

Firing the Violent or Threatening Employee Without Being Fired On

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"You haven't heard the last of me!" It used to be that when a disgruntled applicant or employee said this, you didn't think of workplace violence!

- An employee with a history of emotional problems says he is going to kill one of your supervisors...WHAT DO YOU DO?
- An employee who has been under a lot of pressure at work and home tells a co-worker that he is going to "take out" management and shoot everyone "...WHAT DO YOU DO?
- An employee calls you saying one of the crew employees has said he is hearing voices come from the drive-thru headset to kill all employees...WHAT DO YOU DO?
- An employee is fired after making threats of workplace violence and a potential future employer calls you for a reference...WHAT DO YOU DO?
- An employee who has been telling coworkers he is from another planet is seen with a gun in his pants at work...WHAT DO YOU DO?
- You try to explain to senior management the need to better screen crew applicants for their history of violence. The response is that you're in a tight labor market and screening will create operation problems...WHAT DO YOU DO?

All these examples are real-life scenarios. They are increasing frequent problems facing food service employers. As part of your organization's line of first defense, you may be called upon to prevent, react to, or even deal with the tragic aftermath of one of a thousand scenarios involving actual or threatened workplace violence. Proactive organizations focus on all areas of

workplace violence, not just external threats. Are you prepared to deal with it right now? The correct response could prevent a tragedy and spare innocent lives. An improper response could well be the catalyst of a workplace disaster jeopardizing your own life and the lives of your fellow employees. At the very least, an improper response could subject you and your organization to legal liability for defamation, false imprisonment, malicious prosecution, negligent hiring and retention, invasion of privacy, or a host of other civil tort theories.

Violence has moved from the streets into the workplace. An average of fifteen people is murdered on the job each week across the country and homicide is the number one cause of death for women in the workplace. One sixth of all violent crimes occur at work.

Workplace violence were estimated to have cost employers over four billion dollars in 1992 alone. The human misery toll is immeasurable.

Every employee and manager should become familiar with the risks and signals of workplace violence and be prepared to deal effectively with them. Managers, employees, and companies are held accountable for what they should have known, not just what they knew. Employers cannot use ignorance of the past history of violence or criminal activities of its applicants or employees.

Here are some questions you might ask yourself and your organization executives:

- What type of pre-employment screening does your organization conduct to avoid negligent hiring and retention situations and claims?
- Will the average juror say you adequately screened a violent employee about his past before hiring him?
- Will your liability insurance pay a jury verdict if your employee is found to have intentionally hurt an employee or customer?
- What plan does your organization have for emergency situations involving an employee or former worker presenting or believed to be presenting an imminent threat of violence?
- Does your organization have a written policy concerning workplace threats and violence? How are reports made? Do you have a "hot-line" where employees or customers can alert you to potential land mines? Do you have

managers who lack crisis management training, yet think they can diffuse a violent employee?

- Do you have the necessary authority to call in professionals to deal with threatening situations?
- Does your organization participate in an employee assistance program to counsel employees and former employees who present threats of violence to themselves or others? What are the risks under the ADA of using such programs to deal with potentially violent workers? Making threats is a crime and a violation of security.
- What steps would you take in the aftermath of a workplace tragedy? What do you say to your employees, the next-of-kin and the media?
- What is your policy on furnishing information to potential future employers about a worker who was discharged for violence-related conduct?

Organizations must know how to identify the violent applicant before becoming a violent employee. Also, once an employee becomes violent or threatening, managers must effectively deal with the individual to minimize future legal and safety issues. Organizations can no longer rely only on references and interviews to make right hiring decisions. Employers can learn the objective biographical history of applicants and employees. Thus, employers can no longer say, "Why should I screen applicants and employees when nothing bad has ever happened?"

If you don't have solid, carefully considered answers to these questions, your organization's executives, human resource staff, operations managers, risk managers and security/loss prevention managers should act now. This handout is a beginning. The welfare of your employees may depend on what you do when confronted with a workplace violence situation. Customers and Employees Expect you to Know Who You Hire... THE LAW DEMANDS IT!

Risk Assessment

Inconsistencies in management practices can greatly exacerbate the workforce. It can push the potentially violent worker over the edge, giving him a sick rationalization for his actions. The day of the autocratic manager is over for organizations wanting to prevent workplace violence. Diversity training, effective grievance procedures, and conflict resolution training

are essential elements of an effective "zero workplace violence and harassment tolerance program."

