

# Workplace Violence: Why Employers Can't Afford to Ignore the Warning Signs

May 29, 2025

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When employers think about workplace safety, the conversation often begins and ends with OSHA inspections or slip-and-fall prevention. But in today's world, the most urgent threat to your workforce isn't on the floor. It's in the atmosphere: workplace violence.

Violence doesn't just mean active shooter scenarios. It includes verbal threats, stalking, physical intimidation, domestic abuse that spills into the workplace, and psychological harassment. These are not just personnel issues but legal liabilities waiting to explode.

## The Legal Landscape is Shifting and Employers Must Keep Up

Under OSHA's General Duty Clause, employers are legally required to provide a safe working environment free from recognized hazards, including the risk of workplace violence. Failing to act on known threats can result in citations, civil liability, and, in extreme cases, criminal exposure. Add to that claims for negligent hiring, negligent retention, workers' comp exposure, ADA violations, and reputational ruin, and the stakes become even clearer.

Laws are continuing to evolve. California's 2024 mandate for Workplace Violence Prevention Programs (WVPPs) set a new national standard, and other states, including New York, are following suit. Employers must now demonstrate proactive measures, not reactive apologies when something goes wrong.

## The Red Flags are Rarely Subtle and Often Dismissed

Nearly every workplace violence incident is preceded by clear indicators: escalating arguments, erratic behavior, hostile emails, or an employee voicing concern about a colleague's conduct. What's dangerous — and legally reckless — is waiting until someone crosses the line before acting. Employers are expected to prevent foreseeable harm, which means acting before tragedy strikes.

## Your First Line of Defense: a Written, Enforced Violence Prevention Policy

Organizations of all sizes and industries must have a clear, written policy for workplace violence prevention. This is not just a formality. Your workplace violence prevention policy should:

- Define prohibited conduct with precision, including threats, intimidation, and harassment.
- Create safe, accessible, and anonymous reporting channels.
- Establish a transparent response protocol.

- Reinforce zero tolerance for retaliation.

This is your legal and cultural foundation.

## **Training is Not Optional! It is a Legal and Practical Imperative**

A policy that sits unread on a shelf offers zero protection. Managers, supervisors, and employees must be trained to recognize red flags, de-escalate conflict, and report concerns safely and effectively. Even a single hour of annual training has proven to materially reduce risk.

Training must be specific, interactive, and mandatory. Where appropriate, combine it with harassment prevention or ADA accommodation training; do not treat it as a check-the-box exercise.

## **High-Risk Moments Demand Heightened Vigilance**

Terminations, layoffs, and performance-based discipline are flashpoints for violence. Employers should:

- Plan separation meetings carefully.
- Consider having security present.
- Conduct high-risk terminations off-site or via video if needed.
- Offer Employee Assistance Programs (EAPs) where appropriate.

## **The Right Team: Security, Legal, and Behavioral Health Professionals Working in Tandem**

Preventing and responding to workplace violence takes more than HR alone. You need a cross-functional team of:

- Security professionals who assess risk and implement physical safety protocols.
- Threat assessment experts (forensic psychologists, trained law enforcement) who evaluate risk and help strategize de-escalation.
- Employment counsel who understands the legal implications and can coordinate with law enforcement, courts, and insurers.
- Executive protection for high-profile or targeted employees.

Each component must align under a single, integrated WVPP strategy.

## **Real Estate and Isolated Work Environments Face Elevated Risk**

Industries like property management, real estate, and healthcare, where employees work alone, during off-hours, or interact frequently with the public, face unique and elevated exposure. Employers in these sectors must tailor policies, training, and security measures accordingly.

## **Employer Liability is Real and Expensive**

Beyond OSHA citations, employers may face lawsuits alleging:

- Negligent hiring or retention.
- Failure to warn.
- ADA violations (e.g., mishandling mental health-related threats).
- Discrimination or retaliation for mishandled reporting.

Employers cannot afford to be reactive.

Workplace violence prevention is not about paranoia. It is about creating a culture of trust, accountability, and action. Employees are more likely to report threats when they believe the company will take them seriously. That alone can prevent tragedy.

If your workplace violence prevention policy has not been reviewed in the last year or if your team has never been trained on recognizing or responding to threats, the time to act is now.