

Addressing Workplace Violence



Background:

Legislation providing for workplace violence protective orders is a growing trend across the country, supported both by employers and employee advocates. At least ten states have enacted laws providing standing to an employer to seek a temporary restraining order on behalf of an employee (or the employer itself) where there is a credible threat of workplace violence. Nine more, including Washington State, have considered previously introduced measures.

In Washington, Senator Jim Honeyford (R-Sunnyside) introduced SB 6024 in 2003, but it did not pass.

In 2011, bi-partisan backed legislation was introduced in both the House and Senate, with Reps. Judy Warnick, R-Moses Lake and Rodger Goodman, D-Kirkland sponsoring HB 1591, and Senators Jeanne Kohl-Welles, D-Seattle and Janea Holmquist Newbry, R-Moses Lake, sponsoring SB 5552. While both bills enjoyed broad support and received hearings in committee, late-blooming opposition from labor unions caused both bills to be tabled.

Problem:

Workplace violence is a serious issue for employers. According to a recent report from the Bureau of Labor Statistics, there were over 7,000 homicides in the workplace between 1997 and 2007. Although other criminal acts like robbery account for the majority of these deaths, more than 1,000 were committed by co-workers, former co-workers, acquaintances or relatives.

According to the Department of Labor & Industries, there were 13 on-the-job homicides in Washington in 2009, reflecting a tragic year for officers in law enforcement but also involving deaths in other industries as well.

The law requires employers provide safe workplaces for employees and both the state and federal governments offer resources on the development and implementation of violence prevention plans and policies in the workplace.

An area where the law is incomplete in Washington is the ability of an employer to apply for a restraining order to prevent violence, harassment, or stalking of its employees in the event the employee has experienced violence or received a credible threat of violence that is reasonably likely to be carried out at the worksite.

Solution:

Pass legislation authorizing an employer to petition for a workplace violence protective order in cases of workplace harassment.