Managers must create a corporate culture where every employee is sensitive to the changes in mood or demeanor that may signal a problem. Workers must be trained to recognize certain behaviors and risks that accompany violent acts. They must feel that they can speak to management about their observations or concerns. Importantly, they must have confidence in management that quick, confidential where appropriate, and forthright action will be taken.

The violent workplace mirrors an increasingly violent society. The proliferation of guns is a factor since 75 percent of workplace murders are committed with firearms, says NIOSH. Domestic violence has permeated the workplace. The husband or boyfriend slapped with a restraining order from the female employee's home can still hunt her down at work. If you intended to kill someone, without fear or care of being caught, you would also likely target your victim at work. Law enforcement is rarely present in the workplace and employers are often ill prepared for violent retribution against its workers.

Thus, you can no longer live in denial. Workplace violence by disgruntled workers strikes every organization, from churches to schools, from white collar to blue collar, even your organization.

One of the most effective methods for helping your management team receive a wake up call to workplace violence before it is too late is to answer the following questions. Assume your organization has had an employee turn deadly. You and other managers from your organization take the witness stand. You are trying to convince a jury that you were not negligent in hiring, retaining or supervising a worker that turned violent.

- What did you do to verify the information on the employment application?
- Who interviewed the applicant? What was asked? What did the applicant say? What notes did you take?
- Were the former employers contacted? Who did you speak to? What did each say? What did was asked about his criminal history and history of violence? Was the inquiry in writing? What notes did you take?
- Did you give him any pen and paper questionnaires to identify his history of violence or criminal conduct?
- Did you check his personal references? Who did you speak to? What did each say? What did

you ask? Was the inquiry in writing? What notes did you take?

- Did you conduct a criminal history search prior to hiring the applicant? What counties and states did you search? If you didn't check for a criminal record, why?
- Was the applicant given a drug test before he was hired?
- Did you have someone from security interview the applicant prior to his employment?
- What positive information did you ascertain about the applicant prior to his employment?
- What negative information did you ascertain about the applicant prior to his employment?
- What meetings did you or other supervisors have with your employees about: security, theft complaints, drug and alcohol use, and workplace violence?
- Did you have a harassment policy at the time of the applicant's employment? Did you have a sexual harassment policy? Did you have a workplace violence policy? Did you have procedures on workplace security?
- What did you do once an employee was hired to periodically determine if he or she was fit for continued employment?
- Did you ever question employees about security, harassment, or violence?
- Did you give any written test to an employee to determine if he or she was engaged in any unlawful activity while acting in their official capacity for your organization?
- Did you ever speak with the police or local law enforcement about the applicant?
- Did any police officer or probation officer ever speak to you or your organization about the applicant prior to the workplace violence incident?
- What were the responsibilities of the supervisors to ensure that the applicant did not harm anyone?

- What communications or policies did you develop concerning the safety of the public and your employees?
- Did you conduct any random or specific drug test of any employee?
- Have you ever hired a private investigator, off duty law enforcement officer, polygraph examiner, or security consultant?
- What conversations have you had with insurance agents, consultants or others, except counsel, about what you must do to protect your organization from the acts of your employees?
- What memos or notes have you written about the lack of security, poor hiring practices, negligent retention or supervision?
- Do you have any current employees who have criminal records?
- Do you have any former employees who had criminal records?
- Did the applicant sign a consent allowing you to contact past employers for a reference?
- What types of job evaluations are completed of employees?
- What do other companies in your industry do differently in screening applicants?

The point of this exercise is to help you identify strengths and weaknesses. The concept of risk management requires you to put your organization through critical self-examination. In the end, you will be glad you can answer these questions.

Profile Of The Typical Workplace Employee Killer

Many similarities can be found in workplace killers. Here is the profile of the average murderer who acts out his revenge on-the-job.

- A male. More often he is white.
- Loner socially isolated and does not have a support system.
- Owns guns and displays a fascination for weapons.

- Long history of frustration and failure.
- He blames others for his failures.
- He cannot handle defeat or rejection.
- His identity is tied to his work.
- Demonstrates emotional or mental instability.
- Intimidating, defiant, or blatantly violates organization procedures.
- Has made a threat against the organization or an individual.
- He has a history of violence. He has made threats or acted out violently before.
- He is often from a battered home, filled with violent conflict.
- More often a parent abused alcohol or other substances.
- He may suffer from suicide ideation.
- He has experienced some precipitating event, such as being fired or divorced.
- He likely has a criminal history, especially involving violence.
- He has a history of illegal drug and alcohol abuse.

