

## Workplace Violence: Response to Injury On-the-job

The employer has a duty to provide a workplace that is free of known dangers and employees have the right to working conditions that are free of known health and safety hazards. Since events of workplace violence often occur unexpectedly, it is important to know how to respond. While each event is different, the list below provides a series of actions to consider when faced with a workplace violence injury.

- 1) Obtain first aid/medical attention.
  - Immediately report the injury to your supervisor and get relieved of duties, as necessary.
  - Seek medical attention as indicated depending on injury severity.
    - Go to the emergency room or seek care from the healthcare provider of your choice.
    - Inform the provider that the injury is work-related and provide details of the injury.
    - If you provide a written injury statement to the provider, retain a copy for your file.
    - Request medical direction in writing and follow the medical direction provided.
    - Obtain assistance from the provider to file a workers' compensation claim.
      - \*The claim will go through a review process for approval. With approval, Labor & Industries or your self-insured employer will cover medical bills that are related to your injury.
    - If care is needed beyond the first visit, ensure that your provider is approved for future visits.
  - Keep a personal log of events.
    - Track missed days of work, travel, out-of-pocket expenses, and daily details of your injury and circumstances.
- 2) Complete written reports to create a record of the occurrence.
  - Submit required written injury and near miss reports according to facility policy/procedure.
    - Complete an employee injury/accident report.
    - Complete an incident/occurrence report.
    - When completing an injury/accident report or an incident/occurrence report describe the event using objective facts, include an event timeline, and list other individuals involved in the event.
    - Commit to reporting all incidents and threats of workplace violence so that these events are reviewed annually (as required by the Washington state workplace violence law).
    - Report the safety hazard, (e.g., workplace violence event) to Labor and Industries.
      - To report a safety hazard:  
<https://www.lni.wa.gov/workers-rights/workplace-complaints/safety-complaints>
- 3) Seek Resources to address stress.
  - Obtain assistance/services to address stress and posttraumatic issues related to the workplace violence event.
    - Consider employee assistance programs, counseling, spiritual care, and/or Code Lavender crisis intervention services to support those involved in stressful events.
- 4) File a police report promptly.
  - If you are a victim of workplace violence (or another crime), you have the right to file a police report. (Your organization will not do this for you and may not advise you to do so.)

- HIPAA and Washington State law allow the disclosure of PHI to a law enforcement official that the covered entity believes in good faith constitutes evidence of criminal conduct that occurred on the premises of the hospital. Review law related to disclosure: 45 CFR 164.512(f)(5); RCW 70.02.200 (1)(g).
  - Write down details of the event to create a report that is clear, accurate, factual, and thorough.
  - File the police report in person or by telephone (avoid electronic filing).
  - A law enforcement officer investigates and collects evidence about the reported event and will meet with you to finalize the report. Cooperate with law enforcement and provide evidence.
  - The police report is provided to the Prosecuting Attorney's office, where a determination is made on how to proceed. The prosecuting attorney decides if there is sufficient evidence to prosecute a crime.
  - Retain your case number to follow-up on the investigation and to obtain a copy of the report.
- 5) Seek Workers' Compensation.
- Discuss missed work with your employer/Workers' Compensation Representative.
  - Expect that the three consecutive days of work immediately following your injury will be considered a waiting period. Labor and Industries or your self-insured employer typically will not pay for these days, if they are the only days missed.
  - Refer to the Washington State Department of Labor & Industries for additional information on time-loss and wage replacement.
- 6) Contact your union representative.
- File an assignment despite objection (ADO) report.
- 7) Share learnings for safety.
- Debrief the event of workplace violence with co-workers at safety huddle.
  - Identify ways to prevent the same or similar events from reoccurring in the future.

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The information offered in this document reflects general principles only and does not constitute legal advice by WSNA or establish appropriate or acceptable standards of professional conduct.