps, number one, for the people that need help. But also too, it's interesting how sometimes I think it can actually cause people to feel a bit more comfortable and bring forth their issues and concerns in a more positive manner, and seek help rather than holding it inside and then explode in some emotional outburst or whatever.

So I think I've witnessed firsthand the positive benefits of a really solid employee assistance program. And like I said, I call it a wellness program in general where you can integrate some of those things.

Let's talk a little bit more specifically then about progressive discipline and termination. I think a lot of times those particular issues, if not handled properly, can result in some form of workplace violence. In terms of a progressive discipline plan, what's your thoughts in terms of how important that is to make sure people understand where they sit relative to their performance and that there's no surprises?

Jonathan Frost:

Oh yeah. It's definitely important because it's hard to hold people accountable when you don't tell them exactly what it is that you want or you expect from them. So I think it's important to avoid the surprise terminations. Having that progressive discipline process just puts employees on notice, and it also gives the company a roadmap to properly follow the path that's laid out to discipline employees as needed.

Unfortunately, when you get to the point where you actually have to terminate an employee, it's important to develop that formal protocol for terminating employees. So where the termination takes place, how many people are in there. One of the things we look for during our vulnerability assessments is we check to see if there are panic buttons in the HR office and or in the room in which terminations occur. Because, they can be incredibly stressful, and even if somebody knows it's coming, it can be a hard pill to swallow sometimes.

Dave Rapp:

Yeah, absolutely. And I think it's also important too, that if you have security contingent on the property, that they be made aware of a termination that might be happening, as well as front desk staff, because people can get terminated, leave the property, and then later on that afternoon or whatever, the next day they want to come back and revisit whatever grievance they might have. And so, I think the proper folks need to be made aware internally of somebody not being with the company any longer and that there's appropriate monitoring protocols put in place that if that person does return to the property, that appropriate action is then taken for sure.

I just want to turn a little bit then kind of back to more statistics around active assailant. In your experience, workplace violence can take a lot of forms. It can be a fist fight, it could be verbal abuse, it could be all kinds of things. And we've heard, all of us have seen on the news where disgruntled employees have come back to a place of employment with a gun and they've shot people up. We had a terrorist event in San Bernardino where an employee through their own actions and own kind of manifesto decided to shoot people up. There's stories about warehouse employees coming back or post employees coming back.

Jonathan Frost:

Not everybody has that kind of a reaction, but unfortunately it does happen. So it's important to properly prepare for an incident like that.

Dave Rapp:

Yeah. So let's talk about that preparation, walk our listeners through some of the components of an emergency response plan specific to a workplace violence situation. What does that look like? What's the

training involved for other employees, and what's the overall response from a company perspective look like?

Jonathan Frost:

So when it comes to developing a plan like that, one of the first things you need to do is conduct a needs assessment. Take a look at what things are in place, look at your access control components, your video surveillance, current and former employees. Look back at any incidents that have occurred in the past. And you really want to just kind of look at the organization's vulnerability to violence. Are employees working after hours of darkness? Are people working remotely? Is it a high risk crime area? And take a look at that and fulfilling that needs assessment to make sure that you know what you don't have before you start implementing programs. So that's, really a huge part of making sure that, that's done properly. So once that needs assessment is completed, and you've evaluated some of your physical security plans and stuff in place, it's time to start looking at your workplace violence and prevention and intervention program.

So taking a look and developing those policies that you can start putting into effect as quickly as possible and making sure that the employees are aware of them. And if possible, I mean, there should always be some kind of multidisciplinary threat management team that's made up of people from HR, leadership within the organization, security if they're available. They can be a threat assessment team, an incident management team, a case management team, however you want to call it. But you want to make sure that it's got people from legal, human resources, risk management, security if they're there, operations, and make sure that that's in place as well.

Dave Rapp:

So on that point, human resources takes front and center on these issues. Obviously, employee confidentiality is always important and paramount. Can you give a little insight in terms of what you've seen in terms of best practices and how that works from a risk manager perspective?

Jonathan Frost:

So from the risk management perspective, having them there to oversee some of that stuff and kind of see from their perspective, the risk managers have a different way of looking at things, just like the way security

professionals have a way of looking at things. We see things through a different lens, so they will have the ability to look at things from a different angle that may be someone in HR whose experiences are different, may not see things. So I think the risk management person's ability to just add some clarity and some insight into it is a key point.

Dave Rapp:

I can share with you that as a former risk manager, underwriters do inquire when it comes to employment practices, liability coverage, or even general liability for that matter. If they view a particular workplace violence as being more prominent or front and center for a particular client. You do have to face those questions around, what are your emergency response plans? What's your training protocol look like? Are you engaged with HR and other constituents within the company to help monitor and address that particular situation? So it does come up occasionally from an underwriting perspective. So I think it's important for our risk management community and our listeners to understand that while you don't want to get involved in the actual administration of a situation, because again, confidentiality, I think it's important though that risk managers nonetheless have a general idea and involvement of what the workplace violence employee assistance plan programs look like, so that they can be well versed and informed from just a general risk perspective.

Let me circle back then, Jonathan, as we get towards the bottom end, our conversation here. In terms of training protocols and topics for the balance of the staff. Obviously, a workplace violence situation can again be a verbal altercation or it can escalate into something more physical where somebody gets actually harmed or injured. In terms of training the staff around this particular risk issue, what can you share with our listeners in terms of best practices and specific training topics that need to be part of that program?

