

# HR Brief

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**Brown & Brown Benefit Advisors**

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## Preventing Workplace Violence

According to [OSHA](#), nearly 2 million American workers are victims of workplace violence each year. Workplace violence includes any act or threat of physical violence, harassment, intimidation or other threatening disruptive behavior that occurs at the worksite.

Workplace violence can take many different forms, and perpetrators are not always employees, so no employer can prevent *all* possible instances of workplace violence. However, there are steps you can take to lessen the risk of a catastrophe at your workplace.

OSHA provides helpful [guidance](#) for employers and even offers prevention tips for specific occupations. For example, health care and social workers tend to experience a higher level of exposure to workplace violence. OSHA provides comprehensive guidelines in its publication, [Guidelines for](#)

### [Preventing Workplace Violence for Healthcare and Social Service Workers.](#)

While specific to the health care industry, this publication provides tips that can be implemented in many types of workplaces.

According to OSHA, one of the best precautions any employer can take is to establish a zero-tolerance policy on workplace violence. The policy should apply to all workers, patients, clients, visitors, contractors and any other individuals who may come in contact with company personnel.

As an HR professional, you can help identify and prevent potential workplace threats. For example, understanding when an employee's inappropriate and/or aggressive behavior warrants a threat assessment versus referral to the Employee Assistance Program (EAP) can potentially make a difference in preventing an incident of workplace violence. Experts suggest considering factors such as whether the employee is able to recognize his or her own threatening behavior or if the employee's behavior is persistent and causing other workers to feel unsafe.

No organization is immune to workplace violence. Train employees to be aware and to report any suspicious visitors or co-worker behavior to management. All reports should be taken seriously and investigated thoroughly and promptly.

## DID YOU KNOW?

According to a [recent survey](#) conducted by Mercer of over 3,000 U.S. workers, almost half of employees who describe themselves as satisfied with their jobs and organizations are seeking other employment opportunities. In addition, the survey finds that 37 percent of all workers are thinking about changing jobs, regardless of their satisfaction levels.

Given these findings, Mercer believes that "employers need to shift their talent strategies to understand the modern terms of engagement from the most productive employees." What can your organization do to attract and retain engaged and productive employees?

## The ADA: 25 Years Later

On July 26, 1990, President George W. Bush signed the Americans with Disabilities Act (ADA) into law. The ADA makes it illegal for an employer to discriminate against qualified applicants or employees based on their physical or mental disabilities. Although the ADA has been the law of the land for 25 years, many employers still find themselves unsure of their [obligations](#) under the law.

One specific area of confusion is when to provide additional [leave](#) beyond any job-protected leave (for example, leave under the FMLA) as a reasonable accommodation. In general, leave as an accommodation is only considered reasonable if the additional leave would enable the employee to return to work. The ADA does not require an employer to provide an indefinite leave of absence. However, how much leave is considered "reasonable" will depend on many factors, including whether granting the leave would impose an [undue hardship](#) on the employer or its operations.

Are there other areas of the ADA you are unsure about? The EEOC has compiled useful [guidance](#) for employers over the past 25 years. In honor of the 25th anniversary of the ADA, consider taking the time to better understand how you can support workers with disabilities.