One must use caution in using singular characteristics or seemingly innocent experiences in trying to predict violence. Generally, a violent offender has multiple characteristics. Employers should be familiar with patterns of behavior that can become the impetus for work-related violence.

The disgruntled worker who was fired returns saying, "Look who is doing the firing now." By shooting other workers, other than those responsible for his dismissal, the killer is getting even with an organization he believes betrayed him. By killing managers, he is regaining power and control.

An employee or former worker who is suicidal is extremely dangerous. It is a short distance in thought to decide to kill his coworkers or supervisors once committed to a violent end to his own existence.

CRISIS MANAGEMENT

Oftentimes, companies are ill prepared for the threat of workplace violence. This is largely attributed to the idea that violence will never strike: the process of living in denial causes a false sense of security. This section will help your organization plan for the worse that will result in a reduction in risk of workplace violence.

Planning and policy making will help you make difficult decisions during extremely stressful situations when the threat of violence erupts at work. This process cannot be effectively done at the time of the crisis. You may want your labor attorney or general counsel to direct you to create a crisis management plan in anticipation of litigation. Thus, the "attorney-client privilege" and the "attorney-client work product privilege" may protect the development of policies, plans and discussions.

The value of having your counsel involved in this process will help you chart courses that are legally defensible.

A workplace violence crisis can be defined from a business-oriented point of view. Episodes of workplace threats or violence runs the risk of:

1. Escalating in intensity. Unreported threats or signs of violence can lead to loss of life. Recognizing the first domino as it shows signs of falling, allows for intervention before it creates a chain reaction, which no one can stop.
2. Falling under close media, employee or government scrutiny. Everyone watches management during a time of crisis. The press report, employees talk, and government regulators and courts litigate in the aftermath of workplace violence. The crisis management team should put the organization under critical scrutiny long before an incident of violence erupts. Through self analysis from the media, employee and courts points of view will help identify steps which can be taken to prevent violence, control it when it occurs and manage the message in its aftermath.
3. Interfering with the normal operations of business. Many companies, even after being impacted by violence, fail to create a crisis management plan. A strong motivation for planning, more effective employment screening, and training can easily be found in studying case histories. Most employers have

to stop operations entirely when a worker is murdered in the workplace. The impedance to operations, much less the human misery, requires employers to manage for a crisis.

4. Jeopardizing the positive public image presently enjoyed by an organization or its officers. One can see the negative impact that workplace violence has on the confidence and perception of employees, customers, and the public. Management appears cold and uncaring when it does not handle a crisis properly. Unfortunately, the cost associated with diminished public confidence and a tarnished image can be measured by the ineffectiveness of poor or non-existent crisis management planning.
5. Damaging an organization's bottom line in any way, including the avoidable death or injury to anyone. Your most important assets are people. They are your coworkers, customers, and community. When you believe you need not work to prevent workplace violence, look at your fellow workers and write out what you would say to them, the media, and next-of-kin when an employee is murdered on the front line.

Here are three essential tasks required in any crisis. Because whether you are prepared or have planned, you must:

- Identify the crisis--quickly.
- Isolate the crisis--quickly.
- Manage the crisis--quickly.

EARLY WARNINGS: THE KEY TO PREVENTING VIOLENCE

Workplace violence is almost always precipitated by threats, which can be classified into three categories --- Direct, conditional, and veiled.

- Direct threats are unmistakable. The employee says, "I'm going to kill you because you parked in my parking space!" He leaves no doubt of his intentions. Too often managers fail to act believing the employee is ventilating his frustrations. The manager doesn't report the threat that had put the employer "on legal notice" of the potential for workplace violence.
- Conditional threats are tied to an action. The violent employee says, "I'll blow this place up and everyone in it if you fire me!" Some managers retreat and take no

termination action fearing the threats will be acted out. More often management fails to contact labor counsel and crisis management experts hoping the violent employee can be rehabilitated by its inaction, pacification and unrealistic placation.

- Veiled threats leave employers guessing about what the employee said, much less meant. A frustrated worker says, "That supervisor is a jerk. I could see why somebody would want to come in here with a gun." It is not uncommon for people to say things they do not mean. However, veiled threats in the workplace take on a form of harassment that negatively impacts productivity, a safe environment and mutual respect.