Jonathan Frost:

And training is incredibly important for the staff. And a couple things that come to mind are, recognizing the sound of gunshots and being able to react quickly when they're heard, or even if you think they're gunshots. Or if a shooting is witnessed, and how to interact with law enforcement when they arrive. The basic tenants of the run, hide, fight principle or the avoid, deny, defend. Being able to evacuate the area barricading and hiding

out, and like we said, fighting against an active shooter is a last resort. Knowing how to call 911 and make sure that first responders are able to get there. And one of the things that we're seeing now is, because the response time can be so delayed to getting to the victims of these crimes, we're starting to see some trainings that are incorporating a stop the bleed type training.

Applying tourniquets, wound packing, having trauma kits on site. Because, if you're stuck in a room with somebody that has a severe injury, you may have to be the only hope they have to stop the bleeding until EMS can get in there to help them out. Because, it takes several minutes for EMS to get there, but depending on the wound, it doesn't take long for it to result in death. So making sure that trainings are in... As a law enforcement officer, I was always told during trainings that the body can't go where the mind has never been. So getting your employees and getting yourself in that mindset to think about it and train on it. You give yourself the mental ability to put yourself there and that very well may save you valuable seconds if you're actually put in a situation like that.

Dave Rapp:

I think that's absolutely critical. And some people, the rank and file employee might dismiss training on that as not being important. And most of us, thankfully in our careers, probably don't ever face a workplace violence situation, let alone an active shooter situation.

But to your point, exercising the rank and file employees, even if it's an awareness session or what have you, is super important because again, you got to have a little bit of confidence in yourself that when you are confronted potentially with that situation, that you reflect upon your training, you've been through it before, even if it's in a training mode and maybe gives you a bit more confidence to survive the situation and navigate through that, because it's certainly very tough.

This is the last topic I just want to touch on as we conclude here. Post-incident, I mean, if it's just a simple altercation and the employee's dealt with and it's wrapped up, that's fine. But on a larger scale event, active shooter, whatever it might be, post-event, what's your thoughts and comments around how a company needs to best handle itself from a post-event perspective? Whether that's managing the health and wellness and mental health and wellness of the

employees to dealing with external public relations issues and things like that. Do you have any thoughts or comments for our listeners as we wrap up our session here on that topic?

Jonathan Frost:

Yeah, I think it's important to keep in mind that the employees and everybody that is involved in that was involved in a traumatic incident. You just don't bounce back from something like that as quickly. There's going to be some employees that struggle to return to the workplace. There's going to be employees that have flashbacks when they get back to the working environment. There's going to be situations that the organization is going to have to work through, right, to make sure that the employees that were part of that are properly taken care of. And I don't think we talk about that as much as we probably should, because you don't really understand a situation like that until you've been put in it and you understand the mental strain that it puts on people.

Dave Rapp:

Right, absolutely. I think that's super important. And so I think the other part of it is too is obviously if it's a large scale event, it's going to be on national TV, more than likely. And making sure that you've got the right people in place to effectively be public relations manager. And make sure that those people are trained appropriately on how to communicate with the press and how to deal with those inquiries in a proper way, because that could add to the stress of the situation and it impacts the company's image and reputations in terms of how you handle that post-incident. And, ultimately, there could be claims coming at the company for injuries that might have been sustained during the event. And so all that is really super important.

Listen, Jonathan, I really appreciate your time. Any closing thoughts from you on any topic that we haven't covered that might be of interest to the listeners?

Jonathan Frost:

Yeah, just real quick, Dave, when we were talking earlier about the response training, the body can't go where the mind has never been was something that I had mentioned. And I think it's important to let the employees know that training that they're receiving isn't just for the workplace. So if they start learning how to put themselves in situations like that, then it will also

translate if a situation happens at the grocery store, right, or a situation happens at the mall. Because we've all seen that those situations happen.

And I always told my kids... I have a wife that's allergic to bees, so she of course has to keep an EpiPen nearby, but she was also an avid gardener at one time. Of course, she mostly grew weeds, but she was still an avid gardener regardless. But I always prepped my kids even when they were small, to realize that, "If you go outside and you see mom face down on the ground, what are you going to do? You need to call 911. Mom's allergic to bees. Do you know where the epinephrine pen is at? Do you know how to administer it," right?

Now, it was important to put them there so that they didn't just walk out and be like, "Oh my gosh, I don't know what to do." Right? I mean, they're young. They need to make sure that they have that mindset of, "Oh, I've thought about this. I know what I need to do because we talked about it." So it's incredibly important to make sure that employees and staff know that this is not just a thing that can save your life in the workplace, but help anywhere in the world or at home.

Dave Rapp:

Yeah, I think that's a excellent tip. Training is everything, I couldn't agree more. Well, listen, Jonathan, thank you so much today for your insights. Folks, that concludes our second podcast in our series, and we really appreciate you listening in. Our next podcast on the topic, we'll talk specifically about developing crisis management programs and emergency response programs.

Please mark your calendars for Thursday, January 26th at 2:00 PM eastern time. To round out our active assailant conversation, Marsh will be hosting a webcast where I'll be joined by all of the guests featured on our podcast episodes. We'll be discussing available risk assessment tools and demonstrating some emerging active assailant loss scenario modeling. We'll also share some options the insurance market has developed to address this risk. You can find webcast registration information in the show notes. Thank you for joining us. If you have a common question for me, please send me a note at dave.rapp@marsh.com.

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