

Workplace Violence

OBJECTIVES

The objectives of this large loss claim review are to:

- Examine an incident within the Fire Services related to workplace violence;
- Understand the impact associated with these types of incidents;
- Understand the risk faced by departments
- Develop specific risk management best practices to either prevent or mitigate future losses for Connecticut fire agencies based on lessons learned.

BACKGROUND

On the date of the incident the claimant had entered the kitchen area of the fire station where he engaged with the perpetrator in conversation. At some point during the conversation the perpetrator became agitated with the claimant. After a brief argument the perpetrator grabbed a large knife from the counter and stabbed the claimant several times.

INVESTIGATION

- The department is identified as a combination department consisting of both full time employed fire fighters between the hours of 7:00 am and 5:00 pm as well as 63 active volunteer fire fighters
- The incident occurred around 12:00 pm – lunch time
- Often, volunteers would come to the fire station during the day for a variety of reasons, including to have lunch
- The claimant is a 37-year-old volunteer fire fighter. He is a 12-year veteran of the department
- The perpetrator is a 29-year-old full-time (paid) fire fighter. He has been with the department for just under 2-years and was the newest fire fighter on the day crew
- On the date of the incident, the claimant was in the area of the fire station at lunch time and thought he would stop in and have lunch with the “day crew”
- After arriving at the fire station, the claimant entered the fire station and stated that he smelled something good and proceeded to the kitchen
- Once in the kitchen, the claimant found the perpetrator who seemed upset; he was talking under his breath, cursing out loud and making vulgar hand gestures towards the officer, offices and bunk room areas. All of these areas were located directly across from the kitchen
- The claimant said “hello” and stated that “lunch smelled great”, he then asked the perpetrator what he was making to which the perpetrator replied, “Go to hell” and also used other vulgar language
- The claimant started to ask what was wrong, however, the perpetrator continued to yell and scream at him, he also made unnecessary derogatory comments about the claimant’s stature.
- The claimant admits that he lost his temper after enduring several minutes of being barraged with insults and vulgar language, ultimately telling the perpetrator to, “Shut up and just make lunch rookie”. The perpetrator then picked up a large knife off the counter and charges the claimant
- A scuffle ensues and the perpetrator stabs the claimant several times in the upper extremities and torso.
- Hearing the scuffle and the claimants yells for help, several fire fighters enter the kitchen and find the claimant lying on the ground bleeding. The perpetrator was sitting at the kitchen table
- Local law enforcement was called and they arrived within minutes taking the perpetrator into custody without any further violence
- During law enforcement’s interview of the perpetrator, it was noted that the perpetrator had been, “fed up” with how he had been treated by the other fire fighters within the Department.

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- The perpetrator was able to provide evidence which included saved emails, text messages, and social media posts which indicated he had endured a significant pattern of abuse by his fellow fire fighters
- Investigation by the Town noted a total of six (6) complaints that were made by the perpetrator to the Town's Human Resources office. None of which had been investigated.
- On the date of the incident ,the perpetrator had been demeaned several times by his crew for making another complaint to the Town's Human Resources Director. After several hours of enduring this ,the perpetrator was told, "To go do something useful, and make them lunch...and it better be good."

INJURIES AND DAMAGES

- During the attack the claimant sustained the following:
 - Five (5) lacerations to his arms and legs, requiring over thirty (30) sutures to close.
 - Two (2) stab wounds to his abdominal area, each closed with sutures
 - A minor concussion from striking his head on the ground from falling as a result of the attack
 - Suffers from nightmares as a result of being attacked
- Although his lacerations healed without complication, the claimant was not able to return to fire department as a result of the attack and resigned shortly after.
- The total demand made by the plaintiffs was \$1 million dollars.
- After reviewing several significant factors, such as;
 - Statement and evidence provided by the perpetrator
 - The written complaints made to the town's human resources office,
 - The lack of any follow up to the perpetrator's complaints, and,
 - Depositions of the commanding officers - which indicated that a pervasive hostile work environment existed
- It was determined that this case was best suited for a settlement strategy. Negotiations extended several months, however, they ultimately concluded in an agreed settlement amount of \$250K plus attorney fees and expenses.

CONCLUSION

Many American workers report having been victims of workplace violence each year. Unfortunately, many more cases go unreported. Research has identified factors that may increase the risk of violence for some workers at certain worksites. Such factors include exchanging money with the public and working with volatile, unstable people. Working alone or in isolated areas may also contribute to the potential for violence. Providing services and care, and working where alcohol is served may also impact the likelihood of violence. Additionally, time of day and location of work, such as working late at night or in areas with high crime rates, are also risk factors that should be considered when addressing issues of workplace violence. Among those with higher-risk are workers who exchange money with the public, delivery drivers, healthcare professionals, public service workers, customer service agents, law enforcement personnel, and those who work alone or in small groups.¹

The fire service has unique organizational dynamics that can lead to harassment and bullying and, at the same time, are the critical reasons for working to eliminate intentional and unintentional unfair treatment of employees. Recent literature and studies show that the battle to eradicate harassment and bullying is far from over.

The International Association of Fire Chiefs (IAFC) has taken steps to identify areas of bullying and discrimination and is working diligently to enforce and develop effective strategies to mitigate these issues. Future research will include continued studies of the US fire service as well as studies of non-US fire services. Additional research will also focus on the effects of bullying, sexual harassment and discrimination on bystanders and volunteer firefighters.²

¹<https://www.osha.gov/workplace-violence>

²https://link.springer.com/referenceworkentry/10.1007/978-981-10-5308-5_15

RECOMMENDATIONS

Recommended solutions include:

- Ensuring harassment and bullying are not tolerated by communicating to all employees that a policy exists and how to follow it.
- Have a well-written and implemented workplace violence prevention program, combined with engineering controls, administrative controls and training to reduce the incidence of workplace violence in the fire Services.
- Correct identified behaviors
- Follow up to all complaints in accordance with department and town policy
- Educate officers on the towns policy, behavior identification and follow up requirements
- Keep lines of communication open, empower employees to report bullying, harassing behaviors

FIRE SERVICES TASK FORCE ACTIONS

CIRMA Risk Management is seeking feedback from the Fire Services Task Force on the recommendations to reduce the potential for workplace violence to occur. Following the meeting, any additional thoughts or comments should be directed to Joey Barbera at jbarbera@ccm-ct.org.