SecurTHREAT is a threat assessment questionnaire that helps employers investigate threats of violence. This copyright protected technique can be found at the end of this article.

ASSESSING THE THREATENING EMPLOYEE

Most managers are ill trained to deal with the employee who has made threats of violence. An incorrect response can turn deadly. There are steps that the manager can take to evaluate the level of risk and potential for actual violence. The following can act as a model for conducting this evaluation. These steps are designed for immediacy rather than prolonging the review process.

Step 1 ➤ Listen to Coworkers

The first step is for employers to listen to employees who claim a fellow worker's behavior has turned strange or threatening. Most case studies document that management failed to take seriously the early warning signals reported by its employees. If your organization used to treat its workers like disposable commodities, your role will have to focus on creating trust and confidence.

Step 2 ➤ Document and Report

Next, each incident, perceived or real must be chronicled. This action causes management to more carefully evaluate the matter and take appropriate responses. Keeping senior management apprised allows for internal review. This prevents a single manager from carrying the weight of evaluation. It also avoids claims of bias or singling out an employee based on overstated personality conflicts.

Step 3 ➤ Review the Record

Management should quickly evaluate the threatening employees personnel file. Other problems may have been escalating, such as conflicts, fistfights, tardiness, and complaints to management from the employee himself. Conduct an updated criminal records search. You may find the motive for the crisis.

Step 4 ➤ Investigate

The organization security professionals or contract investigators should discretely interview the complainant and those who may have information about the threatening worker. Steps should be taken by management to ensure confidentiality and limit the possibility of the investigative target from finding out he is under scrutiny. Most importantly, the investigators should have specific training in conducting sensitive workplace inquiries.

Step 5 ➤ Crisis Management Team

The crisis management team should be alerted at the onset of violent threats or actions. Their feedback and guidance will prove invaluable. Generally, crisis management teams consist of:

- Senior executive
- Senior operations manager
- Senior human resource manager
- Senior security manager
- Senior risk manager
- Labor counsel as an advisor
- Crisis management expert
- Labor representative where indicated

The team leader should be empowered to make immediate decisions for the organization. Thus, the leader should have training and experience in dealing with violence in the workplace. In most cases the security manager, HR manager, and crisis management consultant are the front-line on-site team members. Other team members can provide feedback and input by conference calls. Often there are many forks in the road that requires immediate evaluation and response. The poorly experienced leader will attempt to make decisions by committee lacking confidence in his or her conflict resolution skills.

The members of the crisis management team should be able to work well with each other. There are few situations with simple or single solutions. Members should be reminded that their calm professional response and support of other team members help keep the focus on evaluation, planning and defusing the potential for workplace violence.

In smaller companies, management may be forced to rely on a crisis management expert skilled in security, investigation and human resources. Caution should be

exercised in allowing budgetary issues from creating a qualified team to deal with explosive situations. Everyone can critique or litigate after a violent incident with most executives wishing they had done more to prevent the crisis.

Employers and their counsel must carefully assess the use of employee assistance programs that allow the threatening employee to return to work. Once the employer is on notice that an employee possesses a risk of workplace violence, a zero tolerance policy may prevent future claims of negligent retention when the worker hurts a fellow employee or customer. This zero tolerance policy often seems uncaring when some threats appear somewhat harmless to the novice. However, executives are charged with protecting the whole that sometimes requires decisive and immediate removal of the dangerous worker.

PREVENTING WORKPLACE VIOLENCE BY YOUR EMPLOYEES

These steps will help you create an effective policy to reduce the potential for workplace internal violence.

1. Screen your applicants for violence. Most background investigations (criminal history searches) fall short, as it does not uncover violence that has not resulted in a criminal conviction. Use QuickChoice+ by SecurTest to screen applicants for violence, criminal conduct, current drug use, theft, turnover, and other objective job related behaviors.
2. Create a communication process that encourages feedback from both management and employees. As noted in the typical profile of the violent worker, an individual feeling isolated believing that management does not care about him often precipitates violence.
3. Train management in strong effective "people skills." Those lacking in the knowledge to deal with others must receive training to improve. Create a benchmark for your management team that identifies those desired characteristics for future advancement.
3. Implement a consistent and fair disciplinary policy. The U. S. Postal Service discovered that one early warning of violence is inconsistent discipline where management shows favoritism. The organization that does not follow its policies may create an attitude that one must take matters into his hands.

4. Encourage workplace integrity. Employees, who can trust each other, including management will enhance a healthy working environment. A zero tolerance policy on harassment will create a foundation for acceptable conduct.
5. Carefully screen applicants and employees. It is less expensive to hire the right person than to fire the wrong one. Thorough reference and employment investigations, along with criminal checks where appropriate, are essential.
6. Biographical questionnaires can help uncover an applicant's history of violence or criminality. Many food service companies use this form of recruiting and screen to greatly reduce the costs of background investigations. It provides instant results that are ideal for crew applicants.
7. Train managers in crisis intervention. Often a manager will see a problem and rationalize that it is insignificant. With the proper tools, the manager can interact with the employee to identify the problem and help create solutions.
8. All potential or actual incidents must be reported to senior management. An immediate response to the problem will help diffuse emotions.
9. Document all incidents and management's response.
10. Senior management should periodically review its policies and all incidents. This will identify trends and provide for changes where necessary.
11. Involve your labor counsel in creating policies and in reviewing incidents. This advice will prove invaluable if a matter becomes an issue for the courts.
12. Document employee misconduct. Review the conduct and written solutions to the problems. Employees can help create positive change and personal growth when they understand the criteria for improvement.
13. Periodically test or evaluate all employees. You will learn about the employee's admitted history since employment or the last time he was evaluated.

SECURITY STEPS

1. Have closing personnel park their vehicles in well-lit areas. Have them park close to an entrance always locking all car doors and securing all windows. Have them move their vehicles closer to the door if they must work after dark. Closing personnel should leave at the same time watching each other walk to their vehicles.
2. Stay alert. Awareness is your best crime prevention tool.
3. Be prepared. Have your keys in hand before leaving the building.
4. Walk with a mission. Get to and in your vehicle quickly.
5. Use security or other personnel to escort you to your car. You must be patient since you are tempted to rationalize that nothing bad could ever happen to you.
6. Look in and under the car before getting in.
7. When in doubt of your safety, retreat to a secure area. Avoid strangers, former disgruntled workers or suspicious people.
8. Make sure your vehicle is well maintained to avoid mechanical problems. The last place you want to have a dead battery is at 1:00 o'clock in the morning when no one is around.
9. Monitor customers. Your instincts often will alert you to potential criminals who are casing the organization. Your keen observation skills are one of the best prevention tools.
10. Review your security procedures. Knowing the location of the hold-up button, points of exit or places to hide help you to make sound decisions during a crisis.
11. Close circuit television (CCTV) cameras should be strategically placed. CCTV cameras should not be placed in areas where employees have a reasonable expectation of privacy. Notices should be posted and policies about employee monitoring should be frequently reviewed with personnel to avoid conflicts. A monitor should be placed from the ceiling so that every customer, or potential criminal, can see himself or herself being video taped. This has proved an excellent

- deterrent for many convenience and food service companies.
12. Keep up to date and accurate logs of who has keys, combinations, and access cards. Retrieve all keys and cards at time of employment separation. Change combinations, codes or locks.
 13. Follow sound security cash handling procedures. Frequently, it is discovered that failure to follow these procedures created an impetus for the criminal. Criminals often decide to bypass a target company that has sound security procedures that are being uniformly followed by all employees. Employees with criminal propensities or histories are watching to see how easy a target you are.
 14. Avoid counting large sums of currency in view of the public and the crew. Temptation breeds crime. Robbers today are more often committing the crime to feed a drug habit, versus putting food on the family table. Robbers are more violent than in the past. Thus, you must be vigilant about safety and security.
 15. Train your personnel frequently about your security procedures.
 16. Have professional in-house or contract security professionals review policies and facilities. Surprise audits will alert you to deficiencies.
 17. Train all supervisors in conflict resolution, communication and effective management skills.
 18. Train all employees about a "zero tolerance" for workplace threats and violence. You may want to use an expert on workplace violence training to help you reduce your liability.

CRISIS MANAGEMENT IN ACTION

A manager calls the corporate security director reporting that an employee has told his coworkers he is planning on killing them. The employee had been with the company for two months as a crewmember. Unfortunately, the employee had made comments to an assistant manager who waited three days before telling the manager.

The corporate crisis management team responds. The team, consisting of the company operations vice president, human resource vice president, corporate security director, and SecurTest, has a telephone conference. Steve Millwee from SecurTest immediately takes the next plane to the location. Millwee interviews the store manager and assistant manager. They tell him that the employee carries a large gym bag to work each day. The employee, who is on duty, has the gym bag in the office. The managers tell Millwee that three employees have been discretely interviewed. The loss prevention manager arrives with the HR vice president. Two off duty police officers are hired and briefed. They are dressed in plain clothes rather than in uniform and strategically placed in the restaurant as customers.

Before answering the SecurTest questionnaire, the employee gave Millwee written permission to look in his gym bag. No weapons were found. The employee was interviewed for 2 hours after completing the questionnaire. His mood radically changed from calm to threatening. When asked if he had any weapons in his car he replied, "No. It's a good thing I don't. If I had a gun, you and everyone here right now would be dead!"

The employee said he had been trying to convert his coworkers to his newfound religious convictions. He had recently stopped taking illegal drugs. He admitted he had threatened his coworkers. He agreed that his threats put the company in a position of having to take action. He agreed to resign. He wrote a letter of resignation and apology. He agreed he needed professional psychological help, yet he had no money since he made \$5 an hour and now was unemployed.

The crisis management team leaders authorize a separation agreement with a 90-day pay out. The employee cries when told the company cares about him and is willing to help him get the help he desperately wants and needs. He signs an affidavit saying he will seek treatment through a local community organization that does not charge people who cannot afford their services. He agrees to have the counselor send weekly reports to the company about his treatment progress. The employee signs an affidavit agreeing he will never return to any company store. He questions how employment references will be handled. He agrees that the company will say if asked, that he resigned after making threats of violence. The prospective employer will be told that the employee voluntarily sought professional help. He wants to meet with his coworkers to apologize but understands that it would be inappropriate. The police officers issue him a trespass warning. The notice gives the police the authority to

arrest him if he returns to any company store. He calmly leaves.

The next day and each day for about a week, the employee and Millwee speak by telephone. He begins treatment and is diagnosed as suffering schizophrenia of the paranoia type. He has auditory hallucinations. He subsequently writes Millwee after the anti-psychotic drugs helps his disease go into remission expressing his gratitude. He admits during one call how close he had come to killing the manager whom he believed was about to fire him. His psychological reports further confirm a troubled history. A month later he tells Millwee the counselor helped find him a job. The new employer sought no reference information. The imminent danger subsided; yet, the employees and management remain vigilant.

Conflicting Roles

Well-trained professionals should be used to lead the investigation of the potentially violent worker. The incorrect approach can prove deadly. Here is the typical scenario. The manager from human resources calls the security manager and says, "We need you to stand by this afternoon when we terminate an employee who has made threats of violence." Unfortunately some security managers often accept that their role in the most deadly request for assistance has been relegated to that of a bodyguard or professional wrestler if the termination turns violent.

Many security managers are former law enforcement professionals with years of experience interviewing and containing violent offenders. Security professionals must communicate to senior management that they are often the best-trained members of the team to lead the termination process of a violent or threatening employee.

There are three reasons the personnel department often takes the lead in terminating threatening or violent employees. First, it has become the norm. Second, HR believes they better understand the legal issues affecting terminations. Third, they tend to look at security as a necessary evil as they want to protect their employees from overly aggressive and intrusive measures.

The first step in diffusing potentially violent situations is creating a team approach. HR and security professionals must develop a positive working relationship. It is critical that HR and security learn each other's roles. This develops understanding for the complex issues the other member of the team experiences. The second step is defining the role each

will play in the threat assessment, termination decision and confrontation of the threatening employee.

Firing the Violent Worker Without Being Fired On

Every manager is nervous about firing any employee; much less one who has made threats of violence. Here are steps you can take to minimize the odds the terminated employee will return to kill you or your coworkers.

1. Stay calm. Select the right person to end the employment relationship. Accept that you may not be the right person for the task at hand. Using a neutral manager or outside security consultant who specializes in terminating violent workers may be a life-saving decision.
2. Unless you are well trained and experienced in firing violent workers, you should have a witness in the room. The employee should view the interviewer as neutral to the situation. No one should be involved with the violent worker that is the object of his threats or acts of violence.
3. A trained expert can likely lead the employee to voluntary separation with some minor considerations. The high road may be to allow the worker to resign with a modest severance package. Some question the utility of this process. Yet, one must ask if it is better to pay two weeks severance to the worker today versus risking retaliatory violence in the future.
4. When terminating an employee give specific, not general reasons for end the relationship. An employee can better accept the truth than a "couched statement" designed to misdirect the reason for termination. Keep the reason for termination directed at the most serious acts rather than focusing on minor problems. It is important to be firm not giving the employee false hope that the decision can be changed if he makes a cogent argument against being fired. Avoid the "yes you did, no I didn't" exit interview approach. By keeping the termination interview brief and direct will help avoid confrontation. You are not the "bad guy" for terminating the worker.
5. Keep the termination direct but with compassion. Create an atmosphere that the firing does not mean you dislike the worker.

6. As well, tell him how future job reference inquiries will be handled. This will help him deal with job interviews without removing his sense of hope. However, be careful not to promise the worker you will not disclose truthful information to prospective employers since you may have a legal obligation to do so. Require a signed hold harmless release from the former employee and prospective employer before giving references.
7. Benefits counseling should be available at the termination location. Do not send the employee to another place to get the information. This only allows time and thought for hostility to build. Keeping a threatening person away from his target improves the odds in your favor.
8. Notify security, or the police, if you believe the terminated employee may create a problem. Negotiate a written agreement with the violent employee not to return to the workplace. This will help law enforcement deal with the returning disgruntled individual. Most states have trespass after warning laws. Having the agreement allows the police to take immediate action when called. Security should be standing by in a discrete location unless the situation demands active participation.
9. All terminated workers should be escorted to his locker or work area and assisted in cleaning out his space. Theoretically, he could have a gun or weapon on the premises. Remember that he is already in an emotional state having just been fired. It is often appropriate to tell the emotional individual that his personal belongings will be collected and sent to his home.
10. Always mail the terminated employee's last payroll check to his home. Allowing him to return for the check creates an opportunity for confrontation.
11. Where possible, terminate employees at the end of a shift. Do not allow the worker to finish his shift or interact with his former co-workers.
12. Use a neutral manager to terminate those workers who may have internalized some hostility toward the human resources manager or immediate supervisor. Do not blame another supervisor for the termination decision or for problems with the employee.
13. Allow the terminated employee a brief opportunity to discuss his feelings. Have a psychologist or psychiatrist available for out placement counseling. Give the terminated worker the doctor's telephone number in writing. Use the organization's employee assistance programs to help in counseling and future job placement. In a time when many companies must "right size" its organization with layoffs, it is important to use a location away from the organization for all post termination interaction.
14. Notify law enforcement when any workplace violence occurs. Encourage police to take immediate action against offenders.
15. All supervisors and employees should be given written instructions to notify management immediately and security if a former employee is seen loitering at your organization. This notification should be made verbally and in writing. A photograph of the individual who is hostile or has verbalized threats can be circulated. Alert internal, contract or landlord external security in writing of potential problems and the procedures they should follow.
16. Where appropriate, keep in touch with the disgruntled former employee. Periodically, a member of management who is on friendly terms with the individual can call him or those close to him. Find out if he has found other employment. Determine his mental state. Document all information. This will help you make additional risk management decisions.
17. Avoid giving or sending termination letters to the violent worker. In some instances you may have to give the employee a termination letter due to a union contract or regulation. The potentially violent worker's most lasting memory of your organization is by reading over and over any correspondence he receives about his termination.

The Next Step

Awareness is the first step in using these steps, along with **training** and **teamwork** will help you reduce the odds of becoming a victim to workplace violence. By using proactive security tools in your decisions and the help of professionals, you will be prepared to handle most situations.

About the author



STEVEN C. MILLWEE, CPP, is one of the highest rated speakers and experts on workplace violence, homeland security and terrorism.

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A frequent expert witness in workplace violence litigation for negligent hiring, retention and security, Steve is considered one of the leading experts on defusing violent employees before they return to do their own firing with a gun. He is the Chairman of the Board of American Society for Industrial Security International and was its 2002 President. ASIS has over 32,000 members worldwide consisting of the security managers of the *Fortune 500*. He is on the editorial Board of *LossPrevention Magazine*. Formerly with the FBI, he was the chief homicide detective for unsolved murders for the Hillsborough County Sheriff's Office